

COMMON CAUSE

VOICE OF "COMMON CAUSE"

WE MUST STRENGTHEN ADMINISTRATIVE SYSTEM

There is no denying the fact that administrative machinery of the government, at the Centre as well as states, lacks efficiency and is riddled with weaknesses and deficiencies. General impression in public mind is that the administrative machinery is inefficient, bloated, wasteful, tarnished with red-tape, operating amidst its Rules and Regulations packaged amidst official secrecy. Such functioning of administrative machinery leads to exasperations and harassments of the citizens.

* Everybody is eligible to take membership of COMMON CAUSE. No form is required. Merely send your name and complete address, preferably written in CAPITAL LETTERS. Send it to our new address: COMMON CAUSE, Common Cause House, 5, Institutional Area, Nelson Mandela Road, Vasant Kunj, NEW DELHI 110070. We are ever so grateful to Mr. Vikram Lal, of Eicher Tractors for having enabled construction of COMMON CAUSE HOUSE.

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Numerous efforts with the help of eminent administrators have been made, over the past decades, for effecting improvements in the administrative system. These include the 1949 Report on Reorganisation of the Administrative Machinery and Introduction of Organisation & Methods (O & M) Division; 1951 Report on Public Administration; Two Reports in 1953 and 1956 of Paul Appley on re-examination of India's Administrative System; Second Pay Commission Report in 1959; the 1964 Report of special committee which examined all aspects of corruption and led to the setting up of Public Enterprises for effective management; the Administrative Reforms Commission (1966-1970) which submitted a number of Reports leading to important changes and the establishment of Department of Personnel, besides redefining the role of the Department of Administrative Reforms; the 1983 Commission on Administrative Reforms; the important conference of Chief Ministers and the Prime Minister which was held in 1997; and important recommendations made by the Vth Pay Commission on subjects related to administrative reforms.

Many fruitful reforms were undoubtedly introduced as a result of recommendations made by these

Commissions, Committees and deliberations, but indications are that the initiatives taken as a result of the implementation of the recommendations soon petered out and the performance got converted into ineffective routine, virtual exercises bereft of any palpable change. The organisational reforms took shape more in form than in substance, making inadequate impact on efficiency of the system. There has been lack of coordination between strategy, structure and substance. It is being increasingly realised that unless any new reforms, which are introduced, are institutionalised, they often fade away.

Following statement adopted in the recent 1997 Conference of Chief Ministers with Prime Minister is worth being quoted in this context:

* ADMINISTRATIVE REFORMS
* POLITICAL MASTERS & CIVIL SERVICES
* CORRUPTION & VIGILANCE

* WRIT PETITION AGAINST MTNL
* TWO-TIME ZONES
* RELIGIOUS FANATICISM

"It was recognised that frequent and arbitrary transfers of public servants affect the ability of the system to deliver services effectively to the people, and the implementation of poverty alleviation schemes. It was agreed that institutional arrangements should be evolved for enabling objective and transparent decisions on postings, promotions and transfers of officials, particularly those working in key areas, to ensure stability of tenure and depoliticised postings at all levels. Though some misgivings were expressed regarding the mechanism of the proposed Civil Services Board, it was clarified that the Board as envisaged in the Action Plan was to basically aid the political executive in the State Governments to implement a streamlined and transparent transfer and promotion policy so as to ensure stability of tenures to the government functionaries and to sustain their morale."

The Vth Pay Commission went into the matter of administrative reforms in great detail. They also examined the systems, procedures and organisational structures of various countries including U.K., New Zealand, Malaysia and Canada. They made exhaustive recommendations for developing the apparatus which would ensure improvement of governmental functioning, and for this purpose they recommended specific changes which need to be introduced in the existing system.

Improvement in Administrative System:

The foremost requirement emphasised by these various commissions, committees and the 1997 Conference is of course the effective functioning of public services, including services operating in the Central Government, State Government, Public sector units, and other organisations of the government including certain commercial enterprises. It is of paramount importance that for purposes of ensuring maximum productivity of the public services there must be satisfaction in the minds of the employees of each service at every level, that elements of objectivity and equity will operate in the administrative system without preferential treatment to any individuals, in all matters including recruitments, postings, transfers, promotions and devolution of responsibilities and authority etc. Very important consideration put forth was the need of establishment of grievance redressal machinery which would create confidence among the services that their grievances would be expeditiously redressed through operation of justice and equity.

It is very unfortunate, for instance, that general impression prevails among the citizens as well as the services that wholesale transfers take place at the change of incumbency from one political group to another, and also frequently in between. In matters such as transfers it is obvious that frequent and arbitrary transfers of public servants adversely affect the governmental performance of delivering of services to the people. It has increasingly been recognised that there must be feeling of objectivity and equity involved in all decisions relating to postings, promotions and transfers of officials. Stability of tenure of services needs to be particularly ensured, and people as well as services must be given confidence that these will be depoliticised.

There is primary need of restructuring of governmental machinery in such a way that effective reforms in public services are expeditiously introduced and launching of efficiency programmes is facilitated. Confidence must be given to the people, from the highest level of governmental functioning, at the level of the Prime Minister at the Centre and the Chief Ministers in the States, that all matters of services will be given due importance and that this will be expeditiously done through further effective reforms.

Frequent Transfers:

One matter which needs to be particularly highlighted for improving the functioning of public services, is that all frequent and indiscriminate transfers, which are stated to be often motivated by considerations lacking objectivity and which are also frequently done at the instance of political masters must not be allowed to occur. Such transfers cause great damage to the task of governmental functioning. It is generally known that transfers are often caused by peremptory and capricious orders of the Ministers in the States; these include transfers of village teacher and patwari right through to higher echelons of bureaucracy. Transfers of such nature, which contravene the tenure rules and proper administrative practices, weaken the governmental functioning and the services. There is general impression that in the present administrative system the instrument of transfers is being widely misused, particularly by the politicians in power, to subjugate the government employees, and in fact as an instrument of punishment. It is necessary, therefore, that the malaise afflicting the services in the matter of instability of tenure, which leads to lack of sense of involvement and inability to contribute effectively to the amelioration of problems of the people, must be definitely overcome. The extent of spread of this malaise would be evident from the fact that in Uttar Pradesh, for instance, the average tenure of an IAS officer during the last three years is said to have been as low as six months. Such frequent transfers and limited tenures inevitably play havoc with public organisations; with such quick changes in the Heads of Offices, respect for authority down the line get diluted.

Transparency Necessary:

Another serious problem in the present administrative functioning is the environment of secrecy which prevails everywhere in the system. There cannot obviously be any effective check because decisions are taken behind closed doors. It is of primary importance, therefore, that the sharing of information, and making the functioning transparent will certainly reduce the danger of further damage to the system. It has been repeatedly emphasised that there is need to review the Official Secrets Act and to replace it with Freedom of Information Act, the Bill for which has already been introduced in the Parliament. It would be desirable that Rule 9 of the All India Services Conduct Rules, which prevents information being provided to an ordinary citizen, should be diluted, and appropriate rule should be introduced highlighting the intention of the government in favour of transparency, assuring that all such information which is generally provided by the Assembly/ Parliament to a Member of Legislature, will also be made available to the people and NGOs on demand. In fact it has been repeatedly demanded that files in the government offices, excepting those which are marked confidential for reasons of security of State, should be made accessible to everyone, particularly those who are affected by the decisions. In offices which deal with problems of the people, such as those relating to house allotment or securing new telephone connection etc, should be computerised, so that an applicant can be readily informed where exactly his request is pending.

Department of Public Administration of the Government of India has recently dealt in detail with four important matters relating to administrative functioning. One of these has dealt comprehensively with Recruitment Rules. Recommendations arising from the study relate to recruitment for all levels of services, and the procedures that must be adopted in relation to different grades and postings, precautions that need to be taken to ensure that recruitment, if it involves promotion, must be purely on the basis of selection-cum-merit for all levels of posts, and various other essential requirements.

Vigilance Procedures:

Another matter dealt with by Public Administration Department relates to vigilance procedures. It is very unfortunate indeed that general impression prevails about existence of extant corruption, particularly at the lower levels in government departments and more so in organisations and institutions and other such offices it is stated to prevail "from top personnel, to engineers, to typists and the peons". Small gifts soon turn into huge packets as the demand travels upward, and it is often said that a number of politicians, bureaucrats and officials are involved in corruption. Functioning of Central Vigilance Officers, operating under the Central Vigilance Commission, and of Vigilance Cells under Vigilance Commission in the States, needs to be strengthened, imparting to them the requisite training, skill-upgradation, guarantee of incentives, and assuring them security in performing vigilance functions.

Grievance Redressal:

Among other studies undertaken by the Administrative Department there is the study on appointment to senior positions, and the matter of primary importance relating to procedures of grievance redressal. It is of course very necessary that grievances of any official, of whatever level, should be expeditiously redressed. In this context the Department also examined the task being performed by the Central Administrative Tribunals which have now been functioning for about 15 years at the Centre and in the States. The Central Administrative Tribunal (CAT) has during this period of 15 years dealt with as many as 3,45,436 cases. As the legal expenses relating to courts are normally high, there is general tendency on the part of staff to approach CAT for adjudication of disputes by employees in groups. Assuming that a case is filed jointly by five litigants, the number of litigants who may have gone to CAT would work out to over 17 lakh. It can thus be argued that in a period of about 30 years, which is the average career span of a government employee, almost every employee would have approached the CAT for redressal of his grievance at least once. It is generally believed that the representations received by CAT from government employees are attended to in routine manner and reply is given in general terms; in a number of cases no reply is received by the aggrieved person.

There is apparently no satisfactory system for monitoring grievances of employees to ensure that impartial and timely redressal will be provided. The employees are compelled to seek intervention by filing cases in CAT only as a last resort when their grievances are not dealt with expeditiously and with credible fairness. There is paramount need of ensuring that an appropriate grievance redressal machinery is created in each Ministry of the Centre, and at the level of each State, and that the machinery should operate effectively and inspire confidence among the employees that their grievances would be redressed without delay and with fairness.

