

YOJANA

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Land and Natural Resources

A New Beginning on Water in the 12th Plan Mihir Shah

Reforming India's Land Policy

Maitreesh Ghatak, Parikshit Ghosh & Dilip Mookherjee

E-government: Potential and Challenges

Yogesh K. Dwivedi, Nripendra P. Rana & Antonis C. Simintiras

National Land Reform Agenda: The Way Forward for Eradicating Poverty

P.V. Rajagopal

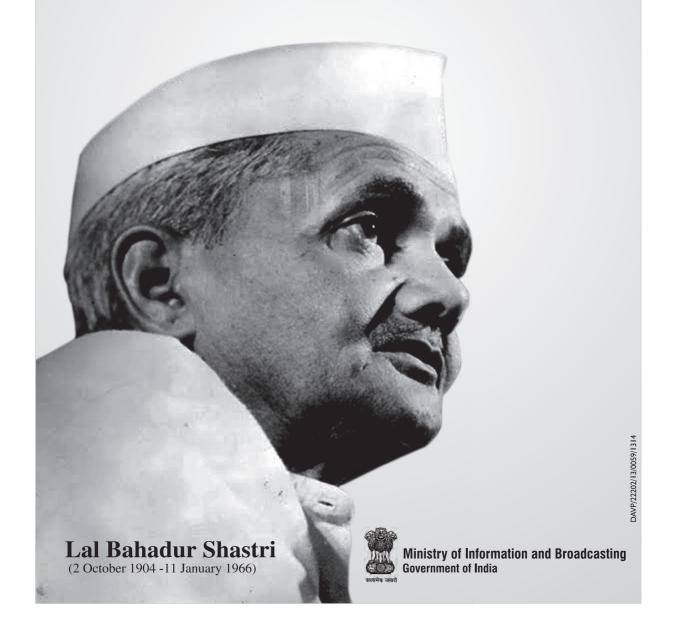
pecial Article

Economics of oil in the context of Energy Security

S.C. Tripathi

we are one people

"Communal, provincial and linguistic conflicts weaken the country. Therefore we have to forge national unity"



November 2013

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Let noble thoughts come to us from all sides Rig Veda

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YOJANA

Jal, Jungle, Zameen...and Airwaves

It is a story from the Mahabharata. After spending 13 years in exile, the Pandavas wanted their kingdom back. They sent Krishna as their emissary to Hastinapur to seek their land peacefully. However, Duryodhana was adamant. When Krishna pleaded that Pandavas be given just five villages to survive on, Duryodhana retorted, 'Soochyagram Naiv Dasyami, Bina Yudhdhen Keshav-I won't part with land even worth the tip of a needle without war.' That killed all hopes of peace and we had Mahabharata which entailed great destruction and devastation. In fact, all the wars in history have their origins in the desire for the control of land and natural resources. It is said that the next world war, if it is to be ever fought, would be on the issue of water. Similarly, oil is a crucial factor today in the geo-strategic politics played over the world arena. Indeed, we can hear the rumblings of the same in the various movements against the construction of a dam, mining of aluminium, coal and other mineral resources, control and management over the forest produce, land acquisition for industry or other public purposes and so on. Obviously, the issue related to land and

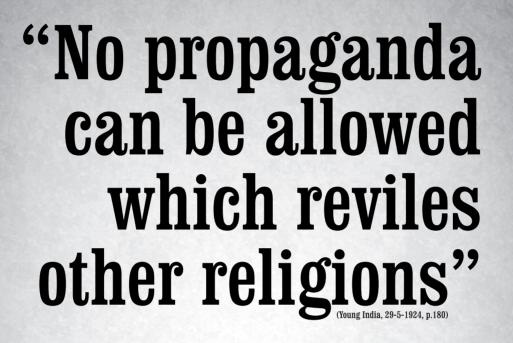


natural resources is vast, multi-dimensional and complex. It requires deep engagement both at the intellectual as well as at the level of policy and governance.

It would be a folly to view natural resources simply as raw material that goes into feeding the development of a nation. No doubt, they are essential for any country to develop, but the exploitation and use of natural resources also fundamentally affects the dynamics of access to livelihood and ecological infrastructure of a society. These resources may appear to be inert and given by nature but they are lively participants in shaping the destiny of the human agency, perhaps as natural as they are social in their interplay with human intervention. The natural resources and the existential network of the human beings are so tightly interwoven that a great deal of sensitivity is required in working out the policy framework and its implementation on the ground.

At the policy level, there have been a number of new legislations concerning this sector. Most recently the Parliament has passed the 'Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.' The Act has significantly increased the compensation for acquisition of land. Relief and Rehabilitation and consent of the person whose land is being acquired has been made an integral part of any acquisition activity. A number of safeguards have been built in the act to protect the livelihood of the persons affected which include land for land, share in the gain from resale of the acquired land and a number of other procedural provisions. This has been hailed as an important legislation which aims to strike a balance between the demands of industrial development of the country and need to protect the livelihood of the affected people.

The question of equitable distribution of the benefits of natural resources is not just limited to individuals. It also involves question of resource federalism. India being a federal country, the states too have a legitimate right over natural resources. What is to be the yardstick on which the gains from the natural resources should be distributed between the states and the centre? What could be the principle of the assigning of 'powers and functions over resources and resource development' between the centre and the state? It is also important to underline here that in case of natural resources, be it land, minerals, water or the airwaves, the purely economic logic of profit maximisation may not be the best option so far as social well-being is concerned. The externalities, both in terms of benefit and cost to the society are far too many to let this question be decided by purely economic logic. In the final analysis, the human society must negotiate its terms of engagement with nature with great humility and based on the understanding that prosperity of the nation is sustainable only when the person on the lowest rung of the economic ladder is also happy to contribute to it.



Mahatma Gandhi



2nd October: International Day of Non-Violence



Ministry of Information and Broadcasting Government of India

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A New Beginning on Water in the 12th Plan

Mihir Shah



What lies ahead is the even more difficult task of implementing this new approach. What gives hope is the fact that the process of hammering agreement on change has been deeply inclusive and has buy-in from key implementers, especially the State governments

NDIA FACES a major crisis of water as we move into the 21st century. This crisis threatens the basic right to drinking water of our citizens; it also puts the livelihoods of millions at risk. The demands of a rapidly industrialising economy and urbanizing society come at a time when the potential for augmenting supply is limited, water tables are falling and water quality issues have increasingly come to the fore.

Limits to Large Dams

Recent scholarship points to definite limits to the role new large dam projects can play in providing economically viable additional water storage (Ackerman, 2011). The ambitious scheme for interlinking of rivers also presents major problems. The comprehensive proposal to link Himalayan with the Peninsular rivers for inter-basin transfer of water was estimated to cost around Rs. 5, 60,000 crores in 2001. Land submergence and R&R packages would be additional to this cost. There are no firm estimates available for running costs of the scheme, such as the cost of power required to lift water. There is also the problem that because of our dependence on the monsoons, the periods when rivers have "surplus"

water are generally synchronous across the subcontinent. A major problem in planning inter-basin transfers is how to take into account the reasonable needs of the basin states, which will grow over time. Further, given the topography of India and the way links are envisaged, they might totally bypass the core dryland areas of Central and Western India, which are located on elevations of 300+ metres above MSL. It is also feared that linking rivers could affect the natural supply of nutrients through curtailing flooding of the downstream areas. Along the east coast of India, all the major peninsular rivers have extensive deltas. Damming the rivers for linking will cut down the sediment supply and cause coastal and delta erosion, destroying the fragile coastal eco-systems.

It has also been pointed out that the scheme could affect the monsoon system significantly (Rajamani et al, 2006). The presence of a low salinity layer of water with low density is a reason for maintenance of high seasurface temperatures (greater than 28 degrees C) in the Bay of Bengal, creating low pressure areas and intensification of monsoon activity. Rainfall over much of the sub-continent is controlled by this layer of low saline water. A disruption in this layer could have serious long-term consequences for climate and rainfall in the subcontinent,

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endangering the livelihoods of a vast population.

The Crisis of Groundwater

The relative ease and convenience of its decentralised access has meant that groundwater is the backbone of India's agriculture and drinking water security. Groundwater is a Common-Pool Resource (CPR), used by millions of farmers across the country. Over the last four decades, around 84 per cent of the total addition to the net irrigated area has come from groundwater. India is, by far, the largest and fastest growing consumer of groundwater in the world. But groundwater is being exploited beyond sustainable levels and with an estimated 30 million groundwater structures in play. India may be hurtling towards a serious crisis of groundwater over-extraction and quality deterioration.

India is by far the largest and fastest growing consumer of groundwater in the world. But groundwater is being exploited beyond sustainable levels and with an estimated 30 million groundwater structures in play.

Nearly 60 per cent of all districts in India have problems related to either the quantity or the quality of groundwater or both. According to the Central Ground Water Board's latest assessment (CGWB, 2009), at the all India level, the stage of groundwater development is now 61 per cent. In Punjab, Haryana, Rajasthan and Delhi, this level has crossed 100 per cent, closely followed by Tamil Nadu (80 per cent) and UP (71 per cent).

Need for a Paradigm Shift

Given this apparent emergence of limits to further develop of water resources in large parts of the country, the 12th Plan faced a challenge of how to move forward. It was clear that business-as-usual would not do. New ideas needed to be desperately put into place for which the best scholars and practitioners had to come

together. Thus, a new architecture of plan formulation was designed. The Working Groups for the 12th Plan in the water sector were, for the first time in the history of the Planning Commission, all chaired by renowned experts from outside government. Over the course of several months in 2011-12, a new path was charted out, giving rise to a ten-fold paradigm shift in water resource management in India. This paper outlines the main features of this change.

Ten Elements of the Paradigm Shift

1. Large Irrigation Reform

Given the emerging limits to further development in the Major and Medium Irrigation (MMI) sector, the 12th Plan proposes a move away from a narrowly engineering-constructioncentric approach to a more multidisciplinary, participatory management perspective, with central emphasis on command area development and a sustained effort at improving water use efficiency, which continues to languish at a very low level. Given that nearly 80 per cent of our water resources are consumed by irrigation, an increase in water use efficiency of irrigation projects by the 12th Plan goal of 20 per cent will have a major impact on the overall availability of water not only for agriculture but also for other sectors of the economy.

The key bottleneck so far has been that capacities of irrigation departments in many states to deliver quality services have failed to keep up with the growing MMI investments. While States compete for capital investments in new MMI projects, they do little to manage them efficiently.

This is closely linked to the fact that in many states the Irrigation Service Fee (ISF) to be collected from farmers has been abolished or is as low as 2-8 per cent of dues. In this way, the accountability loop between farmers and irrigation departments is broken. Wherever ISF gets regularly collected, irrigation staff shows greater accountability and responsiveness

to farmers. There is greater contact between the two, there is greater oversight of water distribution and farmers expect at least a minimal level of service if an ISF is demanded of them

A substantial National Irrigation Management Fund (NIMF) is, therefore, being created to incentivise states to make the required paradigm shift. The NIMF will be a non-lapsable fund that reimburses to state irrigation departments, a matching contribution of their ISF collection from farmers on a 1:1 ratio. In order to generate competition among MMI staff across commands. States would allocate the central grant to MMI systems in proportion to their respective ISF collection. To encourage Participatory Irrigation Management (PIM), the NIMF will provide a bonus on that portion of each State's ISF collection which has been collected through Water User Associations (WUAs). And this will be on the condition that WUAs and their federations are allowed to retain definite proportions of the ISF, which would not only enable them to undertake repair and maintenance of distribution systems, but also increase their stakes in water

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management. Similarly, to encourage volumetric water deliveries, NIMF will provide an additional bonus on that portion of a State's ISF collection which accrues through volumetric water supply to WUAs at the outlet level. The clear understanding is that empowering WUAs is the key to making the process of pricing of water and ISF collection more transparent and participatory. These proposals are based on experience on the ground

over the last few years in Andhra Pradesh, Gujarat, Maharashtra and Karnataka.

Our huge investments in irrigation have yielded much less than what they should have, mainly because Command Area Development (CAD) has been consistently neglected and divorced from building of irrigation capacities. The 12th Plan stipulates that all irrigation project proposals (major, medium or small) will, henceforth include CAD works from the very beginning as an integral part of the project.

2. Participatory Aquifer Management

Since groundwater accounts for nearly two-thirds of India's irrigation and 80 per cent of domestic water needs, the 12th Plan advocates the adoption of a participatory approach to sustainable

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management of groundwater based on aquifer mapping that takes into account the common pool resource (CPR) nature of groundwater.

It is this understanding that underpins the comprehensive programme for the mapping of India's aquifers initiated during the 12th Plan.

This requires an understanding based on the following aspects:

- Relationship between surface hydrologic units (watersheds and river basins) and hydrogeological units, i.e. aquifers;
- The broad lithological setup constituting the aquifer with some idea about the geometry of the aquifer – extent and thickness;
- Identification of Groundwater recharge areas, resulting in protection and augmentation strategies;

- Groundwater balance and cropwater budgeting at the scale of a village or watershed;
- Groundwater assessment at the level of each individual aquifer in terms of groundwater storage and transmission characteristics, including the aquifer storage capacity;
- Regulatory options at community level, including drilling depth (or whether to drill tube wells or bore wells at all), distances between wells (especially with regard to drinking water sources), cropping pattern that ensures sustainability of the resource (aquifer) and not just the source (well/ tubewell), comprehensive plan for participatory groundwater management based on aquifer understanding, bearing in mind principles of equitable distribution of groundwater across all stakeholders.

Each of these will be the central focus of the National Aquifer Management Programme being launched in the 12th Plan.

3. Breaking the Groundwater-Energy Nexus

The current regime of power subsidies for agriculture has had a major role to play in deteriorating water tables in most parts of India. These very same power subsidies fuelled the Green Revolution but given the emerging stresses on groundwater, an imaginative way needs to be found, which breaks the groundwaterenergy nexus, without hurting farmer interests. The single most effective solution found by States has been the physical segregation of power feeders to provide 24x7 electricity to rural habitations and non-farm users. with separate feeders giving 3-phase predictable supply to agriculture, which is rationed in terms of total time, at a flat tariff. This provides requisite power to schools, hospitals and the non-farm economy, while allowing rationed supply of power to agriculture, which can be at off-peak hours. For example, the Government of Guiarat invested US \$1250 million during 2003-2006 to separate 800,000 tubewells from other rural connections and imposed an 8 hour/day power ration but of high quality and full voltage. This was combined with a massive watershed development programme for groundwater recharge. The net result has been: [a] halving of the power subsidy: [b] stabilized groundwater draft and [c] improved power supply in the rural economy. Combined with other measures such as High voltage Distribution System (Hv DS), specially designed transformers and energy-efficient pumpsets, this could be a better way of delivering power subsidies that cuts energy losses and stabilises the water table at the same time. Major investments are proposed in this direction in the 12th Plan.

4. Watershed Restoration and Groundwater Recharge

Even while emphasizing the need to improve the efficiency and sustainability of our irrigation systems, the 12th Plan is fully cognizant of the fact that the demands of national

The single most effective solution found by States has been the physical segregation of power feeders to provide 24x7 electricity to rural habitations and non-farm users, with separate feeders giving 3-phase predictable supply to agriculture, which is rationed in terms of total time, at a flat tariff.

food security necessitates a major breakthrough in the productivity of our rainfed areas. A primary requirement for this is a massive programme for watershed restoration and groundwater recharge. The 12th Plan proposes to move in this direction by transforming MGNREGA into our largest watershed programme, giving renewed energy to the reformed Integrated Watershed Management Programme (IWMP) launched in the 11th Plan and launching a completely revamped programme on Repair, Renovation and Restoration (RRR) of Water Bodies.

5. A New Approach to Rural Drinking Water and Sanitation

The fact that the same aguifer is being tapped for both irrigation and drinking water, without any co-ordinated management of the resource, has greatly aggravated availability of drinking water. Indeed, we are close to entering a "vicious infinite regress" (Wittgenstein, 1953, sec. 239) scenario, where an attempt to solve a problem re-introduces the same problem in the proposed solution. If one continues along the same lines, the initial problem will recur infinitely and will never be solved. This regress appears as a natural corollary of "hydroschizophrenia" (Llamas and Martinez-Santos, 2005; Jarvis et al, 2005), which entails taking a schizophrenic view of an indivisible resource like water, failing to recognize the unity and integrity of the hydrological cycle. Thus, tubewells drilled for irrigation are more and more drying up the aguifers being used for drinking water.

The fact that the same aquifer is being tapped for both irrigation and drinking water, without any co-ordinated management of the resource, has greatly aggravated availability of drinking water.

Lack of convergence with sanitation, on the other hand, compromises water quality, even as it makes provision of improved sanitation difficult. Water quality has also been affected chemically due to geogenic leaching (arsenic and fluoride).

This understanding of the flaws in the drinking water programme has prompted the adoption of a new approach based on the principle of subsidiarity that seeks solutions to these problems as close to the ground as possible. Decisions on location, implementation, sustainability, O&M and management of water supply schemes will be devolved to local drinking water and sanitation

committees with an umbrella role for Gram Panchayats (GPs) for effective implementation. A Management Devolution Index (MDI) will track and incentivise more substantive devolution of functions, funds and functionaries to the GPs. The problem of vicious infinite regress can only be tackled through the sustainable and participatory aquifer management approach described earlier, so that the left hand of drinking water knows what the right hand of irrigation is doing.

Convergence between drinking water supply and sanitation will be strengthened by taking up villages covered with piped water supply to get open defecation free (ODF) status on priority and vice versa. Waste water treatment and recycling will be an integral part of every water supply plan or project. Management of liquid and solid waste will be promoted together with recycling and reuse of grey water for agriculture and groundwater recharge and pollution control. This will be done on priority in Nirmal Gram Puraskar (NGP) villages.

The Total Sanitation Campaign (TSC) was launched in 1999 as a demand-driven, community-led programme. But the progress remains far from satisfactory. Open defecation by around 600 million people is our biggest national shame. Latest Census data reveals that the percentage of households having access to television and telephones in rural India in 2011 exceeds the percentage of households having access to toilet facilities and tap water. The APL-BPL distinction and the very low incentive under the TSC have played havoc with the programme.

Thus, the 12th Plan proposes a major shift in strategy. The APL-BPL distinction and the focus on individual toilets are to be replaced by a habitation saturation approach. The idea is not to sacrifice quality and sustainability of outcomes in the mad rush to attain targets, even if this means moving somewhat slower in reaching universal coverage. Through a convergence with MGNREGA, the unit cost support for

individual household latrines has been raised to Rs.10,000. Toilet designs will be fine-tuned in accordance with local social and ecological considerations. In order to focus more centrally on sustainability of outcomes, the programme will be taken up in a phased manner wherein GPs shall be identified, based on defined criteria of conjoint approach to sanitation and water supply, for achievement of NGP status. This would progressively lead to Nirmal Blocks, Nirmal Districts and eventually Nirmal States.

6. Conjoint Water and Wastewater Management in Urban India

The challenges of safe drinking water and waste management are perhaps even greater in urban India. Nothing less than a paradigm shift is required in the 12th Plan if we are to move towards sustainable solutions to urban water and waste management:

a) Investments in water supply must focus on demand management, reducing intra-city inequity and on quality of water supplied. This will require cities to plan to cut distribution losses through bulk water meters and efficiency drives. User charges should plan

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to cover increasing proportions of O&M costs, while building in equity by providing "lifeline" amount of water free of charge, with higher tariffs for increasing levels of use.

b) Each city must consider, as first source of supply its local water bodies. Therefore, cities must only get funds for water projects, when they have accounted for the water supply from local water bodies and have protected local water bodies and their catchments. This pre-condition will force protection and will build the infrastructure, which will supply locally and then take back sewage also locally. It will cut the length of the pipeline twice over — once to supply and the other to take back the waste.

c) No water scheme will be sanctioned without a sewage component. Planning for 'full coverage and costs will lead cities to look for unconventional methods of treating waste. For instance, cities would then consider treatment of sewage in open drains and treatment using

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alternative biological methods of wastewater treatment. The principle has to be to cut the cost of building the sewage system, cut the length of the sewage network and then to treat the waste as a resource – turn sewage into water for irrigation or use in industry. Indian cities have the opportunity to leapfrog into new ways of dealing with excreta, which are affordable and sustainable, simply because they have not yet built the infrastructure.

Cities must plan for reuse and recycling of waste at the very beginning of their water and waste plan and not as an after-thought. The diverse options for reuse must be factored in – use in agriculture, for recharge of water bodies, for gardening and for industrial and domestic use.

7. Industrial Water

As the economy industrialises, it is extremely important that the industry

adopts the best international practices to improve water use efficiency. This can be broadly done in two ways:

- reducing the consumption of fresh water through alternative waterefficient technologies or processes in various manufacturing activities; and
- reusing and recycling the waste water from such water intensive activities and making the reclaimed water available for use in the secondary activities within or outside the industry.

It is proposed to make it mandatory for companies to include every year in their annual report, the details of their water footprint for the year. This would include:

- the volume of fresh water (sourcewise) used by them in their various production activities (activitywise);
- the volume of water used by them that was reused or recycled (again activity-wise);
- a commitment with a time-line that the company would reduce its water footprint by a definite amount (to be specified) within a definite period of time (to be specified).

