

# COMMON CAUSE

VOICE OF "COMMON CAUSE"

**REQUEST TO MEMBERS : KINDLY SEE PAGE 17 FOR ANNUAL GENERAL MEETING**

- 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.
- Membership fee for individuals is Rs.100 for one year; Rs.500 for life membership for individuals; Rs. 200 for annual membership of organisations and associations. Send by crossed cheque/demand draft in favour of COMMON CAUSE.
- We receive numerous letters. Replies are invariably sent. On the average our receipt is about 20/30 letters every day. Kindly, therefore, write only when you must; letters received in local language present us difficulties in deciphering.
- Donations to COMMON CAUSE are eligible for exemption available under Section 80-G of the Income Tax Act. Your donations, and those of your friends, will be most welcome indeed.

## CONTENTS

In this issue of our periodical we have submitted the picture of our Country's Progress, the unfortunate malaise of Corruption, the serious problems of Witchcraft, Sorcery and Tribal Slavery which in different parts of the country are scourge, yet to be cleansed. These recounts are in the initial portion : (i) OUR PRIDE - "MADE IN INDIA", (ii) OUR SERIOUS CONCERN : CORRUPTION, (iii) OUR CURSE : WITCHCRAFT, SORCERY & TRIBAL SLAVERY. In the fourth part of the issue we have reproduced the Writ Petition which has recently been submitted by COMMON CAUSE to the Supreme Court on the worrisome subject of ACCIDENTS ON THE ROADS of the country which, incredible as it may appear, cause 80,000 fatalities and 4,00,000 accidents per annum. In this Writ Petition we have submitted specific suggestions for minimising this evil.

## OUR PRIDE : "MADE IN INDIA"

With our progress in Industry, Technology, Development and Trade we have now become a visible player in the global market. We have been able to reach the stage where we have thousands of obsessed and achieving entrepreneurs. They have traversed long miles during the last couple of decades and are now equipped for further long miles to go, for winning in the global market race. These entrepreneurs are the newly emerged groups of global champs, flag bearers of the bench mark "Made in India".

Doctors in countries like U.K. and U.S.A. are prescribing medicines manufactured in India; tractors made in India are reported to be a huge hit in Texas; large number of laminated tubes of toothpaste and cosmetics squeezed anywhere in the world, are of Indian origin; 100 million alkaline batteries are exported everywhere by one firm. Dozens of famous global fashion marketeers are buying clothes made in India.

"Made in India" label has now become a player in the global super market. During the last year, even though the global market was somewhat sluggish, top 100 Indian companies made a turn-over of more than Rs. 70,000 crores. Today there are sixteen companies whose exports every year net over Rs. 1,000 crores; 15 companies which export goods worth over Rs. 500 crores and 150 companies which bring in foreign exchange of Rs. 100 crores. The sector of steel products, which have previously been much maligned, last year sold its goods worth Rs. 3,000 crores in the international markets, most of the orders coming from our competitor China.

The well-known global analyst Forbes has now put 18 Indian companies, compared with 13 in 2002 and 10 in 2001, in the Forbes Best of one billion dollars companies. The industry claims that the strides have been made by Indian companies consequent upon abolition of licence-permit raj, removal of imposition of limits on production, reduction in import tariff, and lifting of quantitative restrictions; these have opened the doors of competition. Companies have

## NOTICE & AGENDA FOR ANNUAL GENERAL MEETING

**OUR PRIDE : "MADE IN INDIA"**

**OUR SERIOUS CONCERN : SCAMS & SCANDALS**

**OUR CURSE : WITCHERY & SORCERY; DALIT SLAVERY**

**WRIT PETITION ON ROAD ACCIDENTS IN INDIA**

trimmed the fat to emerge as competitive companies in international markets. Tata steel, as an instance, is stated to have shed over 30,000 employees to emerge as the lowest cost producer of steel in the world. Many companies have brought about management changes, and have merged or acquired in order to attain larger size. It was realised by the companies that if they wanted survive they had to restructure to become as good as any international company; that itself opens avenues in the market. They realised that the critical quotients were quality and processing.