POLITICAL MASTERS & CIVIL SERVICES

In the context of problems relating to Administrative Reforms which have been highlighted in the foregoing write-up we place before the readers the facts emerging from an initiative recently taken by COMMON CAUSE, of addressing a number of recently retired senior IAS and IPS officers for securing their views on how, in the present governmental system, relations between the political masters and civil servants are operating, what types of problems and difficulties get created and what steps need to be taken to effect improvements where these are necessitated. We had collected the names and addresses of officers from the Resident Commissioners of the various States located at Delhi. While writing to these officers we had given them assurance that in using the material sent by them we would not mention their names. We have, however, received assurances that there will be no objection to mention of their names considering the nature of the material being sent by them.

We are reproducing letters which have been received. These contain useful material from the viewpoint as to how the senior officers including retired Chief Secretaries and Directors General / Inspectors General of Police feel about the relations between the political masters and civil officers and also, about the inter-services problems. The important points which find emphasis in the letters received from the retired officers include primarily (i) matter of transfer of officers and the instances of arbitrariness and inappropriateness on the part of political masters, (ii) the need of constituting a suitable machinery for ensuring reasonable tenures for all important appointments, (iii) exploration of the possibility of evolving Civil Services Code under the guidance of Public Services Commission on the pattern of what exists in U.K., (iv) implementation of the recommendations of Vth Pay Commission in the matter of transfers, (v) formulations of specific law for government servants embodying provisions for dealing with all matters relating to services including also the requirement of probity, overcoming corruption, and various other matters affecting the services.

Keeping in view these objectives we are now planning the initiatives that need to be taken. We will have opportunity to inform the readers in due course about the actions that are taken.

On matters relating to problems of Civil Services we also reproduce an article of Mr. K. Subrahmanyam which recently appeared in the Times of India under the title "POLITICISED CIVIL SERVICES".

LETTERS FROM RETD. IAS/IPS OFFICERS

Politicians: Generally speaking, the politicians have great greed for money, publicity and power. The spirit of service is rarely seen in them. They want to further their selfish ends by influencing the public servants in one way or the other. They would like their cronies in key positions. They are the least bothered about the quality of service these officers can give to the people. A caveat is added to it. These activities particularly increase one or two years before the end of their tenures. Honest officers find it difficult to handle them. It is not only honesty which is required to handle the bosses, but along with the honesty is required the intelligent handling of them without compromising basic principles of integrity, service to the people etc.

Bureaucrats: They have become spineless. They join the politicians in sharing the loot. In some cases it is seen that the bureaucrats themselves won't take any money for themselves, but they are instrumental in unduly enriching the politicians, for perhaps they want to remain in key positions. It is difficult to book them. They have all the powers. They have the power to start inquiries against you and remove you from the position of power to insignificant positions from where you cannot do anything. Certain amount of independence is needed to fight the organized indulgence in corruption such as security of fixed tenure, accountability only to the Courts of Law etc.

Police: Energies of the Police can be properly canalized provided the head of the organization has requisite skills. Unfortunately, these are lacking in a big way in the leadership of the force. Everything depends upon the hard work, integrity, and skills of the head of the organization. A system of reviews should be introduced in every aspect of police work including disposal of court cases with adequate provisions of timely appreciation, rewards, other incentives and welfare. Nobody takes this much of pain these days. The most important for a police leader is his availability to every member of public as well as force.

Public: By and large the people are reasonable if you explain to them your position provided you are fair and just in dealing with them. Our problem these days is that there is a big communication-gap between administration and the people."

D.N.S. Shrivastava,
New Delhi.

"In the matter of posting and transfer, as also in the matter of recruitment of lower level police functionaries, the political pulls and pressures are rampant. Selection of persons for posting and transfer to crucial posts as also selection of persons for recruitment are made on the basis of their loyalty/proximity to the ruling Front. Police machinery is misused by politicians by ensuring postings of pliable officers and recruitment of partisan candidates. There is hardly any facet of police working which is not unfairly exploited by political masters.

The ministers and ruling party bosses maintain direct contacts with officers-in-charge of police stations, circle inspectors and sub-divisional police officers. They influence the latter in the discharge of their duties. They also often act on the advice of such police officers and many decisions are taken by them behind the back of senior police officers. This practice damages discipline and professionalism in the force and on occasions create several avoidable difficulties.

The propensity of leaders to succumb to backbiting and whispering campaigns is amazing. They have fanatical belief in the infallibility and incorruptibility of their cadres, though ground reality by no means justify this conviction. Some leaders also believe that earning is a responsibility of the Government of India and spending is their privilege. Planted press reports are made basis for justifying unseasonal transfers, and/or initiating enquires to malign the officers and to demoralize them.

Suggestions: Civil servants believe they run the country and that all they have to do is to knock new ministers into shape. They believe that they know more about the practical tasks of government than politicians. The civil servants also think that their job security and political neutrality enable them to put the country first, to see long-term perspective, and represent the enduring national interest. On the other hand, the ministers contend that they are latest and best choice of the electorate. They understand wishes of the people and changes needed for realization of these wishes. They also feel civil servants are too cautious, too addicted to compromise and incapable of responding with due enthusiasm to demands for changes.

These are extreme views and should be avoided. For good governance, ministers and senior officers should act like partners. Ministers should set the policy agenda, where necessary with the help from senior officers, and take decisions within this agenda. In a democracy, the supremacy is that of ministers. Officers are free to make observations, but once a decision is taken they are duty bound to implement the same vigorously. The civil servants should present arguments and reality to the ambitions and fears of politicians. They should tell 'what can happen' and not 'what ought to happen'. At the same time ministers should not brand civil servants who speak up to point out difficulties about proposals as troublemakers. The civil servants should not be changed just because they are perceived close to the opponents of the ministers or subscribe to a different ideology. At the same time, the ministers should be free to dispense with civil servants unsympathetic to the legitimate agenda of the government.

The unscrupulous activities can be contained by the following measures.

- * there should be fixed tenure for different postings and premature transfers without specific reasons to be recorded should not be permitted; some thinkers have suggested that transfer before two years should be treated as a minor penalty and affected officers should be given an opportunity to represent before such transfers are effected;
- * Sri N. Vittal, Central Vigilance Commissioner, has suggested that sensitive posts should be identified and in regard to postings against these posts, a system similar to the system for filling up of the post of senior officers of CBI and Director, ED, should be followed; there is lot of merit in this suggestion;
- * laws like Freedom of Information Act, Lokpal Act, Lok Ayukta Act, and Whistle Blowing/Public Disclosure Act should be enacted; where Lok Ayuktas already exist, they should be adequately activated and strengthened.
- * introduction of e-governance should be expedited;
- * the police should be placed under a broad-based autonomous and statutory body constituted on Japanese model, instead being left as at present under the sole control of the Chief/Home Minister, as recommended by the National Police Commission. Exemplary punishment should be awarded to officers guilty of partisan attitude through expeditious departmental action; honest and upright officers should be suitably recognized both by the Government/NGOs; and
- * reinforcing moral fibre through education, training and setting up of personal examples by political leaders and senior government servants."

V.V. Sardana,
Faridabad.

"Immediate improvement is possible if the power of transfer, which is in the hands of politicians, and which is being widely misused, is diluted in a satisfactory manner for the good of the public at large. Only good officers who are both efficient and honest should rise to the very top of the hierarchy. On the other hand the corrupt should be side-lined.

They should know that they would not rise in their department if they have decided to pursue their own selfish interests. When this happens governance will improve."

J.P. Ribeiro, IPS (Retd)
Mumbai.

"Many in the IAS and other all-India/Central services have been wronged and denied their legitimate and expected career progression. The unfortunate truth is that in most cases they have suffered as much from the bias, discrimination, neglect and downright personal animus of their service superiors as from the arbitrariness of their political masters at different points of time in their careers. Individual case histories from the services and the State/Central cadres would doubtless help establish the validity of this contention.

I will attempt to identify some basic problems and suggest possible solutions below:-

(1) Over the last three decades, there has been a systematic, if not overtly stated, effort both in the States and at the Centre, to politicize the permanent administration and bureaucracy, to encourage loyalty and commitment on their part to the political agenda of the elected governments in power. A vigorous screening and assessment system should be introduced prior to final selection, for determining moral/ethical standards, social and national consciousness levels, and political loyalties, if any, among candidates.

(2) Even if we presume the present methods of selection for the services to be reasonably fair and equitable, and intended to search for excellence, the rot starts almost immediately after the induction level training itself. For the IAS and IPS, as well as the State civil/police services, exposure to ground-level political realities begins with block/tehsil and subdivisional postings, and freshers are forced to develop their own survival mechanism - adjustment, compromise, acceptance, surrender - very fast indeed. Even "successful" administrators would indicate several instances of undue interference, reversal of valid decisions and peremptory removal by their political superiors. I do not believe, of course, that the bureaucracy in India, particularly at the decision-making or cutting-edge levels, has been wholly above board - it has often allowed itself to be used by politicians and political parties for their narrow interests rather than for the public interest, and it has acted, and continues to act, in a sectarian, partisan manner, in accordance with the current priorities of particular political governments, rather than the genuine long-term needs of the people they claim to work for.

Somehow, internal and external factors have induced a deep erosion over the years of intra-service solidarity and inter-service understanding - these wholesome features of the bureaucratic community have been replaced by a free-for-all, fend-for-yourself syndrome within individual service cadres, and suspicion, jealousy and indifference between different services. The fiercest of undeclared wars of attrition rage now between the IAS and the IPS at one level, and between the IAS and other central services at another.

To counter these tendencies, a well-thought-out and adopted programme of vertical integration within and across the spectrum of constituted services has to be initiated. The purpose of such a programme would be to build up linkages between members of the services at different levels of seniority, to organize repeated problem-solving and experience-exchange sessions, to develop strategies for survival, growth and image-building of individual services, and to strengthen ties between the services and reduce/eliminate tensions and misunderstandings among them by regular interactive contact and extension. All the service associations have to participate in and pool their resources for such a wide-spectrum programme - to be kept strictly out of bounds for politicians, businessmen and other hidden persuaders.

(3) Two other developments - first, the growth of political/informal bureaucracies, and their lateral entry and influence on the formal working of governments, State and Central; and secondly, the increasing passage of career bureaucrats into active politics - deserve some discussion.