8. Non-Structural Mechanisms for Flood Management

In addressing the problem of floods, the central focus over the years has been on engineering/structural solutions. Apart from the massive investments in large dams, India has already constructed over 35,000 km of embankments. But these are rapidly reaching their limits. Recent studies show, for example, that "the existing storage infrastructure in Peninsular rivers is mostly designed to smooth out the southwest monsoon flows in, say, 9 out of 10 years. There may still be the 1 in 10 year flood, for which, however, there is no economic justification to invest in substantial additional infrastructure. Instead. better weather and flood forecasting is required, along with flood insurance and possibly the designation of flood

diversion areas, whereby farmers are asked to temporarily (and against compensation) set aside embanked land to accommodate flood overflow.

Some State governments (such as Bihar) have decided to broaden their strategy of tackling floods by placing greater emphasis on rehabilitation of traditional, natural drainage systems. leveraging the funds available under MGNREGA (Samai Pragati Sahayog and Megh-Pyne Abhiyan, 2012). Since this involves a process of complex social mobilisation and social engineering, civil society organisations will work in close partnership with the State government in this endeavour. The 12th Plan strongly endorses such a paradigm shift in flood management away from building more and more embankments and towards a "room for the river" kind of approach.

9. New Institutional Framework

State-level Regulators

The 12th Plan recognises the need to evolve an institutional framework backed by a legal regime that facilitates

..the existing storage infrastructure in Peninsular rivers is mostly designed to smooth out the southwest monsoon flows in, say, 9 out of 10 years. There may still be the 1 in 10 year flood, for which, however, there is no economic justification to invest in substantial additional infrastructure.

setting up of regulatory bodies that would enable resolution of water conflicts

The water quality, environment and health standards set by the regulator have a bearing on tariffs. The final call on tariffs would, of course, be a political one but the regulators have a crucial role in advising governments on the objective basis for tariff determination (somewhat akin to what the CACP does for agriculture pricing). The basic requirements of drinking water and of the environment need to be determined

and ensured in a transparent manner and kept as a "Reserve" (as it is called, for example, in South Africa). The determination of this level requires an independent regulator who can transparently, accountably, and in a participatory manner, conduct the processes and procedures required for this.

10. New Legal Framework

New Groundwater Law

Sustainable and equitable management of groundwater based on aquifer management requires a new legal framework to support efforts in this direction.

The determination of this level requires an independent regulator who can transparently, accountably, and in a participatory manner conduct the processes and procedures required for this.

The 12th Plan has proposed a new *Model Bill for the Protection, Conservation, Management and Regulation of Groundwater*. It is based on the idea that while protection of groundwater is a key to the long-term sustainability of the resource, this must be considered in a framework in which livelihoods and basic drinking water needs are of central importance.

National Water Framework Law (NWFL)

The 12th Plan Sub-Group to draft a National Water Framework Law states that while under the Indian Constitution, water is primarily a State subject, it is an increasingly important national concern in the context of:

- (a) the right to water being a part of the fundamental right to life;
- (b) the emergence of a water crisis;
- (c) the inter-use and inter-State conflicts that this leads to, and the need for a national consensus on water-sharing principles, and on the arrangements for minimising conflicts and settling them quickly;

- (d) the threat posed by the massive generation of waste by various uses of water and the severe pollution and contamination caused by it;
- (e) the long-term environmental, ecological and social implications of efforts to augment the availability of water for human use:
- (f) the equity implications of the distribution, use and control of water between uses, users, areas, sectors, states, countries and generations;
- (g) the international dimensions of some of India's rivers; and
- (h) the emerging concerns about the impact of climate change on water and the need for appropriate responses at local, national, regional and global levels.

If a national law is considered necessary on subjects such as the environment, forests, wildlife, biological diversity, etc., a national law on water is even more necessary. Water is as basic as (if not more) than those subjects. Finally, the idea of a National Water Law is not something unusual or unprecedented. Many countries in the world have national water laws or codes, and some of them (for instance, the South African National Water Act of 1998) are widely regarded as very enlightened. There is also the European Water Framework Directive of 2000.

Having thus stated the case for drafting a National Water Framework Law, it is important to clarify the nature and scope of this law:

- water management law or a command-and-control law, but a *framework* law, i.e., an umbrella statement of general principles governing the exercise of legislative and/or executive (or devolved) powers by the Centre, the States and the local governance institutions.
- But the law is intended to be justiciable in the sense that the

- laws passed and the executive actions taken by the Central and State Governments and the devolved functions exercised by PRIs will have to conform to the general principles and priorities laid down in the framework law, and that deviations can be challenged in the court of law.
- The law incorporates all major legal pronouncements by the Supreme Court with reference to water such as the Public Trust Doctrine and the recognition of the fundamental right to water as also the principle of subsidiarity, as explicated in the 73rd and 74th Constitutional amendments, the prevention and precautionary principles, most recently statutorily recognised in the National Green Tribunal Act, 2010 and the transparency principles of The Right to Information Act, 2005.

Given the present constitutional division of legislative powers between the Union and the States, the only way a National Water Framework Law can be legislated is to follow the procedure laid out in Article 252 (1) of the Constitution. Thus, if two or more State assemblies pass resolutions in support of Parliament enacting such a law, Parliament can also accordingly enact it.

If a national law is considered necessary on subjects such as the environment, forests, wildlife, biological diversity, etc., a national law on water is even more necessary.

Conclusion

Putting in place this multi-faceted paradigm shift in the 12th Plan has been a massive challenge of initiating change that was in many respects long overdue.

What lies ahead is the even more difficult task of implementing this new approach. What gives hope is the fact that the process of hammering agreement on change has been deeply inclusive and has buy-in from key implementers, especially the State governments. They were a central part of fashioning this change and the most innovative ideas sketched out in this paper are based on examples of best practice from the States. There is also the fact that the emerging water crisis is forcing the pace of change from below, with a range of stakeholders no longer willing to countenance businessas-usual. Even so, the road ahead is a long and difficult one of confronting the recalcitrance of entrenched attitudes and vested interests. The same preparedness of civil society. academia and government of closely working together that transformed the 12th Plan agenda will now be required in its implementation, with close involvement of local communities, if success is to be achieved on this path.

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Rs. 9599.46 Crore Released to States for Welfare of Scheduled Tribes

Government has provided Rs. 9599.46 crore to 26 states and 3 Union Territories from 2010-2011 till Aug 2013 under different schemes aimed at welfare of Scheduled Tribes. Highest amount of Rs 3480.08 crore was released to states "Under provisions of article 275(1) of the Constitution of India".Rs. 3372.12 crore has been released as "Special Central Assistance (SCA) to

Tribal Sub Plan (TSP)" and Rs. 2152.62 crore as "Post Matric Scholarship for S.T. students". Similarly, Rs. 264.16crore for 'Hostels for ST students', Rs 201 crore for establishment of 'Ashram Schools' in 'Tribal Sub Plan areas', Rs 111.73 crore for disbursement of Pre-Matric Scholarship to S.T. students and Rs. 17.71 crore for vocational training in tribal areas and upgradation of merit and skills among tribal people has been released. The schemes and programmes aim at socio economic development of tribals through education and other infrastructural facilities with a view to bring them to the social mainstream.

The year-wise releases are as follows:

Year	Rs. (in Crores)
2010-11	2684.95
2011-12	3125.12
2012-13	2631.46
2013-14	1157.93
(Till August 2013)	

Reforming India's Land Policy

Maitreesh Ghatak Parikshit Ghosh Dilip Mookherjee



...the most significant failure of many current policy initiatives on land is the inability to combine idealism with pragmatism, to balance distributive concerns and aggregate goals like industrialization or conservation of forest cover. Distributing our land endowments more equally is important for social justice, but this has no real conflict with allowing land markets to function smoothly and promoting the best use of



S INDIA struggles to reverse the economic slowdown that has followed a decade of high growth rates, it is increasingly becoming

clear that a critical determinant of our economic future will be the handling of problems surrounding the land. There are two major reasons why this is so.

The reallocation of resources from agriculture to manufacturing and services is the sine qua non of development. This structural transformation cannot be achieved without rapid improvements in the agricultural productivity and release of enough surplus labour to run the factories. Low yields in Indian agriculture have a lot to do with the imperfections in land markets - inequality, fragmentation, lack of good land records, ill-defined and often insecure property rights, the disincentives of tenancy, and the inability to use land titles as collateral that lead to credit constraints. Unless measures are taken to increase productivity significantly, food supply could become a serious bottleneck.

The second reason that land is so important is, our high population relative to land available, and its concentration in fertile areas. In India, the space required for non-agricultural production must come largely at the expense of farmland. Stiff resistance to land acquisition has sprung up all across the country in the last decade or so from the *Narmada Bachao Andolan* to Singur. It is the sign of a maturing democracy that it is no longer easy to evict poor people in the name of progress.

This is not to say that the problems have gone unrecognized or that legislative efforts have been absent. Two of the signature laws passed by the government have to do with food security and land acquisition; a new bill on land reforms is also in the pipeline. However all these initiatives, despite being well-intentioned, have not paid sufficient attention to the operation of market forces – both its limitations and possibly benign uses to which they can be put. There is insufficient recognition of informational constraints facing decision-makers and the often unintended consequences of policies through how they shape incentives

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of various affected parties. Both are likely to be serious hurdles in the way of implementation.

The Land Acquisition Act

The Land Acquisition Act of 1894 has defined the framework for eminent domain in India until now. This law required that compensation has to be equal to the local market price for land based on circle rates and recently recorded sale deeds. The new law brings about three significant changes. First, compensation has to be much higher - two times the market price in urban areas and up to four times in rural regions. Second, landowners as well as 'livelihood losers' (individuals like sharecroppers and labourers who made a living off the land) are now entitled to an R&R package. Third, the procedural hurdles have been raised – acquisition now needs more clearances from more committees and further in the case of private companies, consent of at least 70 per cent of the affected population is required.

...compensation at market price is a deeply flawed principle. The market price of land should not be confused with its value to the owner. The latter derives from many factors including crop output, employment for family labour, food security, use as collateral, protection against inflation and social status.

To evaluate the new law, it is first necessary to understand what was wrong with the old one. Simply put, compensation at market price is a deeply flawed principle. The market price of land should not be confused with its value to the owner. The latter derives from many factors including crop output, employment for family labour, food security, use as collateral, protection against inflation and social status. The value of land (and the price at which owners would be voluntarily willing to give up) is individual specific and varies considerably across owners. Even with a well functioning land market, many owners will end up putting a value on land that is higher than its market price. That is precisely why they have not already sold it!

Compensation at market price would be the right thing to do if what is being seized is a transferable physical asset traded on a perfect market, which can be repurchased at the going price. Consider two hypothetical scenarios: (a) the government needs to seize some cars from specific citizens (b) the government needs the forced labour of these citizens to meet some emergency. Setting aside the issue of liberty or property rights, compensation at market price is correct in the first case but not in the second. Those who have lost their cars can always buy back a similar vehicle with the compensation money. Those who were forced into several hours of work will not be able to buy back their time.

In the latter case, therefore, to pay just compensation, the true value of the workers' time must somehow be elicited. Imagine that a group consisting of self-employed doctors, lawyers and businessmen were forced to work on some public works project and compensated at the "market rate", i.e., the going wage rate of comparable salaried workers. If this remuneration was enough, we should expect to see doctors and lawyers quit their private practice and take up salaried jobs. The price accepted by those who have self selected to be land sellers or employed workers cannot be projected onto those who have been forced into that role.

Land acquisition is, in principle, closer to the car example but given the realities of rural land markets in India, it is much closer to the example of forced labour. The thinness of land markets is a well-known phenomenon in developing countries (see, for example, Deininger and Feder, 2001 and Deininger, Jin, and Nagarajan, 2009). The market price of land is irrelevant if it is difficult to actually buy land at that price, just as it is difficult to find work at the going wage rate in a labour market riddled with frictions and high unemployment.

There are two additional reasons not to treat the market price based on

past transaction prices as a benchmark for compensation. Acquisition of a significant quantity of farmland is a supply shock to the local agricultural economy that will raise land prices and rents by the usual laws of demand and supply. Historical prices are not adequate if land prices are rising fast enough that the displaced owners are unable to buy back equal areas from the remaining pool of agricultural land. The project can itself create land price inflation through its economic spillovers, especially if it attracts ancillary industries to the region. An additional reason not to rely on recorded prices of recent transactions is that actual transaction prices are often under reported in India to evade stamp duty.

In light of this discussion, it should be obvious that compensation at market price is always under- compensation. How much it should be increased depends on the particulars of the case and should vary locally. The degree of land market imperfection, the fraction of land being taken, the nature of the project that will come up on the acquired land, the characteristics of farmers who lose land will all determine what mark-

A recent survey of households whose lands were acquired in Singur provides evidence of the heterogeneity of land valuations to owners and the important role this played in opposition to the land acquisition (Ghatak et al 2012). The compensation offered by the West Bengal government was on average equal to the market values reported by the owners. Yet one third of these owners refused the compensation and opposed the land acquisition.

up is acceptable. There is evidence of considerable heterogeneity in this regard. A recent survey of households whose lands were acquired in Singur provides evidence of the heterogeneity of land valuations to owners and the important role this played in opposition to the land acquisition (Ghatak et al 2012). The compensation offered by

the West Bengal government was on average equal to the market values reported by the owners. Yet one third of these owners refused the compensation and opposed the land acquisition. This is partly explained by the inability of compensation offers to include information relevant to market values of individual plots, such as irrigation or multi-cropped status, or proximity to public transport facilities. Households for whom agriculture played a larger role in income, or those with a larger fraction of adult members who were workers, were less likely to accept the offer. This points to the role of income security as an important consideration, and the role of complementarity of land with farming skills that are nontransferable. Those who had a stronger financial interest (such as those who had purchased rather than inherited the plot or absentee landlords) were also less likely to accept.

The fixed mark-up introduced in the new law (with only a rural-urban distinction) is simply too rigid to serve its purpose all over the country. The problem is that getting this ratio correct is crucial. If it is set too high, the cost of acquiring land will become prohibitively large and industrialisation will slow down too much. It may also compromise farmers' interests by depriving them of windfall gains from profitable land conversion. If it is set too low, the problems seen in Singur will re-emerge.

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multiplication factor was chosen to be two or four. Even as an averaged adjustment, it remains inscrutable.

Alternative Mechanism: Land Auctions

Ghatak and Ghosh (2011) argue that an auction based pricing mechanism should work much better than the arbitrary and rigid mark-up prescribed by the Land Acquisition Act of 2013. Here we will present the gist of the idea. As a first step towards acquiring land for any project, the government should buy land in the general neighbourhood through an auction, procuring an aggregate area roughly equal to the size of the project site. Next, owners of unsold plots that lie within the intended project site can be compensated with land-forland awards, that is, by giving them cultivable land of equal area outside the location. This will consolidate the acquired land into contiguous territory where the project can be located.

This mechanism has two major advantages. First, it incorporates a transparent way of determining price that takes discretion out of the hands of corruptible officials and bases it on the farmers' own valuation of land. elicited through competitive bidding. This will substantially reduce the coercive element of eminent domain and defuse the political resistance against development. It will also base compensation on the true current value of land to the owners instead of the artificial benchmark of a preexisting market price. Second, it will reallocate the remaining farmland to those farmers who place the highest value on land. These farmers can be expected to bid the highest asking price and will end up being compensated in land instead of cash. Essentially, the auction will simulate the missing land market.

The auction-based approach can be extended in various directions. The choice of location of a factory can also be decided by extending the auction to a multi-stage process. At the first stage, the industry in question or government could set a reserve price and minimum quantity of land needed. Next, different communities can be asked to bid for the factory to be located in their respective regions. These bids are set equal to the minimum price at which they can in turn, procure the necessary amount of land from landowners within their areas (as elicited by a local auction).

Decentralising responsibility to local panchayat bodies in conducting these auctions within their jurisdictions will help minimise the sense of land acquisition being foisted on local communities by state or national governments in a top-down manner. In that case, panchayat leaders would have to be trained (or assisted) by bureaucrats to conduct such auctions. But this would be to help them acquire skills necessary for panchayats to take a more active role in business development within their respective areas.

In an op-ed piece in *The Hindu*, Minister of Rural Development, Jairam Ramesh and his aide Muhammad Khan justified eminent domain along these lines: "The State must have a role in acquisition given that land markets are highly imperfect in India and given that there are huge power and information asymmetries between

As a first step towards acquiring land for any project, the government should buy land in the general neighbourhood through an auction, procuring an aggregate area roughly equal to the size of the project site. Next, owners of unsold plots that lie within the intended project site can be compensated with landfor-land awards, that is, by giving them cultivable land of equal area outside the location.

the buyers and sellers of land." If the market is missing, what is needed is a mechanism that allows (a) discovery of the price that would prevail if a well functioning market was there and information about the project and its economic impact absorbed by all (b) the physical trades farmers would have carried out through the market post-

acquisition. Note that our proposed auction does precisely this. The new law, on the other hand, is in effect a *non sequitur*. It does not close the gap left by market imperfections. Rather, it tries to rectify matters through pure guesswork.

Reviving Rural Land Markets

As we have outlined in the previous sections, the problems encountered in the course of land acquisition arise from imperfections in the land market.

Many factors contribute to the dysfunctional state of rural land markets – poor land records that make it difficult to officially transfer ownership, the presence of tenancy and land ceiling laws lead to concealment of ownership status and roadblocks on the way to sales, limited mobility of potential buyers, lack of brokerage services and limited flow of information about buying and selling opportunities. Given the limited reach of the formal banking sector, another factor is the difficulty of financing land purchases.

Many factors contribute to the dysfunctional state of rural land markets — poor land records that make it difficult to officially transfer ownership, the presence of tenancy and land ceiling laws lead to concealment of ownership status and roadblocks on the way to sales, limited mobility of potential buyers, lack of brokerage services and limited flow of information about buying and selling opportunities.

On the flip side, in a world where there is very little access to formal sources of insurance, credit, and savings opportunities, land is not merely an income-generating asset but an insurance policy-cum-collateral-cum-pension plan as well. Therefore, even if land markets operated relatively smoothly, poor farmers may be more reluctant to sell than what some simple cost-benefit calculations of returns from agriculture will suggest.

Because land is not an easily tradable asset, owners are often unable to use it as collateral to obtain loans, contributing

to credit market imperfections. The difficulty of obtaining financing, on the other hand, introduces considerable frictions into the land market and prevents ownership from being transferred from less productive to more productive farmers. Furthermore, imperfections in the credit market also lead to suboptimal investment in land even by owner cultivators, and pose an obstacle for the adoption of new agricultural technologies that often need expensive complementary inputs like HYv seeds, fertilizers and water. All this underscores the importance of land reforms, not only from the point of view of social justice and equality, but also for the purpose of raising yields and enabling the shift of resources into manufacturing and services. Better defined property rights over land would not only allow operational holdings to reach closer to optimal size, but also increase productivity indirectly by strengthening credit markets and leading to multiplier effects.

It is also critical to getting compensations right for land acquired by the government. The Singur experience showed that a key problem underlying resistance of one third of all owners to the acquisition stemmed from the outdated land records (Ghatak et al 2012). The last cadastral land survey in Bengal was carried out by the colonial British administration in the 1940s. Subsequent updating of these records are based on efforts of landowners to navigate the complex and corruptionridden land registration offices. The disincentives were compounded by the likelihood that the revision of the records would likely raise the property taxes assessed. Thus, the irrigation status of many plots had changed since the last date for which records were available, resulting in mis-classification and payment of compensation according to the recorded status. Owners that had invested in irrigation facilities were compensated at rates assessed for unirrigated lands, which were too low. Owners whose plots had been correctly recorded were considerably more likely to accept the offered compensation. The compensation rates per se were not the problem. Rather, it was the assessment

of the type of plot. Calculation of the correct market price therefore, requires up-to-date accurate land records.

The new land reforms bill, therefore. assumes particular importance, as is the administrative drive to complete land records and create computerized databases for quick access. One way to create improved land records is to provide incentives to owners to volunteer information and seek formalization of their status in official records. The key problem is that redistributive measures like ceiling laws encourage concealment and the widespread practice of holding benami property. On the other hand, the possibility of facing acquisition for public purpose is one reason owners may want to get their title deeds in order. This suggests a possible complementarity between the land reforms and the land acquisition process, where improvement in the former will facilitate the latter. And likewise, the prospect of land acquisition will render implementation of the land ceilings easier. Other rewards for disclosure can also be considered, such as tying it with various government services and benefits such as loans from public sector banks, increased work and food entitlements through NREGA or the PDS, subsidized inputs, etc.

Also, in the light of our failure to implement the land reform laws in most states for more than half a

The Singur experience showed that a key problem underlying resistance of one third of all owners to the acquisition stemmed from the outdated land records (Ghatak et al 2012).

century, perhaps ceilings should be relaxed to give officials a better shot at implementation. This is especially true in the light of evidence that suggests that overall for all states, land-reform legislation had a negative and significant effect on agricultural productivity, and decomposing by type of land reform, the main driver for this negative effect seems to be land-ceiling legislation (see Ghatak and Roy, 2007). Even incentive measures similar to tax amnesties could be considered to encourage disclosure and complete land records. The regulations and

restrictions on sale of agricultural or tribal land serve no real purpose and often hurt the groups they are supposed to help. They greatly impede efficient land use and also take away an important tool of social mobility from the SC/ST population. They make it difficult for members of the tribal population to move out of agriculture and also discourage investment and industrialization in tribal areas for the ostensible purpose of preventing "exploitation". They place the Forest Rights Act directly in conflict with conservation efforts. The idea of formalizing property rights over forest land should not be to make these open to cultivation and deforestation, but to entitle the rights holders to compensation if they have to be displaced from their traditional foraging and hunting grounds. More generally speaking, the most significant failure of many current policy initiatives on land is the inability to combine idealism with pragmatism, to balance distributive concerns and aggregate goals like industrialization or conservation of forest cover. Distributing our land endowments more equally is important for social justice, but this has no real conflict with allowing land markets to function smoothly and promoting the

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Meghalaya A 'Jumbo' Haven

eghalaya has the highest density of elephants per square area in the Country. According to the General Elephant Census and Project Elephant Census conducted by the Meghalaya Government in collaboration with Assam there were 18100 pachyderms in the Garo Hills and West Khasi Hills , in 2011. The Chief conservator of forest(Wildlife), Y S Shullai has appealed for more areas and more corridors for the giants of the jungle to move freely without feeling threatened. Project Elephant was introduced in 1992 by the Centre for the conservation of elephant habitats and to address the man-elephant conflict besides augumenting the livelihoods of the local people in the affected areas..