Political or parallel bureaucracies installed by politicians in seats of power is another phenomena. These occasional "intruders" have become institutionalized, and even granted political legitimacy to an extent that the regular bureaucracies are getting marginalized and becoming subservient to these informally positioned bureaucracies. Politicians in our country seem to prefer having their own ideologically "committed" think-tanks and brains-trusts to turn to-even if there are perfectly capable career advisors available."

Dipak Rudra, IAS (Retd)
Kolkata.

"There is the continuing decimation and degeneration of the entire administrative apparatus but specifically the IAS and the IPS and their counterparts of the State Civil Services, i.e. the effective, cutting-edge arm of the bureaucracy and its unholy nexus with petty, partisan, caste-oriented, degenerate political bosses all over the country. Some of us in the IPS had been trying our best since the mid-sixties to bring about a truly professional and upright police force as an

agent of the law. At present the police is nothing but an agent of the political masters. Repeated attempts even to have a high-powered National Police Commission being set up to dissect the deficiencies and ills of the policing laws and practices were not considered seriously by the Govt till 1977 when it was agreed to set up the National Police Commission. Unfortunately even some of the basic recommendations of the NPC have been successfully thwarted by vested interests at the Centre as well as in the States."

Dr. Arun Prosad Mukherjee, IPS (Retd.)
Calcutta.

"Frequent transfers for political maneuver or as punishment, has long been recognised as an important factor causing mal-administration. Apart from the demoralisation leading to other ills among civil servants, motivated transfers at various levels of government cause great damage to the citizen's cause. Not only are the services he is entitled to delayed, but the papers also get buried or lost as new incumbents take over. It is only rarely that they are traced for further action; more often than not the citizen has to start anew.

The Fifth Pay Commission noted this succinctly as follows: "In spite of policy guidelines on transfers, there is a definite feeling that the instrument of transfer is widely misused in the country, particularly by politicians in power, to subjugate the government employees. Transfer is also used as an instrument of punishment."

The proposition that transfers of the higher grades should be left to a body like the civil service commissions of western democracies, was brought before the Prime Minister's meeting with the Chief Ministers in May, 1997. It was a part of the "action for effective and responsive administration". The response of the Chief Ministers was not favourable. In the somewhat stark realities of political power game in India, the ability to transfer officers and junior personnel, and to intervene in their promotions and postings, is considered a very powerful political weapon! After discussion, the generally unwilling Chief Ministers agreed to a watered down statement that said, that institutional arrangements should be evolved for enabling objective and transparent decisions on postings, promotions and transfers of officers, to ensure stability of tenure and depoliticised postings at all levels. However, because of the misgivings expressed by Chief Ministers, the mechanism of Civil Services Boards was declared to be meant to basically aid the political executive in the State governments, to implement a streamlined and transparent transfer policy so as to ensure stability of tenures to the government functionaries and to sustain their morale". It was also conceded that the Civil Services Board should only be of an advisory nature and should not take decisions. To the initiated, this really meant that the proposition was conveniently shelved!

The Centre for Policy Research has an ongoing study on Political Reforms. In the first stage of the study, the Centre has published a book on political reforms to which contributions have been made by 13 experienced scholars.

In its "Consultation Paper" on 'Probity in Governance', the Constitution Review Commission has made the following recommendations with regard to the Civil Services Board: "3.8.1. An ancillary suggestion in this behalf that can be implemented without much ado, but which may have extremely beneficial results, is the constitution of a Civil Services Board for overseeing appointment and transfer to senior posts. The idea is to take away the power of transfer from the political executive which, according to the universally held opinion, has not only been abused but has also been used in such a manner as to make the bureaucracy, including the IAS, pliant, toothless and corrupt. May be a Constitutional amendment is called for to provide for the composition of such a Board. The composition of the Board need not be exclusively non-political. It can be headed by the Prime Minister or the Home Minister and its jurisdiction restricted to certain high-level posts in the bureaucracy."

At another place, the Commission Paper has made the following cryptic observation: "3.1.7 We are, therefore, of the opinion that at least now the Central Government should enact a comprehensive law on public servants. Such a measure would act as a salutary check- a deterrent - upon corrupt public servants and would certainly be a measure to ensure probity in governance".

In most of the advanced countries, the civil services are "unionised", and in UK on entry into the civil service, every person is encouraged to become a member of an association - encouraged, more or less implies, required. The senior civil service members are also members of such associations, but they voluntarily impose on themselves self-denial in the matter of participation in collective bargaining. There is no reason why the superior civil services in India should also not form associations that should strongly canvass for a proper, ethical and transparent management of the services, including transfers, postings and promotions policies. Alongside the pressure of public opinion, the Press and civil society organisation, the service association should also exercise legitimate pressure on government and parliament in the interest of the country's effective governance. Government itself should welcome such open participation by the senior civil services in the form of joint consultation councils, similar to the Joint Negotiating Machinery for the non-

gazetted categories. In the Civil Service Code in UK for example, an independent line of appeal to the Civil Service Commission on any alleged breaches of the Code is available to all civil servants.

My comments on the Consultation Paper suggestions are the following:

Firstly, the Civil Services Board is not meant only "to take away the power from the political executive", but to bring about reasonable tenures for all important appointments, not only for continuity and full understanding of the problems of the area of work, but also to serve government and the public better. This dictum should apply to Naib Tehsildars, Tehsildars, SDO's, SHO's, Collectors, Commissioner, Secretaries etc.

Secondly, as in UK for example, there should be a Civil Service Code evolved under the guidance of the Civil Service Commission. The Code should provide an independent line of appeal to the Commission on any alleged breach of the code. This will be a more informal means of redress than the Civil Appellate Tribunal, and far more objective than internal departmental consideration.

Thirdly, the composition of the Commission suggested in the Consultation Paper, totally cancels out the purpose for the Civil Service Commission being proposed. The Prime Minister, Home Minister, Chief Ministers, etc. are even now deciding transfers, postings and promotions. And in that, they are under subjective and politically motivated pressures of their Ministers, MPs, MLAs etc. The Civil Service Commission of Western democracies, are fully independent bodies whose decisions are final, and if deviated from, have to be reported to the Parliament. The composition suggested by the Consultation paper of the Venkatachaliah Commission is not appropriate at all.

Fourthly, the suggestion to have a comprehensive law on public servants is an excellent idea. The Constitution should only provide the basics, and the Civil Services Law should provide for various other details including provision for dealing with corruption, probity, etc. There are examples available worldwide."

P.K. Dave, IAS (Retd.)
New Delhi.

"To some extent the Services are also responsible. Greed for power and money has become all pervasive among the political leaders as well as the Services. In the past, it would be very seldom that IAS officers and senior persons like Chief Secretary, I.G. Police, Judges would be accused of taking bribes. In the name of career advancement we have created large number of posts which has also created serious administrative problems. In a State there should be only one Chief Secretary and one DG Police. Earlier, one I.G. Police was responsible for the entire state and law order was slightly better. Political masters are able to harass honest civil servants because there are a number of blacksheeps who are willing to oblige and not do their job honestly.

There has to be a lot of accountability at several stages including judiciary, and the role of media and the lawyers has also to be examined."

B.C. Mathur, IAS (Retd.)
New Delhi

"It is indeed true that principled and upright civil servants feel rather vulnerable these days and the situation seems to worsen with each passing year. The situation is really bad in the states. Transfers to harass and denial of normal advancements in service are the most potent weapons in the hands of some political masters to extract compliance from civil servants. Some officers give in and enjoy the fruits of cooperation. A majority of officers still manage to stay on the narrow path and carry on the burden.

I certainly experienced more than my normal share of transfers, from one corner of the country to another. About a third of these transfers resolved serious differences of opinion. Indeed, after a few years in service, instances of unreasonable/unacceptable requests virtually dried up. I have come across some instances where the ministers have misbehaved with civil servants. They usually pick on soft targets where the chances of a strong, immediate reaction are minimal. The Officers take up such matters with the state Chief Minister and it largely depends on the latter whether the matter is suitably settled. Such instances are rare in the central government.

One unfortunate development in recent years is the rise of groupism and rivalries among civil servants. If the latter can close ranks, the political masters cannot do much damage. There are specific guide-lines regarding appointments, transfers and promotions - but who cares. The officers must rise to the occasion. I expect more from them than from their political masters, at least in the short run. Some independent institutional arrangements have been suggested from time to time to take care of postings and promotions of senior civil servants and this may have some positive impact on overall administration in the country. The seniors can then ensure that the rest of the team performs well.

Another 'technique' to brow-beat upright officers is to make false complaints against them and keep the complaints

alive indefinitely. I have suffered tremendously in this manner and have seen many others in similar plight. I have come across numerous cases where even Members of Parliament knowingly furnish utterly false complaints against officials not accommodating their concerns. Here again, instructions are in place, there is no will to comply with the same.

It was during and after the Emergency that we started coming across officers who would do the bidding of the political masters without asking a question. They prospered and set a bad example for the new-comers. Earlier, in our formative years, we used to hear instances where the seniors had taken a stand on principles or on grounds of morality. Such incidents take place even today, but these apparently fail to register. Media are busy with politicians and their tantrums and cannot spare any time for the good guys of the system who are still battling it out. We can consider a scheme for recognition of good services and this may have some good effect.

To conclude, I may say that any system performs as well as its managers will allow it to. There is no point in blaming the system and keep on making cosmetic changes therein."

B.R. Basu, IAS (Retd.)
New Delhi

"The need of the hour is to abjure "Vote-Bank" politics which has divided the Society endlessly into various sets/groups on the basis of caste/class, religion etc. "Vote-Bank" politics and political corruption are the two most formidable evils eating into the Civil/Police administration as well. These evils have affected even the All India Services, though I do believe that most of Officers belonging to these services are still fair, honest and free from any sectarian feelings. "Bureaucrats have no caste" was the reply of a Chief-Secretary when he was asked about his caste by a Chief Minister. But this was several years ago and I am afraid, these services may also be infected by such prejudices if evil goes unchecked. Infact, political patronage to certain castes/classes has been accepted as part of life by most Civil Servants in some of the States. This has naturally affected adversely the services morale and has lowered the standard of administration in those States.

Along with sectarian politics, political corruption is also seeping into administration. It will not be wrong to say that political corruption and bureaucratic corruption, particularly, in high places, go hand-in-hand. Civil Servants who join hands with corrupt political executives receive political protection and patronage while the honest and upright officers are side-lined. An attempt is made to suggest some remedial measures as follows:-

- (i) "Ethics in Public Life" should be made an essential part of the curriculum for training of IAS/IPS probationers. They should be fully acquainted with all ramifications and the problems of Political Corruption, Criminalisation and Vote-Bank politics and shown ways to withstand such pressures and temptations. The officers turned out by these training institutes should have the courage of conviction to face these challenges.
- (ii) Maintenance of Law and Order and social Harmony should be given "TOP PRIORITY" in administration. District Magistrate and Collectors should be made fully responsible and accountable for maintenance of Law and Order and Social Harmony in the District. District Police should be brought effectively under the control of D.M. He should keep himself fully informed about day-to-day developments in the sensitive disturbance prone areas and take timely action to prevent breach of peace on account of social dissensions. If necessary, the Intelligence agency responsible for feeding him with such information may be strengthened and suitably equipped to be able to function effectively. Besides, the District Collectors should tour extensively throughout the District to develop direct rapport with the people and respond to their problems. This will also enable him to understand the mindset of different sections of people and built their confidence in fairness and even-handedness of the administration towards all sects, irrespective of their caste/class or religion. Single line administration should be restored at District level and below.
- (iii) Selections of Officers for the posts of D.M. and Collector and S.P. should not be left to the sole discretion of Political Executives. There should be a Committee consisting of Chief-Secretary and two Senior most available Cadre Officers to prepare a panel of 3 Officers to be posted as D.M. or S.P. in a particular district. Political Executive may select one from this panel. D.M./S.P. should have a fixed tenure which should not be disturbed except under exceptional circumstances.
- (iv) Central Govt. may consider the desirability of formulating a "Transfer Policy" for All India Services, in consultation with the State Govts and the U.P.S.C. to put a check on frequency of transfers due to political pressures and whole-sale transfers from key posts, particularly when there is a change of Govt. in States. Any premature transfer in contravention of the 'Transfer Policy' should be followed by explanatory note justifying such transfer to be submitted by the State Govt. to the Central Govt. Before passing the transfer orders in such cases, the detailed justification for the same should be considered by a Committee consisting of the Chief-Secretary and two Senior-most officers available in the State.
- (v) To check political corruption and criminalisation of politics, Shri V.C. Agarwal had made the following suggestion

some-times ago, which is worth considering:-

"Political parties should be compelled to announce the names of potential candidates (may be somewhat more than the number of seats to be contested by them) atleast four months before the actual nomination dates. This would help the people and the media to scrutinise the antecedents of the would be candidates. This may facilitate omission of persons of doubtful character. "

(vi) Lastly, it is felt that Media - both print and audio-visual can and must play a more positive note in curbing "Vote-Bank" politics, political corruption and criminalisation of politics. Whereas "Vote-Bank" politics and powerful divisive forces cause political patronage on sectarian basis and have succeeded in dividing the Civil Servants into Caste/ Class groups in some States, political corruption and criminalisation of politics have lead to bureaucratic corruption at higher levels and given impetus to unscrupulous Civil Servants. There are basic causes of demoralisation of services. It is unfortunate that events which have potential of creating social discord are highlighted disproportionately. Similarly, provocative speeches/interviews of Secretarian Leaders/ individuals are given undeserved prominence. Newspapers/media indulge in such practices to make the news sensational. But the consequences are extremely grave. Foreign media take full advantage of such exaggerated news- items to denigrate us abroad. What is needed is that media should exercise great caution and restraint in publishing events of provocative nature and should not lionise sectarian self-seekers with no standing of their own. News should be balanced -attempt should be to soothe feelings of the people, instead of provoking further tension. Corrupt politicians and those benefiting from generating social disharmony should be exposed."

Naresh Chandra I.A.S. (Retd)
Delhi.

"It is a fact that the political masters in charge of State Govt. often try to misbehave with officials. The ill treatment is not confined to shifting them from one post to another or depriving them of the respect and recognition due to them. In a few extreme cases Officers who were not politically convenient have also been subjected to criminal cases and enquiries. The problem gets further compounded when we take into consideration the poor professional competence and inclination to corruption of the officers. The political masters exploit these weaknesses to the full.

It can also be observed that the politicians with a view to getting their irregular demands fulfilled often bypass the hierarchy, going over the heads of senior officials directly to the cutting edge level.

As far as the Police Dept. is concerned, most of the deficiencies have been addressed by the National Police Commission appointed by the Govt. of India in 1977-78. After elaborate studies, the Commission had given reports which have been gathering dust in MHA during the tenure of the successive Govts. with no Govt, taking even the least interest in the matter. "

P.G.J. Nampoothiri, DGP (Retd)
Ahmedabad.

"Officers with integrity who give advice not acceptable to political masters face considerable hardships, during their service, in matters such as promotions, postings, recognition and other perks etc. The rot started with the politicians, with some exceptions, giving the lead but now the administrators have become, by and large, equal participants.

Broadly, the civil servants can be divided into three categories. The first category comprises those who are inherently honest and retain their strength and character through out the service, inspite of the most adverse circumstances. They are in minority and their number is fast decreasing. They make news now, but such qualities in service become very rare. It is this category which needs the support most and its rapid decrease is a matter of deep concern. The second category includes fence-sitters who follow the leader and can be honest or dishonest, depending on the way the wind blows. In a majority earlier, their number has also decreased considerably. The third category is of diehard civil servants, dishonest, inefficient and opportunist. Their number has increased considerably.

If the first category of civil servants, specially those who hold ranks which can become role models, become visible and receive active support with public cause action, the public will also extend covert support. Some of the fence sitters of the second category may also join the first category. This will strengthen and the movement may spread far and wide.

Simultaneously, if some constructive reform action could be taken to attack the rampant ills of corruption and absence of law and order, the above action will become more effective. These ills are products, basically, of lack of transparency in administration, absence of right to information and inordinate delays in Govt. action and grievance redressal. The politicians and civil servants are equally involved. I am aware that it is a herculean task to correct these ills simultaneously, but broken into small segments, it can become soluble. We have some role models and small scale success stories.

Smt. P .P .Trivedi, IAS (Retd.)
Noida.

POLITICISED CIVIL SERVICES

K. SUBRAHMANYAM

ONE wonders how many senior officials in service today remember the days when the annual confidential report (ACR) was a meaningful document and ensured discipline in service and contributed to work ethic. Today very few officials dare to write an honest adverse report and if at all it is done very few adversely commented upon worry about it. Usually the adverse comments get expunged through political connections.

Today the recipient of an adverse remark usually launches a counter offensive against his superior, charging him with communal and casteist bias or claiming that he refused to accede to his superior's illegal and improper demands and hence earned an adverse entry. That usually turns the tables on the reporting officer, who is compelled to go on the defensive. Finally, the decision on upholding or expunging the adverse remarks will be either politically influenced or politically decided.

Therefore, a bad subordinate official is today classified as "good" or "average" to avoid going through the hassles of adverse reporting and subsequent defence of the adverse remarks. Then an average officer is graded "very good" to place him above the "bad" officer. A "good" officer has necessarily to be categorised "excellent" to rank him above the "average" one. An "excellent" officer then becomes "outstanding" in ACRs. When the few "outstanding" officers have to be reported upon, then the reporting officer has to find superlative terms to describe him.

It could still be argued that the officials get graded according to merit and therefore the system could be operated on merit. But that is not so. The postings are decided at political level on political considerations, perhaps much more in state administrations than at the Centre. Even in Delhi, politicisation of civil service postings started with Sanjay Gandhi's unconstitutional intervention in the administration and it has since been sustained by successive administrations. In the current system, officials of high integrity who would not compromise are often labelled as "difficult" people who are not team players. As of now, the system does not actually throw them out but side-lines them and parks them in posts where they are considered harmless from the point of view of politicians. Occasionally when an official finds it difficult to accept such parking on loop lines, he takes premature retirement. But such cases are few.

These developments lead to increasing politicisation of civil services. In the first three decades after Independence, the civil servants tended to keep themselves aloof from the politicians. Now even junior officials try to seek out politicians at various levels to get their preferred appointments or to contain damage when threatened with an inconvenient posting. Transfers disrupting the schooling or higher education of the children constitute the most potent weapon in the hands of politicians to discipline any civil servant who tends to behave independently.

One would think that civil servants close to a particular party may run into trouble when there is a change of party in power. Not so. The politicised civil servant is usually adept in ingratiating himself with his political masters irrespective of their party labels. After all, loyalty to a party or ideology is not a strong point among our politicians either. It does not matter to our politicians either whether a civil servant was earlier close to politicians of another party in power and helped them in their not very transparent or above-board activities. Such officials could be equally useful in carrying out the equally improper transactions of the politicians coming into office. Parliamentary democracy elsewhere in the world is anchored on a totally apolitical civil service in which political parties do not interfere. That ensures good governance. It is a major challenge in India whether with politicising civil services it is at all possible to have good governance with levels of prevailing political corruption.

A young couple was strolling hand in hand when they came upon a graveyard. They decided to walk through it, and noticed that a woman was sitting beside a new grave and fanning it.

Said the husband to his wife: "See, this is real love and devotion. Though her husband has died and gone, this woman is sitting by his grave and fanning him as though he were still alive."

"Don't be too sure", replied the wife. "Let us go and ask her why she is doing it".

So the couple walked up to the woman and said excuse us, no offence meant, "but why are you doing this?"

The widow answered with moist eyes, "My late husband was a very noble man. Before he died he told me that I could go ahead and marry another man, but I should at least wait for the cement to dry on his grave. So I am sitting here and drying it."

VIGILANCE CAN CURB CORRUPTION

There is no gainsaying the fact that our country is very badly riddled with corruption. It prevails in all fields, politics, bureaucracy, trade, industry, transport and practically in all fields which concern people. It is a matter of shame for us that in the Corruption Perception Index which the world body International Transparency prepares every year we rank 72 among 91 countries listed in the order from least corrupt to most corrupt.