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Economics of Oil in the context of Energy Security

S C Tripathi



The key to Energy
Security lies in
greater exploration,
production and
utilization of
domestic resources
which imply that
coal and thoriumbased nuclear
power will be
crucial for India's
development and
security

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INCE THE advent of industrial revolution, energy has become the key to growth and development. Modern life is dependent on

consumption and use of energy so much that per capita energy consumption is directly proportional to per capita Gross Domestic Product of the country. The per capita primary energy consumption in India is about 1/3rd of the world average per capita primary commercial energy consumption. It is about 1/20th of the per capita energy consumption of United States of America, about 1/10th of the per capita energy consumption of Europe and about 1/4th of the per capita energy consumption of China. Any policy and programme for growth and development in India will have to address the issues of access of energy resources as well as harnessing them for the benefit of the population.

While the world's average per capita primary energy consumption divided among various energy resources is about 86 per cent in favour of fossil fuel, the proportion of fossil fuel in India's energy basket is close to 94 per cent. In the energy basket of the world as a whole, coal

accounts for 30.3 per cent, oil for 33 per cent and gas for 24 per cent. Among the non fossil fuels, nuclear energy accounts for 4.7 per cent, hydro energy accounts for 6.4 per cent and renewable energy accounts for 1.5 per cent. Thus, the ratio for India is 54 per cent for coal, 31 per cent for oil and 9 per cent for gas among the fossil fuels, with hydro 4 per cent, nuclear 1 per cent, and renewable 1 per cent. In India, apart from commercial energy, non commercial sources like bio mass, fire wood, cow dung, etc are also used to a large extent and their percentage share to the total consumption has been decreasing steadily but is unlikely to go below 10 per cent by the year 2030-31.

The sectoral energy demand reflects the economic structure of a country and the power sector has been the primary force behind energy demand in India. The transport sector has also been increasing its share in energy consumption and 90 per cent of transport energy consumption is likely to be based on oil. Other sectors consuming energy are mainly industries using energy for heating, electricity and mechanical purposes and commercial establishments and buildings for lighting, heating and cooling, etc. India's demand

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will continue to grow rapidly from the present energy demand level of less than 700 million tonnes of oil equivalent to over 1500 million tonnes of oil equivalent by the year 2030-31. This is estimated to be at a Compound Annual Growth Rate (CAGR) of 3.1 per cent which is more than double of the CAGR of 1.3 per cent estimated for the world energy demand.

India's share in world energy demand is going to expand from present less than 5.5 per cent to 8.6 per cent in 2030-31. The growth would come from all fuels. While coal and

The global pressure will be on India, either to reduce consumption or to go for expensive pollution control measures. In this scenario, the comparatively less polluting energy sources like natural gas and nuclear power would find favour, but the availability of these resources will remain a question mark. Much of the growth policy will have to address these strategic questions.

oil demands are expected to increase by CAGR of 3.1 per cent, the growth for natural gas, renewable energy and nuclear energy are expected to be much higher. Since, the consumption of fossil fuel is the main source of emission of Carbon Di Oxide (CO2), India has now become the 3rd largest CO₂ emitter in the world, following China and United States of America. The global pressure will be on India, either to reduce consumption or to go for expensive pollution control measures. In this scenario, the comparatively less polluting energy sources like natural gas and nuclear power would find favour, but the availability of these resources will remain a question mark. Much of the growth policy will have to address these strategic questions. India pursues three key objectives in its energy policy - access to resources, energy security and climate change. It is necessary to understand the intertwined dynamics of energy stakeholders and multiple interests.

As the growth in energy demand has outpaced the domestic production, dependence on imported energy resources has increased. India depends on energy imports at the level of 35 per cent with 80 per cent of crude oil demand and about 20 per cent of natural gas demand being imported. Due to low production of coal, even about 20 per cent of the demand for coal is also being met through imports. India's domestic hydrocarbon production is relatively small, resulting in large dependence on imports. India is reported to be having only about 1 per cent of global hydrocarbon resource, but, has, perhaps the 3rd largest resource base in coal. Inspite of the large estimation of local coal resources, the actual accessibility of some coal resource and technical capability of Coal India Limited which is a monopoly developer, to produce proven coal resources has been suspected. As regards hydrocarbon, since the liberalization of the upstream sector and subsequent opening of the downstream sector, oil and gas sector is more open and competitive. It is open to 100 per cent Foreign Direct Investment. But inconsistent policies that put controls both in upstream and downstream have led to distorted pricing mechanism, underutilization of resources and lack of investment from major international companies.

Policies that seek to ensure that adequate energy supplies are available to meet the growth in demand for energy at the national level and policies that seek to increase access to modern energy services at the individual level seem to work at cross purposes. The former requires a competitive market based structure while the latter requires interventions in the market structure to correct its inherent failures. India's energy

security will depend on finding the right balance between competing needs and more importantly between competing policy approaches to ensure that one is not achieved at the cost of other.

In 2012-13, India imported 185 million tonnes of crude oil and 16 million tonnes of product at a cost of Rs. 8,53,949 crores. Due to excess refining capacity and presence of some world class refineries, it has become possible to export 63 million tonnes of product resulting in realization of Rs. 3.20.042 crores. So the net outflow of Rs. 5,33,907 crores was a big drain on our resources and partially responsible for Current Account Deficit and the weakening of Rupee. Due to Government policies of subsidizing diesel, kerosene and LPG, the under recovery of Rs.

Due to Government policies of subsidizing diesel, kerosene and LPG, the under recovery of Rs. 1,61,029 crores in 2012-13, had to be met between the budget resources of Central Government from the tax payers' money, subsidy expropriated from the upstream companies like ONGC, OIL & GAIL and the balance left for the refinery and marketing companies to fill. This has resulted in fiscal imbalance in the Central Government budget.

1,61,029 crores in 2012-13, had to be met between the budget resources of Central Government from the tax payers' money, subsidy expropriated from the upstream companies like ONGC, OIL & GAIL and the balance left for the refinery and marketing companies to fill. This has resulted in fiscal imbalance in the Central Government budget, inability of upstream companies to invest for more exploration and production in domestic and overseas fields and ruining the balance sheet of refinery and marketing companies who have Gross Turnover of over Rs. 8 lakh crores and are unable to modernize and diversify. The Central and State Governments together, on the other hand, collected Rs. 2,45,000 crores through taxes, duties, royalties, etc from the hydrocarbon sector. The State Governments' resources are to a very large extent. dependent on vAT whereas Central Government also recovers equal amount by way of excise, customs, other taxes and dividend, etc. Unless State Governments and the Central Government are able to diversify their tax basket and decrease dependence on petroleum products, the prices of these products would continue to be high in the scenario of high oil prices and weak rupee.

The multifaceted energy problems are being resolved to ensure efficient and sustainable use of energy. But, the long term challenges and goals have to be tackled in an integrated and comprehensive manner. India must pursue technologies that maximise energy efficiency, demand side management and conservation. The Integrated Energy Policy Committee (IEPC) has given a long term perspective which is still valid. The key to Energy Security lies in greater exploration, production and utilization of domestic resources which imply that coal and thoriumbased nuclear power will be crucial for India's development and security. But, the policy can be as good as the implementation. An integrated energy policy cannot be effectively implemented by disconnected Ministries. The first level of integration has to be between Ministries that deal with carbon and hydrocarbon. When carbon becomes hydrocarbon or vice versa, it cannot be controlled by different set of Ministries.

It is anomalous that we invite the best companies with most modern technologies and resources to the hydrocarbon sector when our resource base is weak but deny access even to technologically and resource rich State companies in coal sector where we have a much better resource base. Coal bed Methane, Underground Coal Gasification and Surface Coal Gasification are all technologies to utilize coal for production of natural gas and are being implemented in coal rich countries like China. If we have a common ministry and a common legislation with a common regulator for exploration and production of coal as well as oil and gas, it should be possible to take up these projects

If we have a common ministry and a common legislation with a common regulator for exploration and production of coal as well as oil and gas, it should be possible to take up these projects in real earnest and with success.

We need to conserve use of oil and gas in areas where coal can serve equally well.

in real earnest and with success. We need to conserve use of oil and gas in areas where coal can serve equally well.

While emphasis on domestic exploration and production of coal and gas should continue, we need to protect and conserve the resources of upstream companies so as to direct them to acquire hydrocarbon assets abroad in countries that have many times more resources than we have. Also, we can't have a distorted pricing mechanism where petrol, diesel and kerosene that come out from the refinery process almost jointly and have similar costs, should sell domestically in the ratio of 7.5:5:1.2. Manipulating the techno economic reality and pricing is possible for a short period of time but is not sustainable over a long term. LPG is produced by secondary and tertiary refinery processes and thus is even costlier fuel. It cannot be subsidized to the level of 50 per cent of its cost for over several crore customers for an indefinite period.

Government should leave the pricing and distribution to be regulated by Petroleum and Natural Gas Regulatory Board (PNGRB) and decide upfront what subsidy is to be given from the budget so that competition is generated between public and private sector refining and marketing companies to bring about more efficiency and transparency in the pricing of products.

We should be able to produce more natural gas and coal base methane to substitute LPG for use as domestic fuel. The large rural area will have to continue to find fuel from social forestry, bio mass, and coal gas with necessary refinements to check pollution. Such gasifiers need to be encouraged in the present situation.

While all efforts need be made to push the renewable energy programme, it seems unlikely that in the absence of any major technological breakthrough, it can take more than 5 per cent share of India's energy basket even by the year 2030-31. The nuclear energy programme has to be implemented so that its share can go up to 4-5per cent by this period. Nuclear civil corporation agreements have to be used for improving the supply and our domestic efforts in three stage thorium based nuclear plants need to be intensified.

The economics of oil dictates that we take an integrated view of the energy situation and dovetail our policy programmes and implementation mechanisms accordingly.

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Implementing the National Land Reform Agenda: The Way Forward for Eradicating Poverty

Rajagopal P V



Securing a shelter that will not be demolished or burnt and guaranteeing a land tenure among the homeless will make a radical change in the life of those who are now living on the roadside or on the side of railway tracks. This will provide them stability and a chance for their children to have general health and well-being

N PROv IDING some background on the recommendations that I am putting forward here on land reform, I wanted to clarify that these statements evolved during a year long trip through

350 districts, 24 states and included meetings with tens of thousands of people. Many of these were public hearings with affected communities as well as meetings with intellectuals and middle-class citizens.

What I have witnessed during this travel was acute landlessness among the marginalized people. Many committed individuals, voluntary organizations, community-based social movements, all of which were trying to address the land problems faced intense resistance. I was told that more than 29,000 Dalit villages did not even have access to burial or cremation grounds. In many villages, poor people had neither toilets nor open space for defecation. This gives the reader an idea of the level of deprivation, landlessness and powerlessness that still exists in many parts of the country.

Thus, looking at this situation on the ground, one is reminded of the inefficacy of the constitutional Right to Life provision. Large numbers of people are in daily struggle for survival and they have no access to livelihood resources (water, forest and land).

Some of the many observable factors that are intensifying pressure on land are:

- a) Skilled workers going back onto land as farm labourers as they have few job opportunities. Example: carpenters, blacksmiths, weavers, etc.
- b) Land owners want to have more land in order to expand the size of their agricultural fields.
- c) Industry and infrastructural development are demanding larger land plots.
- d) People with money want to invest on land in order to create farm houses for leisure and to enhance real estate values.
- e) Land is now part of the Real Estate market and therefore the shift away from valuing farming continues

When we refer to land from a people's perspective, especially from the perspective of the landless, we are speaking about two kinds of lands:

Land for shelter	4.4 crore people asking for shelter
Land for agriculture	30 crore of people asking for land

The author, a Gandhian activist, is vice Chairman of the Gandhi Peace Foundation, New Delhi, and the President and founding member of Ekta Parishad, a grassroots right-based organization which organized the massive non-violent landless march Janadesh 2007 and Jan Satyagraha 2012.

When we allude to landless poor, we are basically speaking about 38.2 percent of the population breaking it down into the following communities:

Dalits	18 per cent	
Adivasis	8 per cent	
Nomads	11 per cent (B.R Renke Report)	
Fisher folks	1.2 per cent	
Total	38.2 per cent	

This does not include other caste group of landless poor.

What kind of policy shift are we recommending? Firstly, people that do not have land for shelter are a serious problem as they are compelled to live without identity and dignity. An Awas Yojana approach will not address the problem and only a time-bound drive to eradicate their landlessness and homelessness will solve the problem. Secondly, giving people land for shelter should not be mixed up with Awas Yojana (the cost of establishing a household) as poor people can safely make temporary dwellings if the land belongs to them. Thirdly, a plot of land (approximately 10 cents in rural India); and sufficient space for dignified shelter in urban areas, provides dignity, identity and security to millions of people in India. Fourthly, securing a shelter that will not be demolished or burnt and guaranteeing a land tenure among the homeless will make a radical change in the life of those who are now living on the road side or on the side of railway tracks. This will provide them stability and a chance for their children to have general health and well-being.

These problems can be addressed by understanding that many of them are already living on a piece of land and there is no dispute about them being there. This land can be regularized in their name so that they will feel secure and can even approach banks for financial support. In places where there is dispute, the local government will have to take a pro-poor stand and settle the matter in favour of those who

are marginalized. In cases of displaced communities by industry, mining and dams, this should be settled under the newly passed LARR Act in a time-bound manner. The common land and community lands that are occupied by the powerful groups should be freed for providing shelter to the poor. In places where any of the above mentioned options/methods are not feasible, the government should buy land and establish villages for landless people.

Who are these people and where are they?

Many of the listed groups below are living in a miserable condition and in a state of landlessness. They are:

- Adivasis displaced by industries, mining, dams and other public infrastructural development projects.
- Nomads who often want to be settled because they cannot continue with their traditional occupations (i.e. snake charmers, small circus groups or the Gypsies from Rana Pratap's Kingdom)
- Those who have lost everything in floods in different parts of the country.
- People who are internally displaced due to violence who have no permanent settlement.
- Those who migrate out in search of work and are forced to live in temporary shelters.
- Domestic workers and the many workers in the informal sector who do not earn enough to feed themselves as well as rent a place to live.
- Fisherfolks who have moved from the sea shore either due to the fear of Tsunami or because of tourism projects.
- Tea tribes, HIv victims, released bonded labourers, leprosy patients, transgender people, Bidi workers, single women and many other groups who live without a secured shelter.

What are their basic needs?

Some of the basic needs of the different groups heard are as follows:

- Many are cultivating a piece of land for many years. This can be regularized in their name if the land is not under dispute.
- Many have proper documents of their land but have no possession over their land. Local administration should take the responsibility to solve this problem.
- Many have lost their land to powerful people in their community as people with power have taken over their lands using force. This is a law and order problem and the administration should act in a time-bound manner to restore possession to the original owner.
- Many have lost their land through Benami transactions or because their lands were auctioned by banks. The administration should take responsibility to identify and restore such land to the original owners.
- Progressive acts like Ceiling, Tenancy, PESA, FRA, etc are not genuinely implemented. Implementation of these laws in letter and spirit will make a difference in the lives of many.
- All lands reserved for the poor and marginalized in different states should be immediately identified and distributed to the deserving landless families like Panchami land in Tamil Nadu, Gairan land in Maharashtra and Assigned or DC land in Andhra Pradesh.
- Land distributed and assigned to the landless people should not be taken back in the name of SEz or infrastructure development without a land-forland compensation as it amounts to a cruel joke on the people who are slowly moving up the ladder on the basis of land.
- The dispute between Forest and Revenue departments needs to be settled in the interest of those who

have been cultivating the land for many years (resolving the dispute in Orange area in Madhya Pradesh and Chhattisgarh will make available 37 lakh acres of land for distribution).

- Issues related to Bhoodan land should be resolved in terms of identification, distribution and settlement of all Bhoodan land.
- Every village should make the land-records transparent. The initiative by the District Collector of Warangal can provide an insight into not only the process for making this happen but also the benefits to the marginalized.
- Malpractices in Ceiling implementation should be plugged using mechanisms like social audits as in the case of MNREGA. In places where land has become irrigated, the surplus from applying the Ceiling limit for irrigated lands should be redistributed.
- Excess lands from all plantation companies should be taken for redistribution.
- Unused lands from companies and religious institutions should be made available for landless people for food-production.
- Keeping land idle should be prohibited and leasing land to the landless should be encouraged with conditions in favour of the landless.
- A national record keeping system should be developed so that the same individual or family does not accumulate land in different parts of the country in different names violating Ceiling limits.
- All forms of absentee landholding should be prohibited.
- The farm house culture should be discouraged and the land available should be given to the landless on a priority basis to produce food.
- In order to find enough land for landless poor, it may be important to revisit the present ceiling limit.

In places where there is dispute, the local government will have to take a pro-poor stand and settle the matter in favour of those who are marginalized. In cases of displaced communities by industry, mining and dams, this should be settled under the newly passed LARR act in a time-bound manner.

Because of advanced technologies in agriculture that has increased the productivity of land, the ceiling limit can be brought down and thus surplus land can be created for redistribution

Recommendations for addressing land-issues

The Ten Point Agenda of the Government of India is a strong beginning in addressing some of these seemingly intractable problems. These are:

- 1. The agreement of the State governments on the National Land Reform Policy.
- 2. National Legislation for guaranteeing shelter land to the millions of homeless and landless, particularly in rural areas.
- Stronger Implementation of the Central Acts related to Forest Lands
- 4. Engendering Land Ownership to ensure strengthening of women's equality.
- 5. Ensuring the functioning of Land Tribunals.
- Oversight by bodies jointly governed by Government and Civil Society.

(E-mail: ekta.rajagopal@gmail.com)

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land and property
must be respected,
protected and fulfilled
at par with men. The
effect of this gain can
go beyond womento their families,
children, communities
and broader society

Av E YOU ever heard of a person designing buildings and not known as an architect, or a person catching fish and not known as a fisherman or a person writing books and not called a writer?

The story is different when it comes to the rural women in India. The women in rural India do the maximum agricultural work, but still are not recognized as farmers.

Women comprise nearly half of India's population and nearly 40 crore women live in rural areas. These rural women work in the agricultural fields together with men, and sometimes do more work than men. Almost 79 per cent rural women are engaged in agricultural work as compared to 63 per cent of rural men. Even though more women work in fields as compared to men, and work harder in fields as compared to men (as they have to do this in addition to their regular household work and child care), they tend to be known as just agricultural workers and not as farmers.

The Agricultural Policy of India recognizes a farmer as someone who owns land, and not someone who just works on the farm. The recognition is for the land owner and not for the farm worker. Since majority of women do not own land, they are not considered 'farmers'.

The current pattern is leading to a phenomenon often now referred to as 'feminization of Indian agriculture'. What is feminized is only agricultural labour, not agricultural asset/property and other resources.

Out of the 40 crore rural women, majority of the women, nearly 80 per cent, are engaged in agricultural and allied activities, responsible for 60-80 per cent of the food production, and 90 per cent of dairy production in India. Despite these numbers and patterns, less than 13 per cent women own land and are frequently denied their right to property.

This state of women, as mere landless agricultural workers, does not cease its meaning here, but goes on to effect other aspects of their lives, and further exacerbates the poverty cycle and denies them the opportunities to empower themselves.

The credit schemes, bank loans, government welfare benefits, agricultural extension schemes can be availed only by a person who owns land and has a residential proof. In the absence of land ownership, the above schemes and benefits cannot be availed, meaning that they do not reach the absolute landless and poorest sections of the society, especially women.

Why do women need land?

For a woman, the ownership of land has a meaning beyond just a means of

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economic benefit. It is true that land provides a secure economic option, but in addition to this, it is a means of social empowerment, to earn dignity and self-respect in the society and from her family, to gain confidence to ask for her rights (including state's social benefit programs), for which she is entitled.

A land title is not just a piece of paper awarding her ownership rights, but provides her an opportunity to negotiate power and experience security, equality and opportunity. This leads to increasing dignity not only for the woman, but also for her children and immediate family.

Land is a basic asset for rural families to build on their future, to overcome challenges and break the cycle of poverty and to create opportunities for well being. Land constitutes the most important asset for rural households, accounting for between 60-75 per cent of household wealth. Land is an asset that has permanence that few other assets possess.

Although, women play an important role in agricultural work in the rural areas, they face major challenges in accessing agricultural land, assets and services. Globally, studies have indicated that there is a gender gap in resources such as land, technology, and extension services. This gap imposes costs not only on women and their immediate families, but also on the broader economy and society. Closing this gap would not only improve agricultural productivity, family's nutrition and overall well-being, but also lead to empowering women in real sense, by allowing them to own land and take decisions.

Considering that secure rights to land for women can increase agricultural productivity and confer other household benefits, it is critical to consider what additional gains could be made if women had equal access to one of the most important assets to rural households-Land.