This fact is well illustrated by the joke that Heads of three countries went to God to ask Him when would corruption end in their countries. Two of them, old persons, turn by turn, stood before God and asked this question; they were told that it would take four to five decades for corruption to end in their countries. Both respectively broke down, and cried that corruption would not end in the countries during their life-time. Then, the Indian Head of State stood before God and asked when will corruption end in the country. At this God broke down, and cried, it will not end even in His life-time.

It is really very unfortunate that corruption is so rampant in our country. It is deeply rooted in all levels of administration, in the states and at the centre. Industry and trade contribute substantially to its prevalence in the governmental administration as well as in the autonomous organisations, municipal bodies and public sector functioning.

We have laws for curbing this menace. Problem lies in their ineffective administration. Prevention of Corruption Act has been on the statute book for over a decade; an ordinance was passed five decades ago enabling attachment of properties of a public servant accused of corruption. Inclinations have occasionally been shown for effectively dealing with this serious problem but political masters have thwarted all efforts. Lok Pal Bill has been on the anvil for decades, for setting up powerful institution; politics have hitherto disabled its enactment. Forty years ago, in 1964, a Resolution was passed for creating Vigilance Department and posting vigilance officers in departments and institutions of the Government of India. No statutory base was provided for their effective functioning.

It was only in 1998 that eventually a statutory base was provided by the appointment of Central Vigilance Commissioner. The incumbent of this office Mr. N. Vittal, has undoubtedly given shape to this structure and has created an impression in the country that vigilance is being made effective. A Bill was thereafter introduced in the Parliament for providing requisite base to this decision, but it could not be passed and the ordinance lapsed. Another ordinance was issued in January, 1999. A Bill was introduced in the Parliament in the same year. This Bill seeks establishment of Central Vigilance Commission to deal with offences committed under the prevention of Corruption Act by public servants of Central Government, government corporations, companies, societies and local authorities owned or controlled by Central Government. The Commission proposed to be established under this Bill consists of Central Vigilance Commissioner and two Vigilance Commissioners who will be appointed under the authority of a Committee consisting of the Prime Minister, Minister of Home Affairs and Leader of opposition in the Lok Sabha.

This is not yet the end of the matter of serious importance. The Bill got referred to the Joint Committee of Parliament for examination. The Joint Committee has made some recommendations which, in all important aspects, tend to dilute and weaken the effective functioning of Vigilance Commission and of the Commissioner, depriving CVC of the authority which he needs to wield to enable effective exercise of vigilance and to initiate strong steps to check corruption.

In the context of such wide prevalence of corruption, and of our country being counted among the most corrupt countries of the world; it is singularly unfortunate that politics of the country should, instead of strengthening the vigilance apparatus in the country, put forth recommendations and suggestions which will only tend to weaken the effective functioning of Vigilance Commission. One can only wish and hope that these facts will be kept in view by the politicians when they eventually take final decision on the pending Bill.

PEARLS OF WISDOM:

Joy and grief are as day and night. They have to be put up with, gone through. If you refuse, they won't stop happening. If you desire, they won't start happening.

'Budhi' is the quality that makes a person a 'Purusha' or perfect man. It is not the dress or the moustache that makes out the man. Recognising one's error is the first excellence of a good person. It is the beginning of wisdom.

A patient was lying nervously on the operating table waiting for the surgeon to arrive. When he came, the patient blurted: "Doctor, I am very very nervous".

"Don't be", smiled the doctor.

"No doctor, I am very frightened, this is my first major operation", the patient confessed.

"Mine too", the doctor replied.

SC BANS STAY IN CORRUPTION CASES

All tainted public servants charged with corruption have suffered a setback with the Supreme Court ruling against the stay of their trials. In a significant judgment, a Bench comprising Justice K T Thomas and Justice S N Variava said: "Corruption in public offices is becoming rampant. When public servants are sought to be prosecuted under the Prevention of Corruption Act... stay of trials is obtained and parties successfully manage to delay the trials."

Justice Variava said even if the high courts take up appeals during the pendency of the trial, exercising their jurisdiction under Section 482 of the Criminal Procedure Code, "there can be no stay of trials ... not even temporarily".

Taking a serious view of the casual manner in which high courts stayed trials in corruption cases, the Bench ruled that no court could stay the trial of cases under the Prevention of Corruption Act. It asked the registrars of all high courts to "list all cases in which such stay is granted before the court concerned so that appropriate action can be taken by that court in the light of this decision".

The judgment comes in an appeal filed by a Rajasthan public servant, Satya Narayan Sharma, against the high court order which, while staying his trial for seven years, upheld framing of charges against him by the special court. Sharma challenged the high court judgement as he insisted on quashing of corruption charges against him.

In his separate but concurring judgment, Justice Thomas said: "When Parliament imposed an undiluted ban against granting stay of any proceedings involving an offence under the Prevention of Corruption Act, 1988, on any ground whatsoever, no court shall circumvent the said ban through any means."

Referring to the Sharma case, the Bench said: "We find what has happened in this case is happening in a large number of matters."

The prohibition in Section 19(3) of the Prevention of Corruption Act "is couched in a language admitting of no exception whatsoever, which is clear from the provision itself," Justice Thomas noted, adding that none of the provisions of the Criminal Code could be invoked for circumventing any one of the bans enumerated in the law.

from Times of India

CONVICTED OFFICIALS CAN'T HOLD OFFICE

In a significant judgment, the Supreme Court has ruled that a public servant convicted of corruption should not hold office till he is exonerated by a superior court.

"It is necessary that the court should not aid the public servant, who stands convicted of corruption charges, to hold public office until he is exonerated after ... a judicial adjudication at the appellate or revisional level," a Bench comprising Justice K T Thomas and Justice S N Variava said.

The judgment was delivered on the appeal of a public servant who was dismissed from service following his conviction by a trial court. He was seeking suspension of his conviction to rejoin his office during pendency of his appeal.

Dismissing the appeal, the Bench said that he could rejoin work but the court should not aid a public servant, convicted of corruption, to hold any public office without being exonerated.

The court noted that corruption by public servants has acquired a "monstrous dimension" and its "tentacles have started gripping even the institutions created for the protection of the Republic. Unless those tentacles are intercepted... through strong legislative, executive as well as judicial exercises, the corrupt public servants could even paralyse the functioning of such institutions."

from Times of India

MTNL TAMPERING WITH ITS BILLING SYSTEM

The Department of Telecommunications of the Government of India has recently issued a strange public notice to the effect that in their billing system they will henceforth not provide to the subscribers the details of STD (Subscriber Trunk Dialling) and ISD (International Subscriber Dialling) calls which have hitherto been always supplied for enabling the subscribers to check up the calls made from their telephones. After fruitlessly writing to the Department of Telecommunications on the subject we have considered it appropriate to file a Writ Petition in the Delhi High Court. This is a matter of obvious importance for all telephone subscribers. The Writ Petition is reproduced below. It is being pursued.

WRIT PETITION

COMMON CAUSE

... Petitioner

Versus

1. Union of India,
Ministry of Communications,
Department of Telecommunications,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi-110001
through its Secretary.
2. Mahanagar Telephone Nigam Limited,
Khurshid Lal Bhawan,
Janpath,
New Delhi-110050
through its Chief General Manager.

... Respondents.

A PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT OF OR IN THE NATURE OF MANDAMUS AND/OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, DIRECTING THE RESPONDENTS NOT TO DISCONTINUE THE PRACTICE OF PROVIDING TO THE TELEPHONE SUBSCRIBER TRUNK DIALLING (STD) INTERNATIONAL SUBSCRIBER DIALLING (ISD) CALLS AND TO CONTINUE PROVIDING THE DETAILS THEREOF IN THE TELEPHONE BILLS.

To

Hon'ble the Chief Justice and his Lordship's Companion Justices of the Delhi High Court.

The Humble Petition of the Petitioner abovenamed

Most Respectfully Sheweth:

1. That the Petitioner is a Society duly registered under the Societies Registration Act, 1860, and is engaged in taking up public grievances to seek their amelioration, inter alia by way of public interest litigation. The Petitioner has an established locus standi as a bonafide public interest society.
2. That Respondent No. 1 is the overall authority in the matter of communications services. Respondent No. 2 is responsible for operation, maintenance and development of telecom services in the National Capital Territory of Delhi.
3. That Respondent No. 2 has been providing details of Subscriber Trunk Dialling (STD) and International Subscriber Dialling (ISD) calls made by the subscriber from his telephone during the billing period in the bill for the period in support of the amount claimed. The provision of these details has enabled the subscribers to check up whether the STD/ISD calls have been correctly recorded in the bills. These details include the Calling no; called telephone no; Called date, End time, Duration and Chargeable calls.

4. That a person can make trunk-calls/International calls by direct dialling after prefixing a code for the city called, without the help of Telephone Exchange staff. The pulse rate is much higher than the local calls. Though the Respondent No. 2 has also provided a system of "locking" facility to avoid unauthorised use, it is impossible for a subscriber who makes frequent STD/ISD calls to keep the facility always locked. Accordingly, the details of STD/ISD calls are very helpful to the subscriber to know that all calls are genuine and no wrong calls have been included in the bill.
5. That Respondent No. 2 has now decided to discontinue providing details of STD/ISD calls to the telephone subscribers, as per Public Notice issued by the Respondent which appeared in the Times of India on 3rd November, 2001. It has been mentioned in the Notice that this service will be provided only on specific request in writing to the Area Nodal Officer.
6. That though nothing is mentioned in the Public Notice as to whether details of STD/ISD calls will be provided free of charge as hitherto, Petitioner apprehends that discontinuance of providing details in the normal process and asking for specific request for details may be a step to introduce system of levying charges for providing the details. That on coming across the information regarding discontinuance of this service by MTNL Petitioner wrote to the Respondent No. 1 stating that it would be totally inappropriate to deprive the subscribers of the details of such calls when transmitting the bills for payment. There is no indication of reply being received.

GROUND S

7. Because Respondent No. 2 has acted in an arbitrary manner jeopardising the interest of subscribers.
8. Because the absence of details of STD/ISD calls in bills may give a free hand for gross misuse of this facility, both of private and official telephones and may also lead to corruption.
9. Because there have already been reports that subordinate staff of Telecommunications has been providing the facility to unauthorised persons to make STD/ISD calls from telephone Nos. of unsuspecting subscribers; such unscrupulous elements will now have greater freedom for such corrupt practices.
10. That the above grounds are being submitted without prejudice to one another and the petitioner craves leave to add to or amend the above grounds.
11. That the present petition is being preferred bonafide, in the interest of justice and in public interest.
12. That no other Writ Petition or proceeding has been initiated by the Petitioner in any other High Court or in the Supreme Court of India on the issues that are subject matter of the present petition.
13. That the Petitioner has no alternative equally efficacious remedy in law for the cause of action being agitated herein.

PRAYERS

In the above premises, it is prayed that this Hon'ble Court be pleased:

- (a) to issue a writ of or in the nature of mandamus and/or any other appropriate writ, order or direction, directing the Respondents not to discontinue the practice of providing details of Subscriber Trunk Dialling (STD) and International Subscriber Dialling (ISD) calls to the telephone subscribers and to continue the provision of these details in the bills as hitherto.
- (b) to pass such other and further orders as this Hon'ble Court may deem necessary and proper on the facts and in the circumstances of the case.

FOR WHICH ACT OF KINDNESS, THE PETITIONER SHALL AS IN DUTY BOUND, EVER PRAY.

Petitioner

H.D. Shourie
Director, Common Cause

Place: New Delhi
Dated:

TWO-TIME ZONES

Taking account of the longitudinal width of our country there is need of dividing it into two-time zones. On this subject we have filed a Writ Petition which is presently pending in Delhi High Court. We have now referred the matter to the Prime Minister's Office. The subject is of primary importance for improvement of efficiency and productivity in the country and to overcome the handicaps which have been in evidence due to one-time zone having been imposed during the British days on the basis of longitude passing through Allahabad. The letter addressed to the Prime Minister's Office is self-explanatory and is reproduced below.

To

The Prime Minister's Office,
South Block,
Central Secretariat,
New Delhi - 110011.

Dear Sir,

I am writing this letter on a subject which is of primary importance from the viewpoint of further increasing efficiency and productivity in the areas of our country which have suffered because of certain geographical factors.

This matter relates particularly to the far eastern regions of the geographical longitudinal spread of the country which, due to circumstances created over a century ago, have continued to be handicapped in full and proper utilisation of the day-hours. The problem becomes evident when it is realised that due to two hours difference in the timings between far-east and far-west of the country (because of 30° longitudinal spread) the present Standard Time fixed on the basis of Allahabad Central longitude during the British period, certain inappropriate circumstances inevitably get created. When the sun rises at 4.30 a.m. in the far-east it rises at 6.30 a.m. in the far-west. When in the evening the sun sets at 6.00 p.m. at Delhi it has already set at 4.30 p.m. in the east and it sets at 6.30 p.m. in the west.

In the eastern parts, thus, certain problems get created. People get up at 4.30 a.m. and till 9.00 a.m. they waste their precious morning hours till the time of going to offices, schools and business. Likewise, in the evening the sun sets at 4.30 p.m. It soon gets dark thereafter, depriving the children of the time for games and adversely affecting the pattern of life in general. The same position obtains in winter months.

One-time Zone created on basis of geographical longitude of Allahabad has brought about these problems which over the decades have not been remedied. We have previously urged the concerned authorities in the Ministry of Science & Technology, to prepare the country for change-over to two-Time Zones. Other countries have appropriately dealt with this requirement of having Time Zones according to the geographical longitudinal spread. US has five Time Zones, Russia has three, Australia has three, and even Indonesia has three, each spread of 15° longitudes (one hour) having been adopted as the criterion. Our suggestion is based on detailed analysis by scientists who are of the view that Two-Time Zones should be created, one Kolkata based and the other Jammu (hill region) based. With the introduction of Two-Time Zones life pattern of people, living particularly in the affected Zones, will be improved; productivity will also improve; and important change will be effected in the energy saving because of lighting-up systems for the night.

There have been indications from the concerned authorities that the decision on this important issue will have to be political decision and not necessarily on the basis of scientific facts. Therefore, we have considered it appropriate to refer this important matter to the Prime Minister's Office with the request that they may consider as to how best this change, which from all viewpoints will effect improvements in country's life pattern and in the interest of increasing productivity in the affected areas, can be best achieved.

It needs to be submitted that it has been argued by hesitants of this change that our country has very large number of poor and uneducated people who will have difficulties in the change-over of one hour time when crossing the dividing line. This argument is obviously not convincing because the people can be very easily and expeditiously educated in regard to this change through the media of radio and TV etc.

There are suggestions which are being put forth by the hesitants as alternative. It is suggested that an improvement can be effected by advancing the time by one hour during summer months; it is contended that this will

bring about the requisite improvement.

This alternative appears easy to adopt but it has to be kept in view that the time change-over in summer and again in winter will prove quite cumbersome taking into account their arguments that our country has large number of illiterate and poor people.

We have tried to put forth the entire position in this letter so as to enable the Prime Minister's Office in consultation with the other concerned authorities to take decision on this important issue which has been pending for quite a number of years.

Yours faithfully,

(H.D. Shourie)
Director, COMMON CAUSE

Ideal of a Universal Religion

Swami Vivekananda

You may be matter of fact, common-sense rationalist; you do not care for forms and ceremonies; you want intellectual, hard, ringing facts, and they alone will satisfy you. Then there are the Puritans and the Mohammedans, who will not allow a picture or a statue in their place of worship. Very well, but there is another man who is more artistic. He wants a great deal of art-beauty of lines and curves, colours, flowers, forms; he wants candles, lights, and all the insignia and paraphernalia of ritual, that he may see God. His mind grasps God in those forms, as yours grasps him through the intellect. Then there is the devotional man, whose soul is crying for God; he has no other idea but to worship God and to praise him. Then again, there is the philosopher, standing outside all these, mocking at them.....

Our watchword, then, will be acceptance and not exclusion. I accept all religions that were in the past and worship with them all. I worship God with every one of them, in whatever form they worship him. I shall go to the mosque of the Mohammedan; I shall enter the Christian's church and kneel before the crucifix; I shall enter the Buddhist temple, where I shall take refuge in Buddha and in his law. I shall go into the forest and sit down in meditation with the Hindu who is trying to see light which enlightens the heart of everyone. The Bible, the Vedas, the Koran, and all other sacred books are but so many pages and an infinite number of pages remain yet to be unfolded. We stand in the present, but open ourselves to the infinite future. Salutation to all the prophets of the past, to all the great ones of the present, and to all that are to come in the future.

Overheard at the Veterinarian's: "I had my cat neutered. He's still out all night with the other cats, but now it's in the role of Consultant."

"Me sleep with Daddy last night", the kid told her kindergarten teacher.

"I slept with Daddy last night", the lady teacher corrected.

"Then you must have gotten into bed after I fell asleep," the child answered.

A couple hired a new chauffeur. The Memsahib asked him to take her out for shopping and was very shaken by the experience. Back home she pleaded with her husband; "Please dear, you must sack this new chauffeur at once. He is so rash he nearly killed me three times this morning."

"Darling, don't be so hasty," replied the husband, "give him one more chance."

"Doctor", said the man on the phone, "my son has scarlet fever."

"Yes, I know," replied the doctor. "I came by your house and treated him yesterday. Just keep him away from the others in the house and"

"But you don't understand," said the distraught parent. "He's kissed the maid."

"Well, that's unfortunate. Now we'll probably have to quarantine her"

"And doctor, I'm afraid I've kissed the girl myself".

"This is getting complicated. That means you may have contracted the disease."

"Yes, and I've kissed my wife since then."

"Damn it", exclaimed the doctor, "now I'll catch it, too:"

RELIGIOUS FANATICISM IS A CURSE FOR HUMANITY

Religious fanaticism, fundamentalism and bigotry are now taking a very severe toll in the world. Humanity faces the danger of further grievous depredations, which may lead to grave danger to civilization, built over many centuries. Amidst the array of religions and religious beliefs, of Christianity, Judaism, Islam, Zoroastrianism, Hinduism, Buddhism, Sikhism, Taoism and others, intolerance among some religions is arising, evidencing itself in extremism and terrorism; even within one religion sometimes religious divisions and dissensions are manifesting themselves.

Divinity, God, the Supreme Almighty, visualised in each religion in divine form, and His words and revelations recorded in the different sacred scriptures, instead of leading man to love, compassion and altruism, are unfortunately becoming focus of causation of intolerance and hatred. Revelations and words of Divinity recorded in holy books, Bible, Koran, Vedas, Upanishads, Granth, Torah and other scriptures, are increasingly gathering momentum of diversity and alienation. Differences are often being magnified by extremists among priests, clergy, mullahs and monks, leading to germination of hatred and violence. The disquieting over-all picture is that difference and intolerance are now more in evidence than ever before.

For overcoming this unfortunate tendency of sinking further into quagmire of religious differences, bigotry and fanaticism, the proper remedy is that humanity should be exposed, to the maximum extent, and on wide-spread basis, to the reality and totality of existence in which man has emerged, in which humanity has taken shape, in which the concepts of Divinity and God have manifested into human consciousness and evolved into such all-encompassing diversities. Such exposure of man to the totality of Universe, and the beginning of man, can help to place religion in proper perspective and lead to introspection about the damage that is being done by man through fanaticism and fundamentalism.

These ideas of self-importance of religious beliefs need to be put on the canvas of totality; only then there will be possibility of recognition by man that he is not at the fulcrum of existence, that man's religion and religious beliefs are not the hallmark of entire existence. Let recognition arise in humans that they are mere specks in the Universe, striding about in self-importance on this tiny fragment of firmament, the earth.

The facts briefly presented below are findings of decades of intensive scientific studies, in the fields of astrophysics, astronomy, seismology, biology, botany as well as sciences connected with evolution, ascent of man, development of mind, and vast progress in areas of information technology, biotechnology, and all else. People should get acquainted with these facts so that they put religions, religious beliefs and religious edicts in proper perspective, and give due recognition to different places of worship including Churches, Synagogues, Mosques, Temples, Gurudwaras, and also put in proper place the priests and exponents of different religions.