When women have secure rights to their land, they are better able to provide for their family's needs, especially of their children.

- Providing a powerful resource for improving their children's future.
- More children attaining education. Worldwide, it has been seen that women invest more in education and improved nutrition of their families, if provided with secure right to land.
- More investment in land and improved harvest.

A land title is not just a piece of paper awarding her ownership rights, but provides her an opportunity to negotiate power and experience security, equality and opportunity. This leads to increasing dignity not only for the woman, but also for her children and immediate family.

- Improve family's nutrition and food security.
- Participation of women in household decision-making increases.
- Women may be less likely to be victims of domestic violence.

 It can help in providing women's rights with more respect and dignity.

Ownership of land for women has transformative development potential and can have trans- generational poverty reduction effect. Women who own land can invest better in the welfare and well being of their families and transfer land to their children for future security.

Stagnation of agriculture has led to growing male migration in search of alternate employment, and despite increased urbanisation, 66 per cent of the population remains rural and dependent primarily on farming for their livelihood. The increased male migration has led to rise in female headed households in rural areas. In the absence of ownership documents, the women cannot access credit or extension services to improve agriculture.

Women are not only denied access to parent's property but even the government's land allocation prescriptions to provide land in women's name alone, or in joint names of wife and husband, do not often get translated into action on the ground. For example, in West Bengal, it was found that the government document of land title (patta) had space to include only a single name, which was otherwise



meant to give joint ownership right to husband and wife. But since only one name was to be included, thus writing the husband's name as head of the family became the practice. The Patta was later redesigned, and the entire land reforms administration was re-oriented about government's commitment to provide joint land titles to wife and husband.

In Karnataka and Andhra Pradesh, it was found that while the Patta is indeed in the exclusive name of the woman of the family, and the Patta has her photograph, the women never saw the Patta, and always thought the land they received from the government was titled to their husbands.

One of the most significant findings was perhaps in Odisha. It was found that unmarried women above the age of 30 in Odisha, were not considered as a household, while unmarried men were. Since the women were not enumerated, they were denied any government welfare schemes, including land allocation. When it came to light, the Government was sensitive enough to institute a mechanism in a few districts for special enumeration of such single women and started allocating homestead plots to them.

What stops women from owning land?

Women face severe challenges in owning land and property. Traditionally, women are not looked upon as an active economic agent or contributor to the economic growth of the country. The gender biased statutory laws, traditions, and social norms and attitudes is that women cannot use, access, control, own, rent, lease, or inherit property without consent or help of a man. A man is the keeper of all the information and documents and is her guide to understand land issues. The deep rooted patriarchal norms and gender bias, social construction of reduced value of women does not allow women to own property.

Despite having legal inheritance rights, the families do not see it as a

legitimate claim of women to make from their families, making it difficult for the law to be implemented. Marriage and the in-laws home is seen as the permanent abode of women, so while there is support for a share in marital property, claims to natal property are seen as a sign of greed leading to disrupting social relationships.

The policy prescription of women's name in single or joint title of land since the Sixth Five Year Plan of the government of India, and women's right to inherit natal property as per the *Hindu Succession Amendment Act* 2005 has led to a progressive and prowomen policy framework. However, implementation of these laws and policies has been slow.

Despite having legal inheritance rights, the families do not see it as a legitimate claim of women to make from their families, making it difficult for the law to be implemented. Marriage and the in-laws home is seen as the permanent abode of women, so while there is support for a share in marital property, claims to natal property are seen as a sign of greed leading to disrupting social relationships.

In a recent study conducted by Landesa and UN Women, it was found that even after eight years of passage of the Hindu Succession Amendment Act 2005, neither the revenue administration (responsible for implementation of the Act in coordination with other departments), nor the women themselves are aware of it. The lack of information and awareness has led to a situation where very few women have demanded property rights from their parents.

Additionally, research findings show that the women are asked to write off their property share in favour of their brothers, to evade the HSAA 2005. The unfortunate dowry practice in traditional Indian societies, considers

that the property share of the woman is given at the time of her marriage, and that she cannot ask for any more share of property in the future.

Women's land rights in marriage is another area, which has been included in the proposed Women Farmer's Entitlement Bill 2011, calling for automatic ownership of a woman to her husband's property including land by virtue of her marriage. However, the bill was presented sometime back, and is almost lapsed in the Parliament.

What needs to be done?

Strengthening women's secure rights to land can empower them to reach their potential as citizens and as economic actors, and able them to take control over their own lives. For women to become active and valued participants in the lives of their communities, every woman's right to land and property must be respected, protected and fulfilled at par with men. The effect of this gain can go beyond women- to their families, children, communities and the broader society.

- There should be recognition of the transformative nature of women's land and property rights and since the community can play a vital role, there should be increased community awareness regarding women's property rights.
- The government needs to ensure that the gender sensitive policies and laws are seriously implemented. Adequate enforcement mechanisms should be put in place.
- The government needs to support the transformation of customs, traditions and patriarchal practices and norms that deny women secure their land rights.
- The government also needs to train and sensitize its officials, especially Revenue Department, since they are responsible for implementing most of the land laws.

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- Women must be recognized as farmers at par with men, and all state and market support in terms of credit, technology, insurance and training must be provided to women farmers without any discrimination.
- Women must be provided with land literacy to know and realize the power of the land document. Mere possession of the document does not make her aware of her right.
- Gender desegregated data in all interventions would improve monitoring and social commitment to end the deep gender inequalities in property rights.

Land rights would seriously have to be engendered, with clear focus on exclusive titling to women, ensuring women's inheritance, raising rural women's awareness on their land rights, sensitizing and engendering the revenue administration. Women's land rights work is intricately connected to improving the value of women in the society, and trans-generational impact can happen, only if these actions are sustained for a long period of time.

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IFC Launches a \$1 Billion Offshore Bond Program

IFC, (International Finance Corporation) a member of the World Bank Group, launched a \$1 billion Offshore Bond program—the largest of its kind in the offshore rupee market—to strengthen India's capital markets. Under the program, IFC will issue rupee-linked bonds and use the proceeds to finance private sector investment in the country. This program would help in strengthening of India's capital markets and to attract greater foreign investment in a time of renewed economic uncertainty across the world.

An important development partner, it has been contributing significantly in financing private sector projects, including public-private partnerships, in several key developmental areas. India accounted for \$4.5 billion of IFC's committed investment portfolio as of June 30, 2013—more than any other country. In FY 13, IFC invested \$1.38 billion in India to achieve several strategic priorities such as promoting inclusive growth in India's low-income states, addressing climate change, and supporting global economic integration.

Often, IFC is the first international or corporate issuer of local-currency bonds in a market. When issuing local-currency bonds, IFC works closely with regulators and market participants to refine the regulatory framework, encouraging greater participation in the local markets and providing a model for other international issuers. IFC has provided over \$10 billion in local-currency financing across 58 currencies using a variety of financing tools—more than any other international finance institution.

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E-government: Potential and Challenges

Yogesh K. Dwivedi Nripendra P. Rana Antonis C. Simintiras



The expansion of e-government websites alone will not help unless cultural change occurs, in order to support transparency, minimise bureaucracy, and enhance citizen empowerment. After all, citizens will trust e-government only when they have trust in government and public agencies. In other words, India needs to move from e-government to e-governance

-GOV ERNMENT (also known as electronic government, online government and digital government) is one of the most significant developments of recent times in terms of transforming the delivery of public services to citizens and other stakeholders. It generally refers to the utilisation of information and communication technologies (ICTs) for delivering government information and services to citizens (G2C). businesses (G2B), employees (G2E), and governments (G2G) (Dwivedi et al. 2012a). Against this backdrop, e-government is being considered as a technological enabler for the delivery of redesigned public services in order to eliminate inefficiency, corruption, and bureaucracy and to enhance effectiveness in service delivery.

In order to achieve the benefits of ICT and to ensure the transparent, timely, and hassle-free delivery of the citizen services, the Government of India initiated an e-government programme during the late 1990s by adopting the Information Technology Act in 2000. The major aims of this Act were to recognise electronic contracts, prevent computer crimes, and make electronic filing possible. Later, in 2006, the government approved the

National e-Governance Plan (NeGP) to enhance e-government initiatives in India. It was launched with the aim of improving the delivery of government services to the common people in their localities through Common Service Centres (CSCs), which were set up across the country. In February 2012, about 97,159 CSCs were operational with different brand names and they had started delivering services to the people (IDG, 2013).

Since then, the government has launched a number of e-government initiatives, including e-file management, e-Leave, e-Tour, Income Tax services, online passport services, pension services, e-Procurement, and Excise and Customs Services, to name a few. Almost all State Governments and Union Territories have also implemented their own e-government services to serve their citizens and businesses. Some of the most prominent services include "Bhoomi" from Karnataka, "Gyandoot" from Madhya Pradesh, "Smart Government" from Andhra Pradesh, and "SARI" from Tamil Nadu. In addition, some e-government services have been implemented at both Central and State Government levels. E-government services such as grievance management systems, e-district systems, online electoral rolls, and bill payment systems are some examples of these services.

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E-government offers a range of opportunities (as outlined in Table 1) to its stakeholders in terms of enhancing the efficiency and effectiveness of the government, providing better services, enabling transparency, allowing access to government services anytime and anywhere, providing user-centric ICT-enabled services, reducing cost and time, reducing bureaucracy, and enhancing communication and coordination between government organisations.

The implementation of e-government is an essential component in the transformation of any government towards improving transparency, developing accountability, empowering citizens, lowering costs and time for services, and providing better

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governance. E-government has helped the government become more result oriented. India has been harnessing the benefits provided by e-government by reaching out to citizens faster and by providing efficient services and encouraging citizens' empowerment. The data emerging from the different e-government initiatives in India indicates that it is beginning to transform the efficiency, effectiveness, transparency, and accountability of the informational and transactional exchanges within the government and between the government and the other stakeholders

E-governance in India has steadily evolved from the computerisation of departments to initiatives that encapsulate the finer points of aspects such as citizen centricity, service orientation, and transparency (NeGP, 2013). Although, both Central and State Governments have been trying to capitalise on the opportunity provided by e-government, its potential to end users can only be truly realised when government initiatives reach out to the masses and when citizens and businesses start leveraging such services. As the recent data available on the website of India's NeGP highlights, there are almost 968 e-government websites available across the various States and Union Territories of India. However, it is still lagging behind 125 countries in terms of World E-Government Development Ranking (UN e-Gov Survey, 2012). This indicates that even if the government has been spending an exorbitant amount of money on the development and implementation of e-government, there are barriers and challenges that need addressing in order to bring India's position at par with nations taking the lead in this area (such as the Republic of Korea, the Netherlands, the UK, Denmark and the US).In this regard, the existing literature has identified a number of such barriers and challenges (as outlined in Table 2) to developing and realising successful e-government.

governance, in order to improve

Due to such barriers and challenges. the overall level of e-government usage around the world remains comparatively low, even though a large number of governments in developing countries have been putting large investments and efforts into enhancing the usage of such services (UN e-Gov Survey, 2012). The challenges and barriers identified in the literature apply in the Indian context as well. These issues are technical, economical, and social in nature. With the rapid evolution of technology and the high level of skill competence available in India, technical challenges are less critical for the successful realisation of e-government. Contrastingly, the most severe challenges to e-government initiatives in India are social and economic in nature, such as lack of awareness. access, and use of e-government

Table 1: Key opportunities offered by e-government					
Opportunity	Comment	Source (s)			
Increased effectiveness and efficiency	Improved government services in terms of accomplishing the government'spurpose and functioning	Bertot et al. (2010), Dwivedi et al. (2009, 2012a), and Shareef et al. (2011)			
Better services	E-government can provide quick and timely services to stakeholders	Shareef et al. (2011)			
Transparency	The services are provided directly from the government to recipients without any external interventions	Bertot et al. (2010) and Dwivedi et al. (2009,2012b)			
Accessibleanytime and anywhere	As e-government services are provided through web- enabled technology, they can be accessed anytime and anywhere	Shareef et al. (2011)			
User-centred ICT- enabled services	The services are primarily intended for the use of citizens, businesses, and the government itself	Bertot et al. (2010) and Dwivedi et al. (2012b)			
Reduced cost and time	As the services are provided through the internet, they are effective in terms of time and cost	Dwivedi et al. (2012a, 2012b) andShareef et al. (2011)			
Reduced bureaucracy	E-government minimises the hierarchy of authority for availing any government services	Dwivedi et al. (2012a, 2012b)			
Enhanced communication and coordination between government organisations	As automated services can be accessed by different organisations, coordination and further communication become relatively simple	Dwivedi et al. (2012b)			

services by the larger population living in rural India (Dwivedi et al., 2012a). The government has made considerable attempts in the last few years to overcome these challenges, including its connectivity to a large proportion of rural population. Furthermore, realising the need for sustainable growth, the government has announced rural broadband connectivity for all 250,000 Panchayats in three years to bridge the digital divide (UN e-Gov Survey, 2012).

Due to the last-mile bottleneck. it would be difficult to cover all geographical areas in India using a fixed-line telecommunication network. Given that mobile phone usage is widely diffused in all segments of the society and that mobile and wireless networks are more widely available, m-government might be an alternative for the wider diffusion of emerging e-government services. Those who cannot afford to buy a mobile device could be assisted by the government, which could provide a subsidy towards the purchase or provide free mobile sets to households living below the poverty line. This could be tried as a pilot to see if it could bring any benefits to make India a more equitable information society. This could be coupled with the development of mobile-based applications. In order to resolve the issue of less literate citizens using e-government or mobile-based government services, it might be useful to plan the development of voice-based mobile applications so that the corresponding government-based services can be made available to all segments of the society.

Widening rural connectivity with the provision of high-speed internet would overcome just an initial challenge towards resolving the issue of the digital divide. The major challenge that is more critical for relevant agencies to address is the lack of awareness. This needs to be addressed through facilitating the resources and motivation that are prerequisite for the actual utilisation of enabling infrastructure and e-government applications by citizens. This is particularly important for rural citizens as they lack awareness, technical competency, and requisite resources. A possible solution to address such bottlenecks would be the provision of widespread training to equip citizens with adequate ICT skills (i.e. the competency to operate computers, the internet, and e-government applications).

Table 2: Key challenges and barriers for the successful realisation of e-government initiatives

Barrier/Challenge	Comment	Source(s)
Fragmented/lack of integration	Fragmentation of services offeredDuplication of applications	Dwivedi et al. (2012b) and Weerakkody et al. (2011)
Technology literacy and access	Ability to understand and use technologiesAvailability of the internet to each individual	Bertot et al. (2010), Dwivedi et al. (2012b), Rana et al. (2013), and Shareef et al. (2011)
ICT-related challenges	Technological challenges faced by the government in designing and implementing e-government	Rana et al. (2013) and Weerakkody et al. (2011)
Lack of trust	variance in the degree of reliance on e-government services	Rana et al. (2013) and Weerakkody et al. (2011)
Privacy and security	Lack of sense of safety and confidentiality	Rana et al. (2013) and Shareef et al. (2011)
Digital divide	Inequality between people in the social system in having access to and use of e-government services	Dwivedi et al. (2009, 2012b), Rana et al. (2013), and Shareef et al. (2011)

The provision of a limited number of CSCs has been an appropriate step towards making e-government services available to citizens. However, in order to create the critical mass of e-government users that is essential for the widespread adoption of such services, the number of CSCs should be increased to reachable distances in all rural communities. Failure to do so may lead to the continued usage of traditional channels as mediums for citizen interaction: hence, it may take a long time to realise the expected benefits from the e-government development and implementation. Language acts as another barrier to accessing such services, so the core e-government services should be provided in regional languages along with Hindi and English. Also, at the local level (i.e. Blocks and Gram Panchayats), citizens with the adequate skills and competency needed to access and use e-government services should be identified as catalytic social agents (i.e. champions) for influencing other citizens to use the services, making them aware of the benefits and increasing their trust by reducing security and privacy concerns. Such social agents can also act as an aid for equipping citizens with the required skills and competency. Leading countries in terms of citizen participation in democratic processes using ICT-based systems (such as Kazakhstan) should be benchmarked in order to learn and implement appropriate best practices and strategies in the Indian context.

A challenge that is more prevalent on the supply side is the fragmentation of systems at different levels (i.e. the Central and the State levels) and the lack of system integration. Analysis of the e-government services provided by the Central and State Governments have revealed that similar e-government systems are separately implemented across various governments. This is simply a waste of resources in terms of developing and maintaining them separately; it also creates problems with data duplication and errors. The governments at both the central and the state levels should implement an integrated plan in such a way that the same e-government system developed at the central government level can incorporate individual modules for each state government or can simply offer different levels of access at the central and state levels. For existing systems, mapping is needed in order to identify redundant systems. Also, the analysis, mapping, and evaluation process should make all efforts to identify any legacy systems (i.e. old systems that cannot be integrated with the other systems) that exist. In brief, emerging systems need to be streamlined and the implementation of new technologies requires some legacy systems either to be replaced with new systems or to be integrated, in order to provide the intended solution.

Also, there is little evidence of the evaluation of the services that are already in place. Evaluation is essential in order to examine if the desired value is being achieved and if there are any lessons that need to be learnt for the development of future electronic services. Without effective evaluation, similar mistakes can be made again.

We conclude the above discussion with the following thoughts. Even though the governments at the central and the state levels have made large investments in establishing some aspects of e-government infrastructure, they have not been able to harness fully the opportunities it has provided. Furthermore, the expansion of e-government websites alone will not help unless cultural change occurs, in order to support transparency, minimise

bureaucracy, and enhance citizen empowerment. After all, citizens will trust e-government only when they have trust in government and public agencies. In other words, India needs to move from e-government to e-governance. As far as the social and economic challenges and barriers to e-government are concerned. they mainly relate to reaching out to the large number of rural citizens who are less educated and economically less able. The government initiatives designed to cater to the needs of this population have only proven to be an initial aid to the problem; further progress still needs to be made to overcome the complex socio-economic challenges to e-government usage in India. It is only if this is achieved that India could implement world-class e-government systems with the aim of creating an equitable information society.

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Agricultural Land Leasing in India – Policy, Practice and Impact

T Haque



There is a need
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states, for allowing
leasing in and leasing
out agricultural
land for farming
and allied activities
which will help
improve agricultural
productivity as well as
equity

EASING OUT agricultural land is either prohibited or highly restricted by law in most regions of India. However, despite legal restrictions, informal leasing continues in all places. The question is whether restrictive tenancy laws have either reduced the incidence of land leasing or impacted positively on agricultural growth and equity. The present paper analyses the positive and negative aspects of post independence land leasing policy and suggests appropriate amendments, keeping in view the

Legal Status

emerging agrarian concerns.

Based on the legal position of land leasing, various regions of the country can be broadly grouped into five categories. First, the states of Kerala and Jammu and Kashmir legally ban leasing out agricultural land without any exception. Second, Telengana area of Andhra Pradesh, Bihar, Jharkhand, Karnataka, Madhya Pradesh, Chhattisgarh, Uttar Pradesh, Uttaranchal, Himachal Pradesh and Orissa allow leasing out agricultural land only by certain categories of landowners like disabled, widows, minors, defence personnel, etc. Third, the states of Punjab, Haryana, Gujarat, Maharashtra and Assam have not specifically banned leasing, but the tenant acquires the right to purchase the leased land from the owner within a specified period of creation of tenancy. Besides, once tenancy is created, it cannot be terminated in the case of Gujarat and Maharashtra. In Punjab, a landowner having land within ceiling can evict a tenancy but the tenant has to be left with five standard acres of land. Fourth, in Andhra area of Andhra Pradesh, Rajasthan, Tamil Nadu and West Bengal, there is no legal ban on land leasing, although in West Bengal, only share cropping leases are legally permitted. In both Andhra area of Andhra Pradesh and in Tamil Nadu, the landowner can resume only one-half of the land leased out for personal cultivation Fifth, in the Scheduled Tribe areas of Andhra Pradesh, Bihar, Odisha, Madhya Pradesh and Maharashtra, transfer of tribal land to non-tribals even on lease basis can be permitted only by a competent authority. The idea is to prevent alienation of land from tribals to non-tribals. Besides. in many states, the sharecroppers are not explicitly recognized as tenants. These include Andhra Pradesh, Bihar, Jharkhand, Karnataka, Madhya Pradesh, Chhattisgarh, Uttar Pradesh, Uttaranchal, Haryana, Punjab, Rajasthan and Tamil Nadu. (Haque, 2001)

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The other restriction on land leasing in most states includes fixation of fair rent in the range of one third to one fifth of the total produce, which is though never enforced.

It is worth mentioning here that agricultural tenancy laws of most states in India are inconsistent with the land leasing policies stated in various five year plans. The mid-term appraisal of the Ninth Five Year Plan provided the rationale for continuing the ban on leasing in backward regions, but recommended that tenancy in developed regions should be legalized, as it would increase poor peoples'

Research studies indicate that the restrictive tenancy laws have prevented optimum allocation of land resources and denied the rural poor access to land. They have also led to concealed tenancy, which is widespread.

access to land and also occupational mobility of large landowners (Govt. of India, 2002). The mid-term appraisal of the Tenth Five Year Plan pointed out: "that the country's tenancy laws are highly restrictive. They were enacted in the context of exploitation of the peasantry. The current situation however, is very different. The economic and political hold of large land owning classes has been considerably weakened Research studies indicate that restrictive tenancy laws have prevented optimum allocation of land resources and denied the rural poor access to land. They have also led to concealed tenancy, which is widespread. In such cases, the tenant has no protection. The fear of reverse tenancy is also unfounded as small and marginal farmers account for over 80 per cent of the total leased in land in the country. In any case, the existing ceiling laws can be leveraged to prevent reverse tenancy by stipulating that operational holdings could not exceed those prescribed under the ceiling laws" (Govt. of India, 2005). The

Eleventh Five Year Plan (2007-2012) recommended that tenancy should be legalized in a limited manner. It should provide security to the tenant for the contractual period, which could be long enough to encourage long-term investment by the tenant. It should also protect the rights of the landowner so that he has an incentive to lease out his land instead of keeping it fallow or underutilising it. Instead of prescribed rentals, an upper and lower bound of rents may be prescribed at the state leve. Land owners who would otherwise have to operate small uneconomic holdings should have the opportunity to legally lease out land to other farmers with the assurance of being able to resume possession at the end of the stated period of tenancy.

The 12th Five Year Plan points out that there is a strong case for legalising tenancy and allowing leasing in and leasing out land with adequate safeguards to protect the interest of small and marginal farmers (Govt. of India, 2012). Unfortunately, the state governments have not been persuaded to amend their tenancy laws and fall in line with the thinking of the Planning Commission in this respect.

Impact of Tenancy Reforms

The agricultural tenancy laws adopted by various state governments since independence do not seem to have the desired impact in terms of either (i) eliminating the system of lease cultivation, or (ii) providing security of tenure to the tenants—at—will.

No doubt, the area under tenancy declined from about 35.7 per cent of the total cultivated area at the time of independence to about 7.1 per cent in 2003 (Govt. of India, 1953; 2006). Till September 2006 about 12.6 million tenants on 16.7 million acres of land were conferred either ownership or occupancy rights (Govt. of India, 2007). But this measure also provoked the landlords to secure mass eviction of tenants, sub-tenants and sharecroppers. While the tenants were given occupancy right over about four per cent of the total land, they were

evicted from about 30 per cent of the total land. Nevertheless, concealed/ oral tenancy exists in almost all regions of the country. Even the states of Kerala and Jammu & Kashmir where tenancy is legally banned without any exemption granted even to defence personnel or disabled, large scale informal land leasing takes place (Table-1). The informal tenants are the most insecure, as they either have short duration oral leases or get rotated from plot to plot each year so that they cannot prove continuous possession of any particular piece of land for any specified period which could give them occupancy rights according to the law of the state. About 57 per cent of the leased in area in kharif season and 54 per cent in rabi season were on short term leases i.e. for less than two years (Govt. of India, 2006) and did not have any tenurial security or stability. The 59th Round of NSSO data (Govt. of India, 2006) further reveals that share cropping continues to be the dominant form of leasing in most places, although several state laws do not recognize sharecroppers as tenants. The sharecroppers have limited power to negotiate better terms, because the leasing arrangements are informal and outside the law. Also, the

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Even the states of Kerala and Jammu & Kashmir where tenancy is legally banned without any exemption granted even to defence personnel or disabled, large scale informal land leasing takes place.

available data on agricultural tenancy is generally underreported as tenancy is either banned or highly restricted in most places. For example, some independent studies (Sharma, 2005; and LBSNAA, 1992) show that in Bihar incidence of leasing was as high as 25 to 37 per cent.

Legalisation and Liberalisation

There are strong socio-economic reasons for farmers leasing out and leasing in land, despite legal ban or restrictions. First, due to population pressure on land and inadequate non-farm employment opportunities, farmers of all size groups tend to lease in land to make their operational holdings adequate for family subsistence. Second, farmers of all categories who have better outside employment opportunities prefer to lease out. This helps them to maximize family income through both rent by way of leasing out and income by hiring out labour within and outside agriculture. Third, lease market transfers land to those having less land available for use,

more ability to use land, more assets to invest, a higher adult workforce and fewer off-farm opportunities (Akter et al. 2006). Thus, economic forces drive land leasing, while ban or restrictions have only reduced the extent of land available in the lease market and have reduced the welfare of poor tenants by forcing them to enter into informal arrangements in contravention of the rules and also by restricting the poor peoples' access to land through leasing (Haque, 2001, Deininger, 2005). According to the 59th round of NSSO, about 36 per cent of the tenant farmers are landless, while nearly 56 per cent of the tenant households are marginal landowners having less than one hectare land. (Table-1) Also, this category of farmers lease in more land than they lease out. Hence, if more land becomes available through leasing, landless and marginal farmers would improve their social status and economic viability. Besides, due to legal restrictions on land leasing. some landowners prefer to keep their land fallow rather than to lease out for fear of losing the land in case they lease out. The lifting of ban on leasing in such cases will result in better utilization of the available land and labour and also promote both farm and non-farm development by improving the large landowners' incentive and ability to invest. At the same time, legalization of tenancy would provide an incentive to the tenants to produce more and enable them to access institutional credit and other services. Moreover, there is no conclusive evidence to suggest that yields under share tenancy are lower than those under owner farming

There is a case for legalization and formalization of land leasing, as it would help promote agricultural efficiency and equity and also reduce poverty. It is interesting to note that in Kerala where land leasing is legally prohibited, the Government has recently permitted leasing of land by women belonging to small and marginal farm households and landless labourers as neighbourhood groups under Kudumbashree Project which has positive impact on socioeconomic status of poor women. Also, the Government of Andhra Pradesh has enacted AP Licence Cultivators Act in 2011, which recognises lease farming by individuals as well as groups of women and enables them to access institutional credit and insurance facilities.

or fixed rent tenancy (Vyas, 1970;

Bhaumik, 1993).

Conclusion: To conclude, there is a need to amend the agricultural tenancy laws of various states, for allowing

Table 1: Incidence of Land Leasing and per centage of Landless and Marginal Households to Total Households Leasing in Land in Various States (Rural)

States	per cent area leased in	per cent households leasing in	per cent of landless tenants	per cent tenants with less than 1.0 ha.
Andhra Pradesh	9.7	15.9	53.1	38.9
Arunachal Pradesh	12.4	9.1	71.3	24.2
Assam	5.8	7.5	34.7	54.9
Bihar	12.8	12.3	5.8	93
Chhattisgarh	6.4	11	26.9	62.1
Gujarat	5.4	10.1	63.7	24.3
Haryana	17.3	17	24	54.3
Himachal Pradesh	3	21.6	62.6	35.9
Jammu & Kashmir	0.3	3.1	52	44.3
Jharkhand	2.4	6.7	45	51
Karnataka	3.5	7.5	55.2	33.6
Kerala	4.7	7.1	50	49.6
Madhya Pradesh	3	5.8	28.5	50.6
Maharashtra	4.9	10.7	60.1	31.6
Manipur	12.2	15.4	16.5	79.3
Meghalaya	6.9	18.1	35	57.3
Mizoram	3	5.8	29.3	48.8
Nagaland	0.1	7.9	97.3	2.5
Orissa	14.6	15.7	17.3	79.7
Punjab	19.5	12.1	23.8	44.9
Rajasthan	3.4	4.3	25	35.5
Sikkim	14.6	34.5	83.2	16.4
Tamil Nadu	7	16.3	72.7	23.6
Tripura	6.5	6.7	30	69.1
Uttar Pradesh	10.5	12.8	7.8	82.7
Uttaranchal	4.8	11.8	57.8	42.2
West Bengal	10.4	11.3	14.1	83.5
UTS	10.5	30.6	89.8	10.7
All India	7.1	11.5	35.8	55.7

Source: Govt. of India (2006), 59th Round of NSSO

leasing in and leasing out agricultural land for farming and allied activities which will help then improve agricultural productivity as well as equity. More particularly, the clause of adverse possession of land existing in the tenancy laws of most states should be deleted as it discourages the land owners to lease out any piece of land on continuous basis, thereby causing insecurity of tenure and lower productivity of rotational tenancy. All tenants, based on their simple lease agreements should be entitled to access institutional credit, insurance and marketing facilities.

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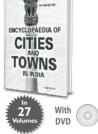


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SHODHYATRA

Bamboo Stripper cum Splinter

RALTE (46 years) and L Sailo (49 years), both fabricators, develop customised tools and equipments for their customers.. They have developed a bamboo stripper cum splinter, which reduces the drudgery and danger in using knives for making bamboo strips and splints.

Ralte's primary interest lay in drawing and painting, which he is passionate about even today. He wanted to take up a career in visual Art but became a fabricator after his graduation.

A mason by profession, Sailo has tried his hand at different jobs like carpentry, masonry, fishing and even worked casually for electricity department for a while. At the age of eleven, when there was no electricity in his village, he made a room lighting system using torch bulb and battery. Later he also made a river water operated grinder and husker.

Both Ralte and Sailo came to know each other while being associated with a voluntary organisation CHAN's vocational Training Centre. Sailo has a number of useful machines to his credit, which include grass cutter, squash vegetable/fodder chopper, chicken dressing machine, dough kneading machine and bamboo splinter.

How the idea evolved

Association with the voluntary organisation exposed them to a variety of issues and challenges. They also came to know about bamboo and its prospective use. It was then that they realised that there was abundant wealth lying as waste in the forests. Meanwhile, an entrepreneur approached them with

a challenge to develop a machine for slicing and splitting of bamboo for making incense sticks. They started working on the concepts, the brief given to them was to have a machine, which can reduce labour dependence, be of low cost and efficient.

The bamboo stripper cum splinter

The device is a handy manual device, which can slice bamboo strips and make splints from the strips, thereby eliminating the risks involved in doing the same using knives.

For using the machine, one needs to load the bamboo piece onto the machine and slide the cutter to and fro using a handle. This results in 1.2



mm thin strips of bamboo. About 50 of these strips are then stacked together and loaded onto the machine vertically. The cutter is again moved to and fro resulting in splints of 1.2 mm thickness. Using this machine, an average person can make about 5000 splints per hour.

While bamboo stripping and incense stick making machines are available (NIF Database: Paresh Panchal, Usman Shekhani, Manihar Sharma, Uddhab Bharali, Liagi Baht), the advantage with this machine is that it combines both the features together with good efficiency at a reasonable cost. All other machines are a set of two for both the separate processes.

Diffusion

NIF filed a patent (955/KOL/2009) in their name and provided them financial support from its Micro venture Incubation Fund (Mv IF) to commercialise the product, which is gratefully acknowledged by the innovators. As of January 2013, 1850 units of the device have been sold in and around Mizoram and Bangladesh. Further, they have an order for another 700 units. NIF is also trying to diffuse these in different pockets of the country where bamboo is available and processed. These machines have been received well and the user feedback has been positive where they have mentioned that they found the device efficient and easy to handle. This machine has a great scope in areas where bamboo is grown and processed both nationally and internationally. It won the 'Best Innovative Bamboo Product" award in 2012 as well. This machine has also been popularised by local newspapers and cable channels. Their work has been profiled by a few regional stations of Doordarshan also.

Future plans

Ralte and Sailo are working to upgrade this manual machine to a semi - motorized machine. They are also planning to develop a stove using Jatropha seeds and a Betel nut peeling machine. Commercialization of a chicken dressing machine is also on the cards. Sailo is simultaneously working on three other machines viz. Areca nut Peeler, tung breaker and dough kneader, for which he has been approached by a noodle maker from Aizawl.

(E-mail: campaign@nifindia.org, www.nifindia.org)

Development Roadmap

Higher Education Reform on the anvil

An ambitious flagship programme for improving access, equity and quality in the State higher education system is proposed to be initiated, spread over two Plan periods (12th and 13th plan). The Rashtriya Uchchatar Shiksha Abhiyan(RUSA), with a financial outlay of Rs 22,855 crore during the 12th Plan period, aims to strengthen the state colleges and universities through strategic central funding and implementation of certain much needed reforms. It is proposed to improve the Gross Enrolment Ratio from the current 18 per cent to 30 per cent by 2020 in order to help create new academic institutions and expand the existing institutions that are self-reliant in terms of quality education and professional management.

During the 12th plan period, 80 new universities would be created by converting autonomous colleges/colleges in a cluster to state universities. Hundred new colleges, including professional/technical colleges would be set up and 54 existing colleges would be converted into model degree colleges. Infrastructure grants would be given to 150 universities and 3500 colleges to upgrade and fill critical gaps in infrastructure especially libraries, laboratories, etc. RUSA would also support 5000 faculty positions.

A total of 316 State Public Universities and 13,024 colleges will be covered under it. RUSA also aims to incentivize states to step up plan investments in higher education. Of the total amount of Rs 22,855 crore, Rs 16,227 crore will be the central share.

First Vaccine to prevent Japanese Encephalitis

The first-ever vaccine in India for Japanese Encephalitis was launched recently. The Vero cell-derived purified inactivated JE vaccine- JENVAC, manufactured in the public-private partnership mode between the Indian Council of Medical Research and Bharat Biotech will provide increased immunogenicity and long term protection as a result of unique manufacturing technologies. Japenese Encephalitis, a mosquito-borne viral infection affects 171 districts in Uttar Pradesh, claiming hundreds of lives every year. Mortality is higher among children and thousands have been rendered disabled. The most significant benefit of the JENVAC is that it can be administrated as a single dose during epidemics for mass vaccination campaigns as it is a highly purified and inactivated vaccine. It can also be given as a two dose schedule during routine immunization as part of the National Immunization Progammes in endemic regions.

Skill Development Initiatives for Minorities

"Seekho aur Kamao (Learn & Earn), a unique skill initiative for minorities was launched recently. The scheme by the Ministry of Minority Affairs, provides for placement linked Skill Training Programmes for modern as well as traditional trades; Soft Skills training, basic I.T. and English training; boarding/lodging and stipend for outstation trainees and stipend also available to local trainees; and mechanism for placement and post placement support. Project implementating agencies are to ensure 75 per cent employment and out of which 50 per cent would be in organized sector. For traditional trades, the activities should result in creation of an SHG of skilled youth with access to funds for establishment and operation.

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Yojana has launched a new service named 'Web-Exclusives' for the benefit of its readers under which selected articles are put up on the website of Yojana: www.yojana.gov.in. Announcement about the articles under the Web-Exclusives section are carried in the Yojana magazine of the month but these articles are not published in the print version of Yojana.

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The Women Farmers' Entitlement Bill 2011: How to make it work?

Ashok Kumar Sircar



Women Farmers' Entitlement Bill can be transformative much like the MNREGA or the Right to Information Act or the Forest Rights Act. The gender inequality in assets in Indian society is not only preventing unleashing the full potential of the women's productive forces, it is also one key factor for many social evils like dowry, violence on women, desertion, lack of women's dignity and status in society

HE IMAGE of an Indian farmer is a solidly built male wearing knee length dhoti and a white pagri (head cap), ploughing the field with a combination of plough-oxen. The most widely known word for the farmer is a masculine word called Kisan. Contrast this with the facts: about 75 per cent of rural women are in agriculture compared to 61 per cent of men. Women are engaged in all the pre-production, production and post-production activities. Although ploughing has traditionally been a taboo for women, that is no longer the case. In India, 60-80 per cent of food is grown by women and almost 90 per cent of milk is produced by women

producers. Women are known to be the

seed preservationists, and historically,

women are known to have introduced

settled agriculture while men were still

hunter-gatherers.

Ironically, despite deep and wide presence of women in Indian agriculture, they are not regarded as farmers. Indian agricultural policy defines a farmer as someone who owns land. Women have control over less than 13 per cent of land and this lack of ownership results in miniscule share of 11.33 crore Kisan Credit Cards owned by women and negligible share of 33 crore strong membership of the Primary Agricultural Credit Societies. Devoid of land ownership, women do not receive agricultural credit,

technologies are not women friendly, and women are not considered for agricultural training and inputs.

Indian women also do not inherit agricultural land from their parents. The societal practice for hundreds of generations is to allow only the sons to inherit agricultural land while dowry paid at the time of the girl's marriage is considered her share of inheritance. The inheritance law of the Hindus, Buddhists, Sikhs, and Jains, namely the Hindu Succession Act, got amended only in 2005 allowing women to have birth rights on parental property, and entitling her to equal share of her parent's and her late husband's agricultural land in the absence of a will. The implementation of this law, however, is dismal.

The Women Farmers' Entitlement Bill 2011, intended to correct many of the systemic gaps in this policy. The salient features of the Bill are:

- 1. By virtue of her marriage, a woman shall be treated as half owner of her husband's land and thereby be recognized as a farmer
- 2. Gram Sabha shall have the power and authority to approve who is a woman farmer, and the Gram Panchayat shall have the authority to issue her the Woman Farmer Certificate.
- 3. By virtue of being half owner, the woman shall have ownership of half of her husband's land under

The author works as the Director, Programmes, Landesa, New Delhi and has been a development practitioner since last fourteen years.

inheritance. The husband's land could be self-acquired by her husband or share of his parental property.

- 4. By virtue of being a farmer, the woman shall have all the provisions of equal right over water, as enjoyed by the male farmers, to all water rights connected with the agricultural land to which she is the owner, shareholder, possessor or user for farming activity and she shall have access to water resources for irrigation purposes.
- 5. The woman farmers shall be entitled to Kisan Credit Card to facilitate access to credit and financial support to women farmers in her individual capacity or as a group at par with men.
- 6. The bill proposes setting up of a Central Agricultural Development Fund for Women Farmers (CADFWF) under the Act, to oversee development of women farmer friendly technologies, provision of training and capacity building, creation of market facilities, organization of crèches and day care centers, social security for women farmers, old age pensions and other related products and services.
- 7. Every state will have to set up a Women Farmers' Entitlement Board at the State level having representation from women farmers, for ensuring transparency in functioning of this Act and accountability of the functionaries. Additionally, every State Government shall set up a District vigilance Committee in every district, and also create a district level position of Women Farmers' Entitlement Officer.
- 8. Provisions of Penalties and Procedures are built into the Act for whosoever fails to comply with the provisions of this Act.

In brief, the bill attempts to address three mutually connected aspects of the policy gaps. These are a) to recognize women as farmers, b) to directly ensure that she is half owner in present and in future of her husband's land, and c) create a dedicated systemic machinery to address a woman farmer's needs for credit, insurance, technology and training.

There cannot be any doubt about the progressive intent of the bill and its aim to eliminate the critical gaps in policy and practice. The Bill is certainly radical in its aim to transform the Indian rural society. However, there can be many friendly critiques to the proposed bill. We will discuss them here.

Firstly, the automatic recognition of a wife to be the half owner of her husband's land by virtue of her marriage to a person having land, is in conflict with the marriage laws of the country that only gives her a claim

While all these three key pillars of implementation namely, a fund window, an overseeing body, and a dedicated officer to ensure women's farmers' entitlements are necessary and welcome, what appears to be problematic is to create a new window for funds to women farmers and a new overseeing institution for women farmers' entitlement.

to her husband's property in case of a divorce, and the claim is to be decided by a court. The Indian Marriage Law does not give her any automatic partitionable ownership right to her husband's property, any more than a user right.

Secondly, half ownership of the wife of her husband's property, in inheritance, is in conflict with the Hindu Succession Act 1956 as amended, where the class-I heirs include the wife, sons, daughters and grandsons, granddaughters at par. The half ownership would snatch away their rights of inheritance.

These legal hurdles apart, there are several institutional issues that will affect the effectiveness of the bill on the ground. The bill proposes to create exclusive authorities at the

national, state and district levels and an exclusive officer at the district level. The authorities proposed to be created are of two types: an institution to fund the women farmers, and an institution to oversee and ensure that women farmers get their entitlement without fear or favour. These are Central Agriculture Development Fund for Women Farmers at the central level and Women Farmers' Entitlement Board at the state level and a District vigilance Committee and Women Farmers' Entitlement Officer at the district level. While all these three key pillars of implementation namely, a fund window, an overseeing body, and a dedicated officer to ensure women's farmers' entitlements are necessary and welcome, what appears to be problematic is to create a new window for funds to women farmers and a new overseeing institution for women farmers' entitlement. This exclusive approach will leave the existing institutions of agricultural funding and overseeing women's situations to continue to do business as usual, and will have no motivation to address the issues of women farmers. For effective inclusion of women in agricultural credit, the existing funding institutions, namely the cooperative banks, Grameen Banks and commercial banks as well as the Primary Agricultural Credit Societies have to modify their policies and practices. The bill remains silent on that. There are two institutions dedicated to women's causes at the state level; one is the Department of Women and Child development, and the other is the Women's Commission. The Women's Commission primarily looks at human rights violation issues, and the department primarily looks at women's health and nutrition issues. Neither of them has any focus on women farmers. The Department of Agriculture, essentially meant for the farmers, has no focus on women farmers either. Creating a new institution for women farmers would not change the already existing institutions or departments.

For the Bill to be effective, creating a new institutional set up

for funding and overseeing would, in our view, be counter-productive as it will create a new silo in the institutional mechanism of delivery. A more productive way would be to create an exclusive fund window within the existing fund mechanism through the RBI route. Additionally, the Department of Agriculture in all states must be declared the nodal department for women farmers. This department should create a new section headed by a Joint Secretary exclusively for the women farmers. And at the district level, the position of the District Women Farmers' Entitlement Officer can act as the champion of the women's farmers' causes in terms of land, credit and insurance, membership of the PACSs, technology and training support.

The District vigilance Committee exclusively for women farmers is another misplaced strategy. The word vigilance denotes a connotation of preventing or enquiring on corruption issues. A vigilance Committee in this case is not the most appropriate nomenclature or is not an accurate reflection of the intent of the body. There already exists about 50 committees at the district level for various purposes. Creating another committee will add to that number but will not add to the effectiveness of district level functioning of the various departments and other entities. A more effective approach would be to have a nodal officer in every relevant department and entities on women farmers. These nodal officers will have specific mandates to fulfill on her department's behalf. The district women farmer's entitlement officer is to be mandated to oversee if these mandates exist and are being fulfilled.