It is now incontrovertibly established that Universe came into existence 15 billion years ago, through an explosion of nucleus of superdense and intensely hot matter which caused enormous burst of energy creating space itself which has since been expanding. This episode was a major cosmic event, given the appellation Big Bang. Science has not been able to find answer to the question how this originated; it is, however, not enough, in terms of scientific analysis, to assert that some supernatural power, Providence, God, created the Universe. From the moment of creation the Universe has been continuously expanding, scattering galaxies and stars all over and everywhere in space and these have since been receding. Size of expanded and continuously expanding Universe is not conceivable. A very rough approximation of size and distance can be formed from the fact that biggest telescopes have indicated that galaxies can be viewed presently upto 13 million light years distance and that it takes four billion years for the light to travel from the nearest galaxy to the earth, light travelling at speed of 1,86,000 miles per second. It is impossible to form an idea of the number of stars and galaxies that exist in the Universe.

Let us see how earth came into existence. It was formed 4-1/2 billion years ago through gravitational pull of a star which passed near another star, our sun. The gravitational pull culled out molten cluster which over the aeons congealed, creating the earth and its surrounding planets. Gravitation pull by the sun pulled out some matter from the earth which became the moon. It is impossible to conceive, in the totality of Universe, how many such formations, like that of earth and its planets, may have been created in the vast space of Universe. Over long aeons the molten matter of our earth cooled, forming valleys and mountains, and as some more ages passed, combination and retroaction of atoms brought about formation of water which filled the valleys, creating seas and eventually leading to creation of continents.

Rotation of earth on its axis led to the creation of day and night, and its rotation round the sun brought about seasons. Combination of water, seasons, seas and earth led to interaction of molecules and evolution of amoeba and microbes bringing about creation of life which developed into numerous forms, on land and in the seas. With further passing of many aeons life assumed numerous forms, of vegetables, trees and animals, and in due course various types of birds and animals came into existence; primates emerged from apes and further developed into variations of humans, inhabiting different continents. Mind continued to further develop and with passage of more ages humans invented sciences and technologies, and the present-day civilization.

This is a very tiny glimpse of how Universe was created, how earth was formed, how life got created on earth, how human beings emerged, how continents got inhabited, and how mind developed and led to the growth of civilization and the evolution of present-day sciences and technologies.

These facts need to be borne in mind when talking of religions and religious beliefs. Mind of man, in the process of evolution, evolved the concepts of Divinity and God as the creator. Then emerged different religions and their symbols, and different forms of Providence, the creator; these multiplied all over, practically in every country and region, as they progressed through decades and centuries of history.

When the creation of man came about through processes of evolution, on this tiny speck, the earth, in the vastness of Universe, it is necessary for people to ask whether there is any justification for causation of differences and clashes among the people on basis of their religions and their beliefs, of fundamentalism and fanaticism and through the processes of these extreme aspects of religious beliefs, to indulge in activities which can cause privations and deprivations to other human beings who follow different religions. People have to wake up to these facts of reality and not mix these with their religiosity and bigotry. The main criterion in any religion should be gratitude to nature in which Universe, earth, life, and man have emerged, as well as love and compassion for all other humans which too have evolved on the earth, whatever forms their religious beliefs have adopted.

Taking account of all these facts based on incontrovertible scientific findings man has to put before himself the totality of picture of creation of Universe, creation of earth and of life, evolution of man, and the evolution of religions and religious beliefs, and then ask whether it is desirable and worthwhile to build such manifestations in religions which should cause dissensions among different communities and people, and lead to senseless unrest, violence, terrorism, alienation and hatred. All right-thinking people need to examine this totality and then see what contribution they can make to remove the ugliness of fanaticism and fundamentalism from religions.

A lady approaches a priest and tells him, "Father, I have a problem. I have these two talking female parrots, but they only say Hi, we are available. Do you want to have some Fun?"

"That's terrible!", the priest exclaimed, "Bring your two talking female parrots over to my house and I will put them with my two male talking parrots who I have taught to pray and read the Bible. My parrots will teach your parrots to stop saying that terrible phrase and your female parrots will learn to pray and worship."

So the next day, the lady brings her female parrots to the priest's house. The priest's two male parrots are holding rosary beads and praying in their cage.

The lady puts her female talking parrots in and they say, "Hi, we are available! Do you want to have some Fun?" One male parrot looks over to the other male parrot and says, "Put the Bibles away! Our prayers have been answered!!!"

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It was her wedding night and the sweet young thing was in a romantic haze. "Oh darling", she sighed, "we're married at last. It's all like a wonderful dream:" Her husband didn't answer.

A few moments passed, she sighed again, and said: "I'm afraid I'll awake in a moment and find it isn't true." Still no response from her spouse.

Another pause and another sensuous sigh, then, softly: "I just can't believe that I'm really your wife."

"Damn it", growled her mate, "as soon as I get this shoelace untied you will !"

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NASA was interviewing professionals to be sent to Mars. Only one person could go, but he would not return to Earth. The first applicant, an American engineer, was asked how much he wanted to be paid for going. "A million dollars", he answered, "because I wish to donate it to M.I.T.". The next applicant, a Russian doctor, was asked the same question. He asked for two million dollars. "I wish to give a million to my family," he explained, "and leave the other million for the advancement of medical research."

The last applicant was an Indian politician. When asked how much money he wanted, he whispered in the interviewer's ear, "Three million dollars." "Why so much more than the others?" the interviewer asked. The Indian politician replied, "\$1 million is for you, I'll keep \$1 million, and we'll give the American engineer \$ 1 million and send him to Mars."

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NEWS

CASES IN COURTS

Back-log of cases in courts of India is alarming, from the small causes court to the Supreme Court 2-1/2 crores of cases are now pending in the country. There are about 12,400 courts. Average institution of cases per court was 1017 in 1998 and average disposal was 994. Disposal of 2-1/2 crores cases will take 320 years, provided there is no institution of new cases. With our court holidays, five-day weeks, lawyer's strikes, 'not-attending the courts because of a lawyer's death', unnecessary adjournments, changing of advocates, producing documents a day prior to the pronouncement of judgement, effective work in the courts is for only about 6-7 months in the year.

Chief Justice of one of the States alongwith other Judges of the High Court is stated to have disposed of 2,40,000 cases during a short period. These included 21,000 cases which were more than 7 to 15 years old. He got 30 Fast-track courts established; lists were got printed in book form with index facility which saved time and energy; 20,000 non-bailable warrants are stated to have been executed; Cause lists were put on the internet; Bail orders and other interim orders were issued in computerised form on the same day of the order; he got 50 computers sanctioned to computerise the High Court.

Chief Justice of another High Court has given a landmark judgement carving out principles on the basis of which the right to speedy trial guaranteed under Article 21 of the Constitution has been upheld.

It is generally known that in many criminal cases the accused adopt stalling and dilatory practices and these are often responsible for sabotaging the disposal of cases. A familiar tactic adopted on behalf of the accused is to go up in appeal or revision on all sorts of pleas, and to get the hearing stayed and the disposal delayed. It is satisfying to note that certain High Courts are now working on the basis that wherever the accused is responsible for or is either engineering or contributing to the delay, he cannot be allowed to take advantage of the same. Certain criminal cases have been found to drag on for even two decades during which period not more than even ten witnesses have been examined.

There is no doubt that delay in courts is like cancer. Delayed justice kills the judicial system. Adjournments on false grounds need to be stopped. It needs to be loudly claimed that the courts are meant for the people and they are not meant for lawyers and judges. The courts should not be lawyer-oriented courts nor they need to be judge-oriented courts. Courts should be client-oriented.

PARLIAMENT

Automatic suspension rule comes into force

The rule providing for automatic suspension of any member who troops into the Well of the House or otherwise obstructs its business came into force from Thursday (6.12.2001). The suspended member will not be entitled to TA/DA for the period of suspension nor permitted to attend meetings of parliamentary committees during this period.

The amendment to the Rules of Procedure and Conduct of the Business of the Lok Sabha-the first since they were framed in 1952, states that a member coming into the Well or on being named by the Speaker stands automatically suspended from the House for five consecutive sittings or the remainder of the session whichever is less.

Members abusing the rules persistently and willfully obstructing its business by shouting slogans will also be punished. The amendment was an outcome of a meeting convened by G.M.C. Balayogi in August to discuss growing incidents of disorder in the House.

169 UP legislators have criminal records

Former MP of Faizabad Mitrasen Yadav was convicted for murder. He was given presidential pardon. Congress leader JN Kaul too was pardoned after being convicted on a murder charge. A minister for state in Rajnath Singh's government was booked for stealing a bicycle in Sant Ravidas Nagar. The high court has passed strictures against a present cabinet minister and said "he is not fit to be a minister". At least five legislators were brought from different jails to cast their votes in the Rajya Sabha biennial polls.

There may not be convictions, but the fact remains that UP is full of legislators and ministers – 169 to be precise – who have a criminal background. All political parties have criminals in their ranks or as office-bearers though top leaders of the parties talk of a criminal free and corruption free political system.

These politicians and ministers face all conceivable criminal charges. One minister was booked for stealing a cycle. Another is facing a rape case. A minister of state was considered to be an active supporter of Shiv Pratap Shukla the dreaded contract killer. A cabinet minister warned an IPS officer "of dire consequences" while another cabinet rank minister was once held under the Terrorist and Disruptive Activities Act. He was, however, set free by the court.

from Lok Sevak Sangh

Delhi logs 12,500 traffic violations daily

DELHIITES have another thing to be proud of. According to an analysis by Delhi Traffic police, 12,500 challans and notices are issued daily in the Capital. This figure is for the first nine months and will rise by 25 per cent by the end of the year.

According to the Delhi Traffic police, the vehicle population in the capital at present is nearly 36.50 lakh. And till September, 2001 Delhi Traffic police has issued nearly 22 lakh challans and 13.63 lakh notices with another three months to go.

"Practically every Delhiite violates a traffic rule everyday and this is more than evident from the number of challans and notices that have been issued to date," said Arun Kampani, DCP Traffic (New Delhi), explaining the study that he recently concluded. "A look at the statistics reveals that at present every vehicle owner commits one violation. But these violations will go up by another 25 per cent before the year ends and this will hike the vehicle-challan ratio to 1:1.25," he added.