While these challenges can be met with suitable modification in the draft bill, the biggest challenge still remains. The Bill has lapsed in the Parliament for technical reasons. This means the Bill would have to be freshly placed and listed in the Parliament. As we write this note, no department has come forward to take the lead.

Women Farmers' Entitlement Bill can be transformative much like the MNREGA or the Right to Information Act or the Forest Rights Act. The gender inequality in assets in Indian society is not only preventing unleashing the full potential of the women's productive forces, it is also one key factor for many social evils like dowry, violence on women, desertion, lack of women's dignity and status in society. The vast body of international and national literature have already pointed out that asset redistribution is a vastly more economically and socially powerful instrument of social progress than income redistribution. The Women Farmers' bill can certainly take us to that goal. The question is who will bell the cat?

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A Historic Act Replaced

Preeti Sampat



The RTFCTLARR 2013 fails to ensure a minimal guarantee of the right to some property that will ensure and foster development for all. Provision of land for land for SC and ST communities and other agriculturists in irrigation projects is welcome, but whether commensurate, let alone better lives for those dispossessed can be guaranteed, is a moot question

HE RIGHT to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RTFCTLARR) Bill.

2013 is historic in the mere fact that it ends 119 years of the colonial legacy of the Land Acquisition Act (LAA) 1894 and brings Rehabilitation and Resettlement (R&R) within its purview. As the post independence history of development-induced displacement stands witness to over 60 million displaced (Fernandes 2008) with little let alone 'just' compensation, the recognition that land acquisition requires R&R for those who lose their land and livelihoods is a much overdue corrective. However, the RTFCTLARR 2013 limits the recognition and redressal of the 'grievance' suffered by those dispossessed to compensation and R&R. By leaving state-led acquisition out of the purview of 'prior informed consent' and the ultimate determination of 'public purpose' by the same body requisitioning acquisition in the first place—the appropriate government, it creates a blinkered edifice of justice and top-down development. Underlining the policy prerogatives of industrialization, development of infrastructural facilities and urbanization, it accordingly expands the definition and scope of 'public purpose.' In doing so, it reinforces the colonial doctrine of

'eminent domain,' ignores the lessons from intensifying conflicts over land acquisition and explicitly instates policy bias for capitalist growth over socialist and democratic development, indeed over sustainable and agrarian development. Consequently, it misses the opportunity to set precedent to deepen democracy in India and continues uninhibitedly, the colonial legacy of the LAA 1894. I discuss below some issues around eminent domain, public purpose, resistance to land acquisition, compensation and R&R that the RTFCTLARR throws up and argue for safeguarding democratic and locally appropriate sustainable development through contextualized rights to land- and resource-use for

Eminent Domain and Right to Property

The jurisprudence around eminent domain (the doctrine that the state's power for forcible land acquisition draws its legitimacy from) has always recognized the right to fair compensation of those dispossessed for public purpose. While the power of acquisition inheres in the principle of sovereignty, the right to compensation inheres in an individual's right to property. In a 1952 judgment upholding the power of eminent domain for acquisition of land from big landlords for redistributive purposes, the Supreme

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Court of India noted: "the concept of acquisition and that of compensation are two different notions having their origin in different sources. One is found on the sovereign power of the State to take, the other is based on the natural right of the person who is deprived of property to be compensated for his loss" (The State of Bihar vs Kameshwar Singh 1952: 25). Implicit in the jurisprudence over acquisition and compensation thus, is the recognition of a person's right to property, an essential liberal tenet defining personhood through the ideology of possessive individualism. What is important to recognize for our purposes is that both the doctrine of eminent domain and the right to property are British colonial

As landlords successfully challenged acquisition for land reforms in the courts on grounds of their fundamental right to property, Land Reform laws pertaining to takeover of property by the state were moved to the IXth schedule of the Constitution from the First (Constitutional Amendment) Act 1951 onwards. This insulated them from judicial challenge and invalidation.

legacies specifically designed to meet the needs of the colonial capitalist state. Given that British common law legitimating forcible acquisition predates the Indian constitution and that the Indian constitution does not draw upon natural law, the twin principles of acquisition derived from sovereignty and compensation from right to property animating the doctrine of eminent domain have extraconstitutional and pre-democratic moorings in India.

Initially a fundamental right in the post independence Indian Constitution, the right to property was soon perceived as a danger to the early socialist preoccupations of the Indian state and politicians. As landlords successfully challenged acquisition for land reforms in the courts on grounds of their fundamental right to property, Land Reform laws pertaining to takeover of property by the state were moved to the

Ix th schedule of the Constitution from the First (Constitutional Amendment) Act 1951 onwards. This insulated them from judicial challenge and invalidation. The insertion of Articles 31A-C through the First Amendment and the Twenty-fifth Amendment saved certain laws related to acquisition from challenge under Articles 14 (equality before law) and 19 (fundamental rights). This elevated eminent domain to a constitutional doctrine, although blanket protection from judicial challenge under the Ix th Schedule was later considered untenable. The right to property was eventually removed from fundamental rights through the 44th Constitutional Amendment Act in 1978.

As large 'development projects' were designed, dalits, adivasis, poor peasants and the urban poor increasingly bore the brunt of acquisition. The constitutional status of the doctrine of eminent domain and the unqualified removal of the right to property as a fundamental right without attention to existing social, political and economic inequalities resulted in the exercise of eminent domain against the most vulnerable populations. Ironically, a more progressive public purpose of equitable redistribution of land facilitated the dispossession of already economically, socially and politically vulnerable people.

Public Purpose in Aid of Capital

Public purpose has increasingly promoted capitalist interest directly from the mid 1990s (see Nilsen 2010). Even as private infrastructure projects like the Hydro-Electric Project on the river Narmada met resistance in the mid 1990s, Special Economic zones (SEzs) were announced in the mid 2000s as the new engines of export-led growth, soon running aground from resistance to land acquisition and ex post curtailment of tax benefits. The Delhi Mumbai Industrial Corridor (DMIC), the Amritsar-Delhi-Kolkata Industrial Corridor and PPPs are since set to foster capitalist growth in the economy, with the help of the state. The Commerce and Industry Ministry's National Manufacturing Policy (NMP) 2011 envisages National Investment and Manufacturing z ones (NMIzs) of at least 250 square kilometers each with integrated townships. The ambitious DMIC envisages nine such NMIzs. The RTFCTLARR 2013 expands the scope of eminent domain unambiguously, including acquisition by appropriate government (state or central) for own use, hold and control (including Public Sector Undertakings); for strategic defense purposes; infrastructure projects as notified by the centre; agriculture related projects; industrial corridors, mining and NMIzs; water and sanitation, educational, sports, health-care, tourism, transportation and space programme related projects: and housing and development plans of various categories.

We must be clear that private entities undertake projects for private profit, while public purpose is to secure the development and welfare of all citizens and particularly those deprived

We must be clear that private entities undertake projects for private profit, while public purpose is to secure the development and welfare of all citizens and particularly those deprived of access to basic necessities like a regular livelihood, nutrition, housing, health and education.

of access to basic necessities like a regular livelihood, nutrition, housing, health and education. These essentially divergent motives are incommensurate and cannot be conflated; least in a country where nearly 50 per cent of the 1.2 billion plus population lives below or around the poverty line and is heavily dependent on the agrarian economy. The grounds for deeming private investments in PPPs (that generally enjoy an assured rate of return for private capital), industrial corridors, NMIzs or for that matter SEzs as public purpose are flimsy. The policy prerogative of urbanization and integrated townships promotes real estate investment in one of the most obscure and unregulated economies in the country with high levels of corruption and 'black money' (see Samuel et al 2011a, b). While Social Impact Assessments in the RTFCTLARR are welcome, their recommendations are non-binding and the ultimate determination of legitimate public purpose lies with the appropriate government. Given the explicit and expanded scope conflating capitalist interest with public purpose, the RTFCTLARR threatens to engender large-scale capitalist "accumulation by dispossession" (Harvey 2005) by providing outlets for domestic and foreign capital at the expense of local populations and their development. Intensifying popular resistance to acquisition then, seeks to counter the threat of dispossession.

It is the state's presumption of public purpose that is being contested again and again through vital questions regarding the "development" it undertakes—for whom, at what cost and at whose

Resistance to Land Acquisition

Since the 1980s, the enforced displacement of people for large development projects has been fiercely contested. Anti-displacement movements have raised critical questions regarding social and environmental costs, prior informed consent of project affected including landless people, their legal entitlements and livelihood security and democratic process and accountability of the state. In the wake of the Narmada valley, Nandigram and Singur in West Bengal, Raigad in Maharashtra, Mangalore in Karnataka, Jagatsinghpur in Orissa, Mundra and Hansalpur in Gujarat, resistance in Goa, Haryana and U.P., the predominant conflict over land and resources is not over compensation and R&R. Nor is it about compensation and R&R in Chhattisgarh. It is the state's presumption of public purpose that is being contested again and again through vital questions regarding the "development" it undertakes—for whom, at what cost and at whose cost. These are not just signal flashpoints of conflict over land and resources in the early 21st century; they are also

conflicts over sovereignty and the right to decision-making and determination of development trajectories as democratic polities come to maturity (see Ramanathan 2010; Sampat 2013). The RTFCTLARR 2013 however, attempts to side-step these fundamental issues by focusing on compensation and R&R. While it mandates consent for private acquisition and PPPs, consent is only to be established from land owners. By leaving out the corpus of land acquisition undertaken by the state from the purview of consent, it fails to develop a consent-based democratic model of development. The broad scope of acquisition in aid of capitalism will potentially result in more and more of the same, intensifying conflicts over land, resources, decision-making and development in the years to come. Let us consider briefly the compensation and R&R that RTFCLARR promises below.

Fair Compensation and R&R

The RTFCTLARR 2013 leaves it to the appropriate government to determine whether compensation should be at market value of the land or twice that in rural areas, depending on distance from an urban area (it is unclear how or why this distinction is to be made). Land acquisition officers I have interviewed in the course of my research claim that their goal is generally to get the 'best price' (read cheapest) of acquisition for the government. We can safely presume this is true for private entities as well. With the addition of this clause of distance from urban area determining the factor of multiplication, and given entrenched bureaucratic dispensation in dealing with acquisition, it seems unlikely that the best price will be determined in favor of those being dispossessed. Compensation in urban areas remains at market value. While compensation includes 100 per cent solatium award plus 12 per cent interest until the date of award or acquisition, the determination of the market value is to be done by calculating the average market value of land transactions in the area for previous three years from half the highest sale transactions. Real

estate developers I have interviewed candidly disclose that sale deeds never reflect the real sale price of any area of land as the parties in transaction depress prices to avoid stamp duties. A significant amount of the price is thus paid 'under the table,' contributing to the ubiquitously unaccountable and obscure 'black economy' of real estate. Besides, the significant escalation of land and property prices in affected areas once a development project is announced is unaccounted for, as awards are to be determined based on prior rates. Despite espousal of outcomes that ensure "affected persons become partners in development leading to an improvement in their post acquisition social and economic status" (GoI 2013) the RTFCTLARR will likely continue meting unjust compensation. Significantly, the coverage of compensation and R&R leaves out those dependent on land dependent communities who may not own any land or work on it directly, like barbers, ironsmiths and other service providers.

The RTFCTLARR extends the coverage of R&R for private purchase only above an area specified by the appropriate government, or if the appropriate government is approached for land acquisition, to the entire area. While this devolution of decision-

Real estate developers I have interviewed candidly disclose that sale deeds never reflect the real sale price of any area of land as the parties in transaction depress prices to avoid stamp duties.

making to appropriate government may ostensibly safeguard federalism, competitive bidding by states to attract investment can raise such limits arbitrarily and create spiraling private concentration of land, exempting significant private purchase from R&R obligations. Moreover, with no ceilings on the extent of land that can be acquired for any project in a country as densely populated, unfettered acquisition will intensify inequalities of ownership, access and wealth and exacerbate conflicts, unrest

and distress. To safeguard locally appropriate and ecologically sustainable democratic development, consent-based acquisition has to be made the rule. This needs further guarantee of the strengthening of the third tier of democracy and contextualized rights to land- and resource-use for all.

Right to Land- and Resource-use for All

In principle and in limited practice the v th and v Ith schedules, the 73rd and 74th Amendment Acts and the Panchayat Extension to Scheduled Areas (PESA) Act 1996 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (FRA) 2006 accord a fundamental third tier to governance that has the potential to bring the affairs of the state and governance more directly under the control of 'citizens.' A principle of subsidiarity among the tiers of governance has not been promulgated in the constitution though, and time and again, local body resolutions are thwarted in confrontation with the state's power of eminent domain. The powers of the local bodies need to be safeguarded with respect to local development.

The Right to Property needs to be viewed as wider than private property and rights to land- and resource-use must be secured such that they minimally guarantee rights to shelter, livelihood and flowing from these, life and liberty, to all. The development of rights to land and resources through individual entitlements however, can lead to the creation of a bigger market for them and their greater concentration by the market's so-called 'invisible hand.' At the same time, collective or usufruct rights insensitive to a mixed caste context would lead to the alienation of dalit and other bahujan communities and securing private entitlements in such contexts may better safeguard rights. We need a legal recognition of complex and contextualized landand resource-use rights arrived at with direct consultation with people and communities through state and non-state channels. The possibilities of private, collective, usufruct and other use rights to land and resources need to be considered contextually, sensitive to caste, religious, gender, ethnicity and other forms of disparity prevalent in any given area of the country.

Article 39 of the Directive Principles of State Policy in the constitution offers a relevant principle to develop a framework, stating that the ownership and control of the material resources of a community should be distributed to best serve the common good, and such that the operation of the economic system does not result in the concentration of wealth and means of production. Land reform legislation also flows from these principles and draws upon redistributive and economic justice and the right to life and liberty: a fuller treatment can help us get out of the bind of the dual nature of eminent domain where the temptation of its redistributive potential hangs in the long shadow of its historical abuse. In Surendra Singh vs. State of U.P. the court noted: "Admittedly, the Land Acquisition Act, a pre-Constitutional legislation of colonial vintage is a drastic law, being expropriatory in nature as it confers on the State a power which affects person's property

right. Even though right to property is no longer fundamental and was never a natural right, and is acquired on a concession by the State, it has to be accepted that without right to some property, other rights become illusory" (2011: 3). The RTFCTLARR 2013 fails to ensure a minimal guarantee of the right to some property that will ensure and foster development for all. Provision of land for land for SC and ST communities and other agriculturists in irrigation projects is welcome, but whether commensurate, let alone better lives for those dispossessed can be guaranteed, is a moot question. Similarly, developed land in urbanization projects for original owners, while welcome, is to only amount to 20 per cent of the land acquired. The original owners are expected to share the fruits of their land with others who can presumably afford larger plots. The irony of capitalist development is the 'underdevelopment' it creates around it. Instead of fostering equitable and sustainable democratic development for all, the RTFCTLARR 2013 puts in place a blueprint for deeply 'uneven development' (Smith 1984). The seeds of discontent have long been sown.

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National Mission on Oilseeds and Oil Palm

The Cabinet Committee on Economic Affairs has approved the implementation of the National Mission on Oilseeds and Oil Palm (NMOOP) during the 12th Plan Period with financial allocation of Rs.3507 crore.

This would help in enhancing production of oilseeds by 6.58 million tonnes. This would also bring additional area of 1.25 lakh hectares under Oil Palm cultivation with increase in productivity of fresh fruit bunches from 4927 kg/ha to 15,000 kg/ha and increase in collection of tree borne oilseeds to 14 lakh tonne.

Implementation of the proposed Mission would enhance production of vegetable oil sources by 2.48 million tonnes from oilseeds (1.70 million tonnes), oil palm (0.60 million tonnes) and tree borne oilseeds (0.18 million tonnes) by the end of the 12th Plan Period.

The implementation strategy in the Mission would place emphasis on increasing the Seed Replacement Ratio (SRR) with focus on varietal replacement; increasing irrigation coverage under oilseeds from 26 percent to 38 percent; diversification of area from low yielding cereals crops to oilseeds crops; inter-cropping of oilseeds and use of fallow land; area expansion under oil palm and TBOs; increasing availability of quality planting materials of oil palm and TBOs; enhancing procurement of oilseeds and collection and processing of TBOs. Recommended varieties and proven technologies would be demonstrated in a cluster approach through mini kits and frontline/cluster demonstration. The cluster approach would ensure participation of all categories of farmers, irrespective of the size of their holdings, social status and would demonstrate visible impact of technologies in enhancing productivity and production.

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Towards De-Centralization and Inclusion?

Tarun Gopalakrishnan



In addition to opening up the coal mining sector to private players, the Government must institute a system which incorporates the interests of Community, State and Centre. One possible example of such a system would require companies to submit bids to acquire the land from their current owners, which be evaluated by the Centre, the State as well as the Gram Sabhas of the communities concerned

HE COAL sector in India represents the nation's hopes of development and industrialization. Between 1950 and 2000, according to conservative estimates, the coal mining sector is reported to have displaced between two and two and a half million people (Terminski 2012). Mining induced displacement has increased significantly as coal production has shifted from underground to opencast mining (Singh 2007). As per the Ministry of Coal (2005), more than 80 per cent of the coal production till 2025 is projected to come from opencast mines, affecting a minimum of 1,70,000 families involving over 8,50,000 people. Emerging literature on the coal sector has sharply criticized its claim of driving development and has even linked it to the rising popular support for hitherto 'fringe' political movements such as Naxalism.

In this context, two legislations one proposed (the Mining and Minerals Development Bill of 2011), the other recently passed by Parliament (the Land Acquisition Act of 2013)- offer the opportunity to meaningfully regulate the coal sector and better balance national development with human rights. This note examines the extent to which they may succeed in

doing so and offers a brief overview of a more inclusive model of coal resource development.

The LARR Act 2013

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR Act 2013) requires only notification by the Government to come into force in 2014. This development in the area of Land Acquisition is a long overdue one. Generations hence will scarcely believe that a free people cowered under that most colonial of legislations – the Land Acquisition Act, 1894 – a full sixty four years after winning their freedom.

The legal fiction of eminent domain establishes that all land within the territory of India is essentially the property of the Government. The erstwhile Land Acquisition Act, 1894 imposed only two types of limitations on this power – firstly, that land be taken for a public purpose and second, that the owner be adequately compensated.

The new Act makes a significant development in the realm of adequate compensation. Its biggest achievement is the recognition of the fact that land ownership provides significant socio-economic benefits beyond

The author is a Research Associate at The Energy and Resources Institute (TERI). He is involved in a study on the equitable sharing of benefits from coal mining, a project assessing concerns related to land requirements for renewable energy projects in India, a study evaluating the operation of environmental federalism in India and a proposal to develop an industrial land acquisition framework for Bihar.

mere financial valuation. This reality was originally acknowledged by the Government in the Coal India Limited Rehabilitation and Resettlement Policy of 1994. Several public companies and some States have published R&R policies since then. With the new Act, the entire gamut of approaches once filed under "Rehabilitation and Resettlement policy" has now been focused by a set of legally enforceable minimum guarantees enshrined in the Act's Second and Third Schedules.

So many of the guarantees included in the Act - the requirement of consultation with the local population and local Government in SIA preparation and representation of the Gram Sabha in the SIA appraisal, the consent required from the affected families before acquisition, the requirement that unused land be returned after five years, the principles of minimum displacing use and net social benefit enshrined in section 8 – speak directly to the accusations leveled at the coal sector.

The new Act, at first glance, adopts an extremely generous approach to R&R. It requires the consent of 80 per cent of the affected population for a project to go ahead and completely prohibits the acquisition of irrigated multicropped land. In addition, it lays out compensation for land and livelihood with generous multipliers applied to the 'market value'. It combines various other forms of compensation such as annuities, subsistence allowance, homestead compensation and the sharing of appreciation in land value. It also guarantees employment per family or compensation in lieu of employment. The new Act has, effectively, taken the best of the R&R policies and laid out a minimum R&R guarantee that far exceeds any of them.

However, for a variety of reasons, the Act fails to meaningfully engage with the public purpose requirement. Broadly, there are two approaches to determining what constitutes public purpose – firstly, making a list of what constitutes public purpose, with a provision to amend the list through notification or amendment and second, design robust institutions and processes that ensure a meaningful consideration of whether a project is really in the public interest. The LARR Act 2013 – sensibly – opts for the second approach.

However, the processes and institutions offer precious few guarantees of meaningful decision-making, particularly in the Coal Mining sector.

So many of the guarantees included in the Act - the requirement of consultation with the local population and local Government in SIA preparation and representation of the Gram Sabha in the SIA appraisal, the consent required from the affected families before acquisition, the requirement that unused land be returned after five years, the principles of minimum displacing use and net social benefit enshrined in section 8 – speak directly to the accusations leveled at the coal sector.

Yet, in possibly the most concerning part of the LARR Act 2013 - Section 106—the new Act creates an exception for the acquisition of land under the Coal Bearing Areas Acquisition and Development Act, 1957. While it does mandate that the compensation and R&R requirements under the Act be extended to these acquisitions within a year, it does not ever contemplate bringing the coal industry under the rest of the institutions and processes created by it.

In sum, in the area of coal mining, the new law suffers from the same inadequacies as its policy predecessors. It assumes that the best way to further public interest is in the unilateral assertion of 'eminent domain'. It is positive, however, that the issue of resettlement and rehabilitation are finally being addressed through legislative proposals rather than simply policies.