Another interesting aspect of the study is that the maximum number of notices and challans have been sent to cars/jeeps (the figure amounts to 59.3 per cent of the total number of prosecutions). Next in the line of offenders are two-wheelers at 55 per cent. Incidentally, of the total number of vehicles on the Delhi roads, 62 per cent comprise two-wheelers. This number is followed by cars which, at 9.33 lakh, are 25 per cent of the total vehicle population.

And when it comes to violations, the type of offence that tops the list is carrying excessive or the wrong type of load by commercial vehicles. This is followed by improper parking, jumping traffic lights, defective number plates, riding without helmet and over-speeding among others.

And this exercise obviously pays off. To date the traffic police has compounded an amount slightly more than Rs. 22.83 crore. At nine months, this figure is already higher than all of last year's Rs 15.06 cr. "Delhiites have to stop thinking that they can get away with anything. There is an unobtrusive policeman at every traffic intersection who jots down everytime they break a law," said the DCP. So unless, motorists learn to toe the line, and not step on that accelerator, these numbers will just go higher.

VIPs in the disturbed country on the hit list had been sent an elaborate set of don'ts to elude terrorists on their trail. Of these the most important are not to follow a regular routine but vary their timings and change their habitat as often as possible, e.g., don't go for your morning or evening walk at the same time to the same part, don't go to the same hotel or restaurant everyday etc. To these precautions, a wit who knows the habits of politicians there, added: "Don't sleep in the same bed with the same person every night".

FOUR PEOPLE EVERYBODY SOMEBODY ANYBODY NOBODY

There was an important job to be done
and EVERYBODY was asked to do it.

EVERYBODY was sure SOMEBODY would do it.

ANYBODY could have done it,
but NOBODY did it.

SOMEBODY got angry about that
because it was EVERYBODY'S job.

EVERYBODY thought ANYBODY could do it,
but NOBODY realised that

EVERYBODY wouldn't do it.

It ended that EVERYBODY blamed

SOMEBODY when actually
NOBODY asked ANYBODY.

From GITANJALI OF RABINDRANATH TAGORE

Leave this chanting and singing and telling of beads: whom dost thou worship in this lonely dark corner of a temple with doors all shut? Open thine eyes and see thy God is not before thee:

He is there where the tiller is tilling the hard ground and where the pathmaker is breaking stones. He is with them in sun and in shower, and his garment is covered with dust. Put off thy holy mantle and even like him come down on the dusty soil:

Diliverance? Where is this diliverance to be found? Our master himself has joyfully taken upon him the bonds of creation; he is bound with us all for ever.

Come out of thy meditations and leave aside thy flowers and incense:

What harm is there is thy clothes become tattered and stained? Meet him and stand by him in toil and in sweat of thy brow.

Here is thy footstool and there rest thy feet where live the poorest, and lowliest, and lost.

When I try to bow to thee, my obeisance cannot reach down to the depth where thy feet rest among the poorest, and lowliest, and lost.

Pride can never approach to where thou walkest in the clothes of the humble among the poorest, and lowliest, and lost.

My heart can never find its way to where thou keepest company with the companionless among the poorest, the lowliest, and the lost.

FROM HIS HOLINESS DALAI LAMA

Never give up, no matter what is going on.

Never give up, develop the heart.

Too much energy is spent developing the mind, instead of the heart.

Be compassionate; Not just to your friends, but to everyone.

Be compassionate; Work for peace in your heart and the world.

Never give up; no matter what is happening.

No matter what is going on around you.

Never give up.

Anyway

People are unreasonable, illogical and self centered. Love them anyway!

If you do good, people will accuse you of selfish ulterior motives. Do good anyway!

If you are successful, you will win false friends and true enemies. Succeed anyway!

The good you do today will be forgotten tomorrow. Do good anyway!

Honesty and frankness makes you vulnerable. Be honest and frank anyway!

The biggest men with the biggest ideas can be shot down by the smallest men with the smallest minds.

Think big anyway!

People favor underdogs but follow only top dogs. Fight for some underdogs anyway!

What you spend years building may be destroyed overnight. Build anyway!

Give the world the best you have and you'll get kicked in the teeth.

Give the world the best you've got anyway!

FOUR Poles were waiting on a railway platform for the "Warsaw Mail" when an announcement came on through the public address system. The train would be late by over two hours, the announcer said expressing his regrets. Since there was a lot of time to kill the foursome decided to go into the city and spend some time there.

After a few hours, when they were returning, they entered the station to see the 'Warsaw Mail' pulling out of the platform. So the four Poles ran desperately to catch the train. At last one of them managed to get onto the middle bogie, while another caught the last bogie. Half an hour later when the two Poles met each other on the train they started laughing uncontrollably. They went on laughing uproariously until the other passengers got curious. One of the passengers finally asked the duo:

"Hey mister, what's so funny? Why are you both laughing like there's no tomorrow?"

Through their laughter one of the Poles finally managed to reply: "Our two friends who came to catch this train got left behind... we'd just come to see them off!!"

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"Mother," Dad said, "I'm going to find out what Jackie wants to be when he grows up. Watch."

He put a ten-dollar bill on the table; it represented the banker. Next to it he placed a brand new Bible, representing the clergyman. And beside the Bible he placed a bottle of whiskey, representing the bum.

Mother and Dad hid where they could see the articles on the table. Jackie, whistling happily, entered the room and spied the arrangement on the table. He looked around to see that he was alone. Satisfied, he picked up the bill and held it to the light; and replaced it. He fingered the pages of the new Bible. He looked around once more. Then he quickly uncorked the bottle and smelled the contents. And, in one motion, he stuffed the bill in his pocket, lodged the Bible under his arm, grabbed the bottle by the neck and slid out of the room, still whistling.

"Good Lord," Dad said to mother. "He's going to be a politician."

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OUR ACTIVITIES AND PROGRAMMES

COMMON CAUSE, a registered Society with membership all over the country and operating on All India basis, has earned reputation and credibility as an Organisation dedicated to public causes for seeking redress for problems of the people. Its initiative in public interest litigation, for solving the common and collective problems of the people, has greatly contributed to the evolution and spread of the system in the country and its adoption by the people on a substantial scale for effecting redressal of public grievances.

A large number of writ peitions have been filed by the Organisation in the Supreme Court and Delhi High Court, and quite a few important cases have been taken to the National Commission established under the Consumer Protection Act. The very first case taken up by COMMON CAUSE, almost two decades ago soon after its establishment, related to the problems of pensioners. Almost four million pensioners benefited from the three important decisions which the Organisation was able to secure from the Supreme Court, relating to the extension of liberalisation of pension, restoration of commutation of pension and

OUR GRATEFUL THANKS

We have the privilege of receiving assistance also from the well known Friedrich-Naumann-Stiftung of the Federal Republic of Germany, the Foundation which is supporting various projects and activities connected interalia with consumer awareness, entrepreneurship development, economic and civic education, environment protection, legal services, income generation and rural development. The Foundation is named after the known socio-liberal statesman Friedrich Naumann and works towards his ideals and the vision of Liberal society. In India the Foundation operates from USO House, 6, Special Institutional Area, New Delhi-110067

We are also grateful to Kumari L.A. Meera Memorial Trust, Kerala, for providing us financial assistance for our activities.

extension of the scheme of family pension. An important matter relating to the pending criminal cases of the courts of the country was taken to the Supreme Court. In our writ petition specific suggestions were submitted for adoption of procedures for dealing with backlog. The important decision given by Supreme Court in this case led to the discharge of large number of accused persons and release of prisoners whose cases had dragged on for long periods. These directions have brought about termination of hundreds of thousands of cases all over the country. On the subject of general malfunctioning of Blood Banks a writ petition was formulated and taken to the Supreme Court. Directions given by the court on this important matter has led to the evolution of system for registration of Blood Banks and stoppage of use of professional blood donors. On the general matter of corruption and establishment of the institutions of LOKPAL and LOK AYUKTAS in the country the Supreme Court, on a writ petition of the organisation, gave a verdict of severe punishment in a particular case, and the matter relating to the appointment of Lok Ayuktas has continued to be pursued by issuing direction to all States. On another writ petition the Supreme Court gave very important direction in relation to the conduct of election campaigns by the political parties, in relation to a provision which has been incorporated in the election law. The Court also directed strict

compliance with law in relation to the submission of Income-tax Returns by the political parties.

In Delhi High Court a number of writ petitions have been filed by the organisation. Problems of general importance, such as anomalies arising in the Property Tax and the difficulties encountered in the operation of old Rent Control laws, have been taken up and are being pursued. There has been large-scale theft of electricity in Delhi on account of which electric distribution has often got disrupted and the authority has had to resort to load-shedding; these problems have been taken to Delhi High Court and are being pursued. A major problem in Delhi has been the large-scale establishment of unauthorised residential colonies. There has been demand for their regularisation; this was challenged by the organisation and the matter continues to be further pursued.

An important matter relating to Rail Disasters which have taken place in the country in recent years has also been taken to the Supreme Court. Other important matters recently taken to the Supreme Court include the functioning of Fake Universities and ineligible Teaching shops, Crime and Violence on TV, Telephone freebies to over 3 lakhs employees, required change-over to two Time Zones, and deficiencies found in the implementation of Voluntary Disclosure of Income Scheme (VDIS) of GOI. The National Commission established under the Consumer Protection Act has, on our submission, issued certain important decisions on matters such as use of iodized salt, stoppage of malfunctioning in relation to intravenous fluids, operation of buses on Delhi roads and strikes by Banks and Air India. Important decisions in general interest of consumers secured from the Supreme Court include establishment of Consumer Forums in all districts of the country and price printing also on all imported packages.

Membership of the organisation is open to all. Membership fees are Rs. 100 for annual membership for individuals, Rs. 500 for life membership and Rs. 200 for annual membership of organisations and associations. Quarterly Periodical COMMON CAUSE goes free to all members; it has no separate subscription. Donations to COMMON CAUSE are eligible for exemption available under Section 80-G of Income Tax Act. Everybody can take membership of the organisation. No form is required. Send your name and address, written in capital letters, along with cheque/DD, drawn in favour of COMMON CAUSE.