The MMDR Bill 2011

The Mining and Minerals Development Bill, 2011 (MMDR Bill 2011) deals with the issue of coal mining displacement in an indirect manner. Section 43 of the Bill requires that coal companies contribute 26 per cent of their net profits toward a District Mineral Foundation. This provision has come in for criticism by the mining industry, on the grounds that it is already one of the highest taxed industries in the world (Arora 2011). It has also been defended on the grounds that mining companies enjoy windfall profits off commodities that do not belong to them (Centre for Science & Environment 2011). This requirement to contribute to the local Government's funds would interact with different R&R issues differently.

Broadly speaking, we can divide the scope of R&R policies into two categories – compensation and creation. This is not an entirely clear distinction, because:

It is evident that there is a significant gap between what is simply required by the policy and what is required to truly rehabilitate a community. This gap arises from the checklist nature of R&R policies in relation to infrastructure that needs to be created.

- 1. R&R policies in fact attempt to create in order to replace what has been lost; hence most provisions have both a compensatory and creation aspect.
- 2. The options offered by R&R policies often make this categorization hard. Offering new employment, for example, could be categorized as creation; however companies usually opt for compensation in lieu of employment, which is compensatory.

However, there is value in clarifying these distinctions in order to better delineate responsibilities between the Government and the proponent.

Experience has shown that while requiring bodies (such as CIL) are quite willing to disburse one time payments (even fairly generous ones) there is far less success in the creation of new infrastructure and livelihoods for displaced populations. This is very possibly because there is no clear de-lineation in the R&R policies determining whether the proponent or the Government is responsible for infrastructure development.

It is evident that there is a significant gap between what is simply required by the policy and what is required to truly rehabilitate a community. This gap arises from the check-list nature of R&R policies in relation to infrastructure that needs to be created. Local development, however, is an on-going process that is necessarily influenced by the needs of the community over time; in other words, it is a question of continuous effective governance in the area. The attempt to break down parts of these governance responsibilities and make proponents responsible for them has not worked because these companies/ PSUs are not directly responsible to the local population.

It is, thus, preferable to leave creation to the Government. viewed this way, the creation component of R&R stands to significantly benefit from the income directed to the DMF. By sourcing the funds from the company, but locating the decision closer to areas affected by mining, there is a higher likelihood that proceeds from mining will be successfully used to create infrastructure, education and employment in these areas.

This, in turn, brings clarity to the scope of 'compensation'. As long as decisions about their own resources are taken away from the hands of the local population, there is a higher burden on the proponent and the higher levels of Government to lay out compensation packages for issues which are not best addressed by the compensatory paradigm (such as employment and infrastructure). They also place a higher burden upon these actors to manage the minutiae of R&R. By placing the money from (if not the final decision

about) mining closer to the affected population, the Central and State Governments can legitimately focus R&R policies *per se* on compensation for what has been taken away, leaving creation to the DMF.

This conclusion is particularly important when seen in the light of Section 106 of the LARR Act 2013 which allows the Central Government to notify any sections of the Act pertaining to compensation (Schedule I), rehabilitation and resettlement (Schedule II) and/or infrastructure development (Schedule III) in order to make them applicable to coal mining.

It is, thus, preferable to leave creation to the Government. Viewed this way, the creation component of R&R stands to significantly benefit from the income directed to the DMF. By sourcing the funds from the company, but locating the decision closer to areas affected by mining, there is a higher likelihood that proceeds from mining will be successfully used to create infrastructure, education and employment in these areas.

It would be most appropriate for the Government to notify that the costs contemplated in Schedules I and II, particularly the compensatory aspects of those Schedules, should be borne by the proponent. It would be counterproductive to make the proponent pay a one-time amount toward infrastructure development as well.

Inclusive Institutions for Coal Development

The LARR Act 2013 and MMDR Bill of 2011, were they to both be implemented, would result in fiscal decentralization without political decentralization in coal-bearing lands. The fact that funds for local development are directed, by the MMDR Bill, to a level of Government closer to the governed population is an

encouraging development. However, it is equally, if not more important, to allow a population a significant role in determining how development priorities play out in their region. This is because, *prima facie*, linking district revenues with coal development creates a set of incentives to encourage coal mining. Divorced from increased political participation in the land acquisition process, these may well develop into perverse incentives, in effect further entrenching the deleterious effects of coal mining among the most marginalized sections of society.

To achieve this inclusive development of coal resources, it must be recognized that the abuses observed in the coal mining sector arise from the Government's role as both monopoly participant and regulator. Moreover. its position as sole participant in the market puts huge pressure on the Central Government. One example of this is CIL's experience with employment of displaced individuals. The TN Singh formula of one job per family approached fairness in terms of livelihood compensation, but when there is only one possible employer, the impetus of such an initiative soon runs out.

There is, thus, a need for the separation of market and regulator and gradual privatization of the market. The Government's experience in this area would be better used in anticipating the pitfalls in mining development and legislating for the purpose. Private participation in such a sector is highly feared, not without reason. However, if there is a positive pattern observable in the LARR Bill 2011, it is that the Government is quite eager to regulate acquisition on behalf of private companies; far more so that it is to place checks on its own powers.

In addition to opening up the coal mining sector to private players, the Government must institute a system which incorporates the interests of Community, State and Centre. One possible example of such a system would require companies to submit bids to acquire the land from their

current owners, which would be evaluated by the Centre, the State as well as the Gram Sabhas of the communities concerned. Equal weight would be assigned to the preferences of these three levels of Government. Thus, for example, a bid to acquire land would be evaluated out of a possible score of 30, with the Centre, State and Local Government each accounting for 10 points. Essentially, the Central Government operates as a mediator and an interested party for auctions of blocks of land which are still owned by individuals.

This proposal does not address the principled criticisms of eminent domain. It does not presume that the private right to land is inviolable. It is, at best, a compromise. It recognizes that while land may be privately held, coal-bearing land in particular is a resource over which the interests of several stake-holders compete. The aim, therefore, is to reconcile development with the protection of the individual by setting up a system of checks and balances where neither can dominate.

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National Policy on Universal Electronic Accessibility

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The Union Cabinet approved the National Policy on Universal Electronic Accessibility that recognizes the need to eliminate discrimination on the basis of disabilities as well as to facilitate equal access to electronics and Information and Communication Technologies (ICTs).

The policy will facilitate equal and unhindered access to electronics and ICTs products and services by differently abled persons (both physically and mentally challenged) and to facilitate local language support for the same. This shall be achieved through universal access to electronics and ICT products and services to synchronize with barrier free environment and preferably usable without adaptation. Differently abled persons all over the country will benefit from this policy.

The following strategies are envisaged for the implementation of the policy:

- Creating awareness on universal electronics accessibility and universal design
- · Capacity building and Infrastructure Development.
- Setting up of model electronics and ICTs centres for providing training and demonstration to special educators and physically as well as mentally challenged persons.
- Conducting research and development, use of innovation, ideas, technology etc. whether indigenous or outsourced from abroad.
- Developing programme and schemes with greater emphasis for differently abled women/children.
- Developing procurement guidelines for electronics and ICTs for accessibility and assistive needs.

India ratified the United Nations Convention on the Rights of the Persons with Disabilities (UNCRPD) in 2007 which, among other things, says that "State Parties shall take appropriate measures to ensure to persons with disabilities, access on an equal basis with others, to the physical environment, to transportation, to information and communications, including ICTs and systems and to other facilities and services open or provided to the public".

Many countries who are signatories to UNCRPD have legislation policy or a framework to ensure equality for those with disability. Electronics and ICTs are key enablers in mitigating barriers faced by differently abled persons and in helping them to provide better opportunities for livelihood.

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E-165/2013

Growth, Employment and Poverty

Arup Mitra



Issues relating to livelihood, microcredit, provision for training and skill up-gradation, institutional support and health benefits to the workers from the low income households need immediate attention

HE TERTIARISATION process is possibly an outcome of sluggish employment opportunities in the industrial sector, leading

to a residual absorption of semiskilled and unskilled labour in low productivity activities. Such a pattern of economic change is less likely to have beneficial effect on labour with inadequate skill. The erosion of the industrial base and the proliferation of the tertiary sector do pose serious challenges from the point of view of the productive absorption of the unskilled and semi-skilled workers

The technology used in the organized Manufacturing sector is largely imported from abroad. It is not utilized adequately to derive the maximum possible gains primarily because of inadequate skill base of the domestic labour. The policy implications of the study can be drawn in terms of skill up-gradation of labour and enhanced investment, encouraging research on labour intensive technological progress. Besides, credit and marketing assistance to workers in some of the petty activities is indeed important for improvements in productivity and earnings. The poor skill base of the workers in marginal activities is a matter of serious concern. As possibilities of upward mobility in such activities are highly limited, alternative avenues need to be created to offer them a gainful livelihood. Finally, the components which operate as infrastructure base of the economy need to be strengthened.

Though, the effects of the growth in high productivity activities cannot be felt directly on the poor, the indirect effects are not negligible either. So the whole question is how to evolve mechanisms that can raise the pay-offs of the new features that are arising in the process of growth, and how to make these gains favourable to the poor as well. The challenge before the Indian economy is not to be selective; rather how best the newer trends can be turned to be beneficial, that is, faster growth with faster reduction in poverty.

The sustainability of the services growth depends on India's ability to secure improved access to foreign markets, create a more competitive liberalized domestic economy, and develop appropriate regulatory institutions. Commitment of all WTO member countries for liberal crossborder trade in services rather than only in transport and financial services and liberal access for the strictly temporary movement of skilled professionals are some of the basic pre-conditions that need to be met for enhancing India's service revolution and making the

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contribution of the services sector to overall growth sustainable.

How to make the services sector more responsive to international trade is a pertinent question. Trade with developing countries will possibly hold brighter prospects of growth in employment intensive services activities. Second, several services. in which India has comparative advantages over other countries. have to receive supportive measures for their expansion so that foreign demand and domestic demand do not conflict. For example, the health sector can be developed extensively to tap the demand potential for such services from several developing as well as developed countries. The price differences with respect to the

...the health sector can be developed extensively to tap the demand potential for such services from several developing as well as developed countries. The price differences with respect to the developed countries can attract a great deal of foreign demand for health services in India.

developed countries can attract a great deal of foreign demand for health services in India. However, supplies often are too scarce even to meet the domestic demand. Similarly, in the education sector, India has a great potentiality to attract foreign demand, particularly from South and East Asia, given her comparative advantages in terms of price differentials and medium of instruction.

More reforms relating to the financial institutions can invite foreign savings and this may result in employment growth as management of such savings will be employment intensive. Investment of such resources in productive activities will indeed open up new employment opportunities. The backward areas in India require massive infrastructural investment in order to get integrated with the rest of the world. Activities like business services

which have been India's comparative advantages can expand further to create employment opportunities on a large scale. Instead of concentrating in a few million plus cities, foreign investment can then penetrate to other semi-urban areas as well. Skill up-gradation and human capital formation in the rural areas will enable the rural youth to take advantage of these new opportunities and thus, international trade in services can be made pro-growth as well as employment-intensive. Poverty alleviation would be a distant dream without the expansion of social infrastructure (education, health etc.) since the knowledge-intensive economy driven by IT sector requires educated and skilled employees.

Labour market inequality spills over to inequality in education, health, political involvement and results in other demographic vulnerabilities. On the other hand, improvement in labour market equality results in reduction in gender inequality in other areas by generating higher levels and better quality of human capital endowment and by enhancing the productive capacity of women. Hence, an important linkage exists between labour market and empowerment in terms of involvement in the decision making process. On the other hand. reduction in gender inequality, particularly in the labour market, results in higher economic growth as women's contribution to the production process increases with human capital formation. The feminisation of poverty and the ever-growing proportion of the female population working as cheap labour, growing unemployment, the decline in the social power of labour and an increase in temporary, part-time, casual and home-based work are some of the outcomes of the changes that are taking place in relation to globalization and economic reforms. A number of policy initiatives for reducing inequality in the labour market can be implemented to generate greater human capital formation, and to empower women's participation in the decisionmaking process both at the macro and household levels.

Urban planning in developing countries needs to consider that urban areas will have to be geared up to attract further investment and at the same time enough capacity is created to accommodate the increasing pressure in the cities. How the low income households in the rural areas can also benefit in the process of urban-centric growth is another dimension of the problem. What opportunities in terms of infrastructure have to be created and how the accessibility of the poor to these opportunities can be enhanced are some of the issues that need the attention of the policy planners.

Though, rural poverty and rural development programmes may acquire the top priority in the development strategy of a developing country, the contribution that the urban areas are making to the overall growth cannot be overlooked. If the overall growth has to be stepped up in the future years then there is no way how the urban areas contribution can be underplayed. For this, more investment in cities, for their residents and the poor who strive hard notwithstanding their contributions to city's growth, are definitely required.

Several countries particularly in the developing world usually follow an imbalanced approach either by

The feminisation of poverty and the ever-growing proportion of the female population working as cheap labour, growing unemployment, the decline in the social power of labour and an increase in temporary, part-time, casual and home-based work are some of the outcomes of the changes that are taking place in relation to globalization and economic reforms.

initiating major investment projects in the large cities only or by raising political slogans in favour of small towns and the rural areas. These countries need to take more balanced decisions so that the increase in the economic growth originating from the large urban settlements benefits the poor across all regions. Besides, the medium sized and small towns need to

be kept ready for future productivity growth, once the possibility of reaping the benefits of concentration from the present set of large cities is completely exhausted. Strategic development of the urban centres can facilitate the rise in productivity growth in the rural areas as well. By directing investment projects in an urban settlement which is surrounded by rural areas, the benefits of growth can be distributed more equitably. Some of these issues are indeed of primary importance in urban planning.

Land scarcity, legal restrictions on land, the politician-builder nexus and networks-based migration tend to reduce the accessibility of the poor to the labour market in large cities. As a result, urbanization in India does not seem to be inclusive in spite of the fact that the large cities account for a very large percentage of the total investment in all-urban areas.

Large cities are more productive and industries in large urban centers are more efficient than in smaller centers of human habitation. More demandinduced employment opportunities are available in large cities which possibly grow in response to large quantum of investment undertaken therein. In terms of several socio-economic and demographic characteristics, large cities seem to be better off. However, this does not mean that poor are able to access an easy entry to these cities. Land scarcity, legal restrictions on land, the politician-builder nexus and networks-based migration tend to reduce the accessibility of the poor to the labour market in large cities. As a result, urbanization in India does not seem to be inclusive in spite of the fact that the large cities account for a very large percentage of the total investment in all-urban areas.

The main policy focus needs to have three different orientations. One is for the male migrants who come to the city in search of jobs. Availability of high productivity jobs in the rural areas can reduce in-migration to the

urban areas and on the other hand productivity augmenting strategies need to be adopted for those who are engaged in low productivity jobs in the urban low productivity informal sector. The other aspect of the policy has to deal with the job market prospects of women who accompany male migrants. In spite of the fact that they are engaged in residual activities they are the ones who actually meet the consumption requirements of the households. Hence, these women earners need to be empowered to access better job market opportunities. which they can pursue along with the household or domestic work. The third aspect concerns the single women migrants. Though they are guided by the economic factors at the place of destination, their vulnerability in terms of social crime and housing uncertainty is most serious and migration policy in developing countries cannot afford to ignore this aspect, which has been gaining prominence in the recent vears.

In reference to the question whether well-being improves with a rise in the duration of migration, findings tend to suggest that rural-to-urban migration has been somewhat beneficial for the workers and any attempt to stop migration may turn out to be counterproductive. On the other hand, several of the long duration migrants and the natives still correspond to a low level of well-being and high incidence of poverty. Therefore, implementation of urban employment programmes is indeed important for reducing urban poverty. Since, many of the urban poor are not fresh migrants, rural development programmes alone will not be adequate to reduce urban poverty. The other policy dimensions relate to education and health because these variables play an important role in determining the well-being of the households.

The urban poverty policy in India, however, ignored many of these aspects. For a long time, it focused only on basic amenities and public distribution system. Even under the recent urban renewal mission

(JNNURM), infrastructure and provision of basic amenities to the urban poor get the top priority in a handful of sixty-three cities. While investment in these areas is necessary, issues relating to livelihood, microcredit, provision for training and skill up-gradation, institutional support and health benefits to the workers from the low income households need immediate attention.

Social capital, particularly in the context of the low income households. is important in accessing the job market information. However, as regards upward mobility, there is no strong evidence to confirm possibilities of improving earnings through networks. On the contrary, traditional networks tend to reduce the possibility of upward mobility by creating information asymmetry and excess supplies of labour in certain pockets and activities. Hence, government intervention is important from the long-term developmental point of view. On the whole, slum

...implementation of urban employment programmes is indeed important for reducing urban poverty. Since many of the urban poor are not fresh migrants, rural development programmes alone will not be adequate to reduce urban poverty.

rehabilitation and livelihood issues cannot be treated separately and they need to be integrated with the survival strategies that the low income households have developed on the basis of social capital. Also, the political contacts are merely a transitory respite. Keeping in view their limitations and the lesser applicability in other Asian countries, the role of political contact is seen as far inferior to that of rational policies, which have wider applicability across countries. Awareness among the residents has to be created to counter the practice of being used in exchange of short-term gains.

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CIVIL SERVICES PRELIMINARY EXAMINATION

MATHORITA YA

Code: 968

PAPER-I

968 Indian Polity

A353 The Constitution of India

PAPER-II

A1088 Civil Services Aptitude Test

A1086 Logical Reasoning and Analytical Ability

A1079 Interpretation of Data and Data Sufficiency

A1097 Basic Numeracy

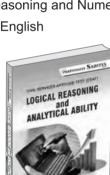
A635 Quantitative Aptitude

A647 General Intelligence & Test of Reasoning (Verbal & Non-Verbal)

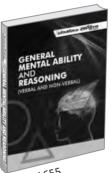
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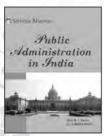
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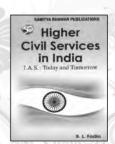
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YE-155/2013

J&K WINDOW

130 WATER PROJECTS APPROVED BY CENTRE

he Centre has approved 130 water projects covering 364 micro watersheds catering to 5.36lakh hectares, with a total cost of Rs.804.16 crore, starting from 2011-12 for the state under Integrated Water Management Programme (IWMP). This Programme has a huge potential to ensure conservation of water and related activities. Regular review meetings would be conducted to get the required feedback from the ground level regarding the status of implementation and impact of the scheme. The state-level nodal agency of IWMP has taken up 488 entry points for water, out of which 116 have been completed. The works have been taken all across the state in remote areas of Leh, Kargil, Poonch, Doda and Kishtwar.

DIGITAL LITERACY YATRA 'KHIDMAT-E-TOHFA' LAUNCHED

overnment of Jammu and Kashmir in collaborative with Intel India flagged off 'Digital Literacy Yatra' as a part of the Citizen Literacy Programme in Srinagar recently. This programme will feature a mobile lab which will traverse the state and reach out to youth between 16-25 years across five districts. The mobile lab will include laptops for hands-on training for participants selected through a competition and will provide a direct access point for the youth of remote districts of the state. The Khidmat Centre Facilitators will be trained on Intel(R) Learn Technology and Entrepreneurship to develop ability to design entrepreneurial activities with ICT allowing students to learn practically to develop their potential.

COUNCIL TO PROMOTE URDU

he Government of Jammu and Kashmir is proposing to establish a Council for promotion of Urdu. The Council will be an autonomous body and will comprise intellectuals and literary figures, who would make concerted efforts to promote and spread Urdu across the state. Central University of Kashmir (CUK) vice-Chancellor said that the University had framed the University Tarana in Urdu only. The University is currently offering courses in 11 different subjects and will start programmes in Hindi and Kashmiri. New courses in Science and Technology will also be launched.

140 YOUTH GET LOAN ASSISTANCE UNDER JKSES

ammu and Kashmir Self Employment Scheme will provide loan assistance to the aspiring unemployed educated youth of the district, who applied for getting loan assistance to establish their own income generating units in the district under retail and transport sector. The District Development Commissioner, Doda said that the district is endowed with abundant natural resources and has huge potential to develop agriculture and other allied activities in the region.

KISSAN CREDIT CARDS DISTRIBUTED IN BISHNAH BY PUNJAB NATIONAL BANK

Punjab National Bank organised Kissan Credit Card disbursement function at Bishnah to reach out to farmers in the far flung areas and provide them Agriculture Credit to help them buy quality seeds, enhance land use and increase agricultural production. 35 KCC were distributed involving a credit outlay of Rs.71 lakhs to farmers of Harsha Dabber, Makhanpur Charaka, Pandoria Brahmana and Deoli KCC. The Scheme aims to provide adequate and timely support from the banking system to the farmers to help them meet their short term credit requirements for cultivation of crops, post –harvest expenses and profitable marketing of their produce.

KCC is an ideal tool for the expansion of agricultural credit especially crop loans in the entire state. It is cheap and affordable as the effective Interest rate is as low as 4 per cent per annum.

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E-157/2013

DO YOU KNOW?

What is Shale Gas

Modern day civilisation depends heavily on the various sources of energy. While demand for energy sources has been increasing by leaps and bounds, all across the globe, some of these energy sources have been depleting fast. Some others are costly to afford. Therefore new unconventional renewable, cheaper and natural sources of energy are a much sought after thing.

Shale gas is a natural gas. It is found trapped in shale formations. Shales are petroleum resource rocks below the surface of earth. High heat and pressure converts the petroleum of these rocks into natural gas. Interest in exploration of this gas has been increasing worldwide.

It is thought that increased use of shale gas shall help reduce green house gas emissions. However, there is a disagreement on this issue. Some scientists have advised caution in extracting this gas. There are fears of methane gas leak during the production of this gas.

Use of shale gas has been on the increase in the United States. China is estimated to have the largest shale gas reserves. According to a report, there are 48 shale basins in 38 countries.

The shale gas discoveries in the United States have led to increase in its reserves. The economic success of shale gas in US has increased

interest in its exploration in Europe and Australia too.

India too has recently approved the shale gas and oil exploration policy. According to media reports, India is the world's fourth largest consumer of energy, could be sitting on as much as (96) trillion cubic feet of recoverable shale gas reserves, equivalent to (26) years of the country's demand as per the estimate of US energy information administration. India relies on import for much of its energy needs. As per available data, six basins Cambay (in Gujarat) Assam- Arakam (in the North East) Gondwana (in Central India) K.G. on shore (in Andhra Pradesh). Cauvery onshore, and Indo-Gangetic basin's hold shale gas potential. Oil and Natural Gas Commission (ONGC) plans commercial production of shale gas next year.

ONGC and Oil India Ltd., have been allowed to tap shale resources in blocks allotted to them on nomination basis. Drilling of ten wells is planned for this year and commercial production may start next year. ONGC is set to start drilling for unconventional shale hydrocarbon in Gujarat soon. Cambay in Gujarat is one of the basins which is expected to contain shale reserves. The extraction of shale gas uses hydraulic fracturing which involves blasting water, sand and chemicals underground to release tapped oil and gas. After the permission to state-owned firm, private companies may also be allowed to explore shale gas and oil from below the earth's surface.

What is Escrow Account

Escrow account is an account in a bank which a third party holds during the process and period of a transaction between two parties. It is a temporary account which lasts until the completion of transaction. This account is governed by the conditions agreed to, between the parties.

This account helps in case of any violation of terms of the contract by either party. As a third party, banks keep the account in safe custody, in case of any non-fulfilment of condition from either side. The Bank ensures operation of account according to the terms set in the agreement.

Some banks keep it as a current account without cheque drawing facility or a fixed deposit account. The banks run the account as per defined agreement. An escrow account may be used for lending arrangements, project financing, securitisation, buy back of shares, take overs, custody, litigation, sale and purchase of land, custody of software source code etc. The agreement reached by the parties to open an escrow account in a bank needs bank's approval.

(Compiled by Hasan Zia, Sr. Editor, E-mail: hasanzia14@gmail.com)

India Post Launches 'Instant Cash' International Money Transfer Service

India Post (= Department of Posts) has signed an agreement with Wall Street Exchange (a company of the Emirates Post Group of UAE) for launch of an International Electronic Money Transfer service through 'Instant Cash' product of the Emirates Post Group. The service will be rolled out nationally in a phased manner and will be made available at approximately 17,500 post offices across India by next month. The service will be provided through the International Financial System (IFS) of Universal Postal Union. This tie-up offers the Indian diaspora worldwide - especially in the gulf region - a safe, secure and reliable money transfer service for their families back home. This new service has its own significance going by the fact that globally, India is the largest recipient of remittances with over USD 70 billion annually, half of which comes from the Gulf.

'Instant Cash' is a wholly owned subsidiary of the Emirates Post Group, and its services are available in 59 countries through more than 60,000 locations. They provide instant money transfer service so that the money is available to the customers within minutes of completing the transaction.

The salient features of the service are as follows:

- Recipients will be able to receive their payment at any of the identified 17,500 post offices by producing the unique transaction number along with their identity and KYC documents;
- · Money will be available for payment immediately;
- · Safe and secure transactions through established International Financial System of Universal Postal Union.

India Post is the largest postal network in the world and has completed 158 years of existence. During this long journey, it has undergone continuous transformation according to the needs of the citizens. It boasts a network of 1.55 lakh Post Offices in the country, of which more than 1.39 lakh are in the rural area. Besides mail, it also provides various financial services like small savings instruments under Post Office Savings Bank and Money Remittance, both domestic and international.

Education for All—the Indian Experience

Nita Kumar



In order to change
Indian education
to make it in fact
"education for all,"
we need to change
the mindset of
those who are the
intelligentsia and
the leaders of the
country, most of
whom are produced
in these elite
schools



E KNOW that today in 2013, education for all has still not been achieved in India. This is in a continuum from

over a century and a half ago, when modern education was first introduced through Wood's Dispatch of 1835 and the Dispatch of 1854. I would like to present here a few salient points regarding the failure of the Indian effort to provide education for all, and to offer a major explanation for the failure, from which arise the other conditions also producing and adding to the failure.

Beginning with the first major efforts of Christian missionaries in the eighteenth century, modern education was characterized by a distaste for indigenous culture that could border on extreme denigration. Alexander Duff (1806-1878), who arguably created the model for modern education in India, was one of the most vitriolic of all missionaries. He made a case for the new education with the argument that the Indian mind, in learning a new language (English) and a new set of concepts, would be forced to un-learn its "pantheism, idolatry and superstition."

This is what I read as the central disease of Indian education, one that

makes for failure both in numbers—India still does not have 100 per cent literacy—and in quality—India's school-going children are learning below their class levels. I call it "the home-school divide." Indian schools, administrators, policy makers and teachers are pulling one way and the children's families and communities are pulling in another. Teachers and curricula are also thus, divided.

I do not mean to belittle other problems in Indian education by emphasizing this one. I mean to suggest that this formulation of the problem is the acutest way to gain a handle on the problem of the failure of Indian education which seems too slippery to get a hold of otherwise.

The economics of education is important, for instance. Surely, the amount spent per head is responsible for the lack of and poor quality of, educational resources. This turns upper and middle class families away from government schools and creates a market for better equipped private schools. But, if the country had the will to have a system of public schooling, the resources for public schools would be created or produced. It is because the imagination of the educated middle class fails to comprehend the whole of the Indian citizen body as a unit whose needs may be addressed together,

The author is a historian and anthropologist whose most recent subject of study is education in India, with reference to the arts, families, and, modernity. She is the Brown Family Professor of South Asian History at Claremont McKenna College, USA.

that the will for improving public schooling is so weak. The families of the masses are conceptualized as essentially different, with a string of characteristics we will discuss below, that distinguish them from the families and needs of the middle classes. Thus, there is no need to reform education with persistence and determination. There is no need to fight for resources. The shortfall in educational funding is ultimately traceable to the homeschool divide.

Similarly, we can agree that it is poor management that is responsible for the poor functioning of schools. Even when the teachers are trained, the school building natty, teaching resources available, and curricula imaginative, a principal will complain that he cannot make the school work.

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Management in India is understood as the successful control of production and delivery—if the personnel are 'normal.' But, my argument is, the difference created by education between kinds of Indians makes some behavior labelled as abnormal and impossible to deal with, even though it may be culturally appropriate. Thus, there is no ability on the part of well educated managers to manage less educated or differently educated people in India. This management shortcoming may be traceable to the home-school divide.

Without going over other problems one by one, let us look at the schools in their differences and then track the problem according to the kinds of schools

Family values and the home-school divide

The home is a particular site of politics. Parents and the older generation control younger generations on principle, for utilitarian reasons, to reproduce themselves socially and culturally, and also because that is the preferred politics rather than age equality or the dominance of the youth. Career choices and choices of what to study are made by parents. Marriage choices are likewise made by parents. Sons and daughters-in-law may be controlled well into their middle ages.

Apart from age politics, the family is rife with gender politics. Every Indian family is patriarchal. Senior men bond together to control younger men and all women. Age and gender power norms combine together to socialize girls and boys respectively to assume feminine and masculine roles so seamlessly that no authoritarian control is needed and men and women control themselves according to strict patriarchal norms through out their lives

Then there is class, caste and sectarian politics. Each family maintains its distance from others on these three lines, as well as on other grounds such as language and region. In each case, there is separation, hierarchy, stereotyping, sometimes more gently, sometimes aggressively.

The school, by contrast, is a modernizing and secularizing agency whose mandate is to produce equality and to practice it. Through classroom procedures and regular rituals, children are taught in school that India is a secular country, that all Indians are fellow citizens, that the Constitution guarantees equality to all, meaning both men and women, both rich and poor and all religious groups.

But is equality what schools actually practice? Is democratic citizenship what they actually succeed in dinning into students' heads? There are numerous shortcomings to schools' perfect adherence to democratic, secular functioning. The first and the major one is that schools themselves are divided up by class lines, if less now, by gender and sect. There are no integrated schools in India. There are schools for the rich and schools for the poor and various gradations in between. It is not a free and simple choice that people make among schools. It is their destiny and their lives that they wager in choosing a school. And they are at the mercy of the system because in fact they have no choice at all. Rich children go to rich schools. Rich schools are rich in resources and management and personnel and convey this air. Because of the social capital they impart, even the children who are not good learners succeed in getting some use out of their schools. Poor children go to poor schools. Poor schools are poor in resources and teach poorly. Children may labour very hard and learn something in these schools, but

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The whole educational system in India functions on the premise that

there are two kinds of Indians, those who would naturally want to and be able to, pay for better schools for their children, and those who would resort to free or subsidized government schools that are bad or average or unknown, but at any rate, not in the same league as private schools that can claim a quality that they charge for.

The curriculum of schools is based on the premise that India is a secular, democratic country and children should learn about themselves, their country and countrymen in modern, progressive ways. Almost all the curricula in Indian schools is "progressive." That is, it does not teach students to practice caste or ethnic hierarchy, to harbor regional or linguistic stigmatization, to nurture the values of patriarchy, to adopt class exploitation as natural.

As it exists, the school is positioned to distance itself from the family and whatever is done is done to them, at them, or in spite of them, never with them. The home-school divide is so ingrained in people's minds that they cannot grapple with the problem of uneducated, poor and working class families confronting a modern educational system. They can only condemn those families and stiffen their distance from them.

Why then do different kinds of schools fail in promoting education for all?

Municipal and District Board Schools

In these schools, teachers and administrators stigmatize their students as being of families that "cannot learn." When questioned about the low level of learning of the children, it is always presented as the fault of the families, whether because of absenteeism, irregularity and un-

punctuality, inability to keep books in order, and most of all, the inability to study at home. All schools in India are based on the premise that some portion of the teaching done in the school must then be carried on at home, perhaps by parents, perhaps by hired tutors. Obviously, poorer and less educated parents can do neither.

My argument is that the curriculum in government schools could be changed so that the same subjects could be taught in a different way with almost the same resources. Children could still sit on the floor but not in straight lines. They could be taught more interactively and imaginatively so that retention of both pupils and materials would be higher (since learning would be more fun). Most of all, the dependence on homework, thus on adult help at home. would disappear. What I am calling 'curriculum' here includes teaching methods, classroom practices and the spaces and rituals of the school.

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Private English-medium schools

Many parents who aspire to have their children study are willing to pay for private schooling with the faith that these schools will teach English and give a competitive edge to their children. The schools, in turn, again expect, indeed, demand, that the home does a large part of the teaching work. They give homework that needs adult help and they fail children who cannot cope with it. Almost 100 per cent of first generation, or even second generation school goers go to a tutor to study after school hours.

The curriculum of these schools is faulty in another way as well. The teaching of English, Science and Social Studies, as well as sometimes Hindi and Maths, is so non-progressive, non-interactive, and unimaginatively undertaken that children do not learn well. They leave school ostensibly having studied these subjects for the duration of their school life but with a skill level in them so poor that they cannot use their education to provide the social mobility they had dreamt of

Private Indian-language schools

These are schools founded by the community, often funded by the government, with low fees, old buildings, an Indian language as the medium of instruction and a consciousness of being more 'indigenous' than private schools that are English medium. These are closer to the homes of their students in little ways such as the carelessness of their school uniform and the sitting on the floor in madrasas. They also use the mother tongues of the children. But they are also curiously

The schools do not respond to the ambitions of the students' families either. Students and their families want high quality education to achieve competitive success in the future. Almost all Indian-language medium schools aspire very low. Their spaces and teaching methods are not ambitious in progressivism or child friendliness. They do not plan pedagogy or events or guidance for their students that might make them successful in the modern world.

distanced from the homes of their students in their critique of the home environments. Instead of attributing any fault in student learning to perhaps a shortcoming in teaching methods, the fault is always seen to lie in "the family."

An interesting instance is the madrasas attended by the children of weavers' families that I have studied. Weavers' sons often start sitting at the loom when nine or ten. Madrasas' timings are from early morning to noon so they do not clash with this. But the discourse that has been built up is of strictly either studying or working. Any work that comes from the family is seen as a problem for the school. Although. these madrasas that are started by the weaving community are over a hundred years old, in some cases, this antagonism between the home and the school has not worked out. There has not even been an attempt to work it out.

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Elite missionary and Public Schools

The top schools are those referred to as "convent schools," run by Christian missionaries or those that call themselves "public schools" after the British style. These are expensive and therefore, select only educated and upper middle class families as their clientele. Much of the work of the school is still expected, as with the other schools above, to be done by the family, but in this case the family actually does it. Children of these schools are successful in competitions and go on to do well in all walks of life. The accompanying damage to them and to the nation is that the education in these schools makes them feel as if they are separate from the hoi polloi of their societies.

This is the problem that I started off with and that deserves the most pondering. In order to change Indian education to make it in fact "education for all," we need to change the mindset of those who are the intelligentsia and the leaders of the country, most of whom are produced in these elite schools. The mindset at present is, "We believe in

the Constitution. We swear by the ideals of secularism and democracy. We are not superstitious or ignorant, ritualistic or backward-looking. We do not have objectionable social practices. We believe in equality. We believe in rationality, and science, and progress."

And what the mindset needs to become is something like: "Due to an accident of history, the educational system in India is divided up between rich and the poor. Different communities in India have different practices, some of which deserve changing and reforming. That is partly the agenda of schooling. But it is the agenda of all schooling. Some schools, like ours, and their products, like us, cannot blame others and demand of them a self-transformation to fit into our expectations. We have to understand them and fashion ways of teaching, management, communication, that does not condemn them and also succeeds in producing the change that was produced in our own cases by a concerted effort by community leaders and their imaginative strategies."

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Organic Dreams

Sanjoy Ghose

WARAN LAL, a farmer from Jammu's RS Pura Tehsil, looked carefully, with curiosity and some awe, at some of the latest and sophisticated organic farming implements on

display. He was far from home, at an agriculture fair in Uttarakhand, but what he saw planted the seeds of a dream. He wanted to take this fascinating idea of organic farming home, to the fields in his Panchayat, Suchetgarh. He was sure that it would do wonders. And sure enough, he notes with satisfaction many years later, his instincts proved right.

Thirty five kilometers from Jammu City, located at the zero line of the International border between India and Pakistan, Suchetgarh region is popular for producing one of the finest qualities of Basmati rice in our country. However, in the last two decades, excessive use of fertilizers and pesticides to increase the rice production has also augmented the investment costs, burdening the already troubled farmers. But Lal's single visit to Uttarakhand as a part of the 'Agriculture Awareness Tour' organized by the Agriculture Production Department changed the vast plains into a laboratory for organic farming. "The idea of organic farming really fascinated me during the visit: however, the biggest challenge was to make it conducive for our small farmers with weak economic backgrounds," said Lal. During his discussions with Uttarakhand farmers, who have invested a lot in this form of natural farming, he gathered all the necessary information and resolved to switch over to organic farming. From there, he embarked on the journey of a lifetime, a journey that has changed the

lives of over eighty families of District RS Pura.

In the beginning, he experimented over a small piece of land and, to his delight, it worked out well. Today, a year and a half later, Swaran Lal, has succeeded in encouraging 82 families to shift to organic farming. Around 350 acres of the total 1100 acres of cultivable area of Suchetgarh Panchayat has come under organic farming.



What helped as a prime catalyst in making this initiative successful is the existing "natural" lifestyle of these people. The majority of these families rear livestock, and the dung generated is used as manure. In addition, green manure and vermicompost are also used by the farmers who expect that, by next year, nearly 300 families are likely to switch over to organic farming.

Earlier, during every sowing season, there remained an acute shortage of fertilizers like Urea, DAP and Potash. "Farmers had to waste several days during peak farming season to get fertilizers from other states like Punjab, wasting large amounts of time and money," said Ramesh Lal, another local farmer, citing this as a major reason behind the acceptance of organic farming in RS Pura.

Despite the wide acceptance of organic farming in the region, there are farmers who have chosen to continue with chemical farming. "During heavy rains, water from non-organic farms enters the adjacent organic fields, thus affecting the purity of crop," rue farmers, adding that adoption of organic farming by a large majority of the villagers would help them to get their crops certified by the Government, thus benefitting the entire farmer community.

According to the Director of Agriculture Production Department, Ajay Khajuria, the beginning of every good thing is difficult but once it takes off, the rest becomes easier. "We have signed a Memorandum of Understanding (MoU) with six companies to promote organic farming of varied crops. They will provide marketing to all organic growers of the state. The trail is for three years and the second year has begun. In three years, our organic produce will be certified and after that, our farmers will earn huge profits thanks to the high demand for organic products across the globe," Khajuria added.

According to Dr. Daleep Kachroo, Head of Department of Farming System Research Center and Division of Agronomy of Sher-e-Kashmir Agriculture University of Science and Technology, Jammu, organic farming may not immediately increase the crop production but it will certainly encourage sustainable farming by

The author is a media person working in Jammu and Kashmir.

maintaining the health of soil and water level.

"The Organic Carbon Content (OCC) in the soil of RS Pura belt had reduced to an alarming level of 0.45, 0.50, 0.52, while we need OCC in soil at 0.60, 0.80 and 1. Due to decreased

OCC levels, farmers generally use excess fertilizers which pollute water and environment," says a worried Kachroo, adding that initially, organic farming tends to reduce production but by using manure, the OCC level of soil starts increasing. In this case, the OCC level will hopefully increase in the next

six years and so will the production. If the prediction proves to be accurate, Swaran Lal will see his dream come true for the entire Jammu province.

Charkha Features

(Email:charkha@bol.net.in)

NORTH EAST DIARY

ELECTRONIC EYE FOR KAZIRANGA

he Central Government has released Rs 3 crore for the installation of an electronic eye project in the Kaziranga National Park. The installation of the electronic eye system would make it easier for forest officials to detect human movement even inside the dense forests. The system would capture the heat of the human body which would then be visualized through high resolution electronic system. Eight towers would be installed along the 120 kms stretch of the KNP in the current financial year in the first phase. The towers would be installed at identified locations. The electronic eye has already been installed at the Corbett National Park.

ADULT TIGERS SUCCESSFULLY SHIFTED TO ITANAGAR BIOLOGICAL PARK

n an important rehabilitation effort, two sub adult Royal Bengal tigers, were safely shifted from Mini z oo-Roing in Arunachal Pradesh to Biological Park, Itanagar. The two tigers, whose mother was believed to be killed, were rescued as young cubs from the Angrim village in Dibang Wild life sanctuary in December last year. They were then kept at the Mini z oo in Roing until they became sub-adults and required more spacious accommodation. The 32 hour operation by road and boat was carried out by Arunachal Pradesh Forest Department and National Tiger Conservation Authority (NTCA), with assistance from the IFAW-WTI team.

TELECOM SERVICES IN NE STATES TO GET A BOOST

ll presently uncovered villages in the North East will get village Public Telephones by March 2014, as per a proposal of the Central Government. About 1564 Digital Satellite Phone Terminals (DSPTs) would be installed along with other technology options as per the proposal. A directory of installed v PTs would be provided to the state governments to integrate the v PTs into the Disaster Management Communication systems. It is also proposed that all block headquarters would be linked by broadband by July 2014. In addition, NOFN project has proposed to complete the first phase by March 2014, second phase by March 2015 and the last phase by September 2015. Thus, all Panchayats and village Councils would be provided broadband coverage by September 2015.

NE STATES TO BE LINKED TO TRANS-ASIA RAILWAY NETWORK

It is proposed to link the states of the NE region with the TARN (Trans-Asian Railway Network). A track of 118-kms would be laid between Imphal and border towns of Moreh and Tamu in Myanmar. Another 237 km route from Jawahar Nagar in Tripura to northern Mizoram's Kolashib and Myanmar's Darlon would be laid. The proposed TARN covers 80,900 kms or rail lines including 22,600 kms in South Asia, Iran and Turkey. The southern corridor begins in Kumming in China and Bangkok in Thailand and ends in Kapikule in Bulgaria. The distance between Bangkok and Kapikule is 11,460 kms and will provide Trans-Continental connectivity to China, Thailand, Myanmar, Bangladesh, India, Pakistan, Iran and Turkey. As per vision-2020 prepared by the North Eastern Council, the NFR would connect all the North East state capitals by 2020. The link would be the North-Eastern states, gateway to the South East Asian countries.



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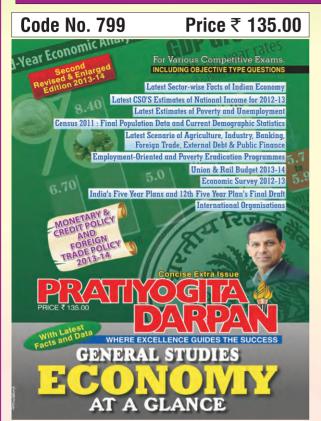
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- Books/Manuscripts on poetry, drama, novel, short story, biography are not included in this award. However, this does not apply to the books and manuscripts under children's literature category.
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- The rules, regulations and entry forms may be downloaded from website www.publicationsdivision.nic.in.For any further information, Assistant Director (OL) may be contacted.
- The last date for receipt of entries in the Publications Division is 18th November, 2013



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