As new trans-nationals came into the economy with new products, Indian companies considered it necessary to expand in order to meet the challenge. In fact, the entry of trans-nationals has been a boon. As an example, the Automobile sector rose higher to meet the challenge when Fords, Hyundais, Benz and Toyota came to India; they got into the act. This is how there are now 250 automotive suppliers in India with offices in Mysore, Delhi and Chennai among other places.

These changes have come about because Indian entrepreneurs banked on technology and quality to meet the challenge. The company whose family was in foodgrains business, decided to export towels. Quality being the critical factor the company decided to invest in procurement of the best machinery and equipment. The company's efforts have paid off.

Some of the products have attained high scores in exports from India. Clothes and garments of different varieties are being exported to large number of countries; total exports of these have already reached the figure of \$ 50 billion. In the first six months of current year 2003, India exported 2.21 lakh Automobiles across the world, including 1.26 lakh Motor-cycles and 53,000 Passenger Cars. Retailers from various countries have started purchasing large quantities of goods from India. These exports have reached the figure \$ 5.3 billion. By 2006 the top retailers of various countries are likely to buy goods worth \$ 20 billion from our country. Leather goods worth Rs. 450 crores have been exported to United States and Germany; it is estimated that orders worth \$ 100 million will soon be secured by the country in the next few months. Pharma exports of various medicines are expected to reach the figure of \$ 55 billion in the next five years. Auto parts worth Rs. 6,800 crores are being exported from India. The well-known Reliance Company earned Rs. 10,629 crores from exports last year. The exports of Tata Sons reached the figure of Rs. 9,658 crores last year. Exports of this company include automobiles, commercial vehicles, software, finished leather goods, packaged tea and steel. A company manufacturing shoes has reached the export figure of Rs. 85 crores in the year. Arvind Mills earned Rs. 648 crores from exports last year; their exports included shirts, trousers, fashion accessories. The company known as Welspun India has exported towels worth Rs. 100 crores last year.

Bharat Forge has been able to increase its exports by 150 percent in last year. Every second truck in U.S.A. has front axles made by this company. It supplies critical parts like Axle, Crant Shafts and connecting rods. Backed by advanced technology and flexibility it supplies parts to 24 international cutomers in different countries. Its pricing is competitive. Its response is fast, and its quality is claimed to be among the best; it controls 60 percent of USA and 30 percent of the world market. Essel Propack can claim that every third tube in the world is produced by Essel Propack. A chance visit to INTER PACK FAIR in Germany, couple of decades ago, energised the Chairman of the company, to envisage the future of laminated tubes and he set up a plant. Liberalisation had paved the way for the success of plant. Today it is claimed that the company has 17 plants in 12 countries.

These achievements of some of our outstanding companies, in the advancement of technology, quality and initiatives for reaching out their exports to world markets, are matter of pride for the country, and are indicative of what India will further achieve in the coming years.

A newspaper advertisement issued by the Government of India is indicative of the present progress and attainments:

### HIGHLIGHTS :

"Within corporate offices, everyone is cheerful. The stock markets are active. Bankers are positive. Marketeers are happy. Exports are rising. And the rupee is appreciating. In fact, our foreign exchange reserves now stand at over US \$ 100 billion. All facts and figures that insulate us from fluctuating economies, make us more stable, and herald a future full of progress and promise. There is growing enthusiasm, and people feel that India is stronger and will shine even brighter.

- Forex Reserves at an all time high of over US \$ 100 billion;
- Stock markets at a 3 year high;
- Rupee at a 3 year high against the US dollar;
- Strong rural economy."

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Wife, reading husband's fortune card from scale : "You are a leader, with a magnetic personality and strong character. You are intelligent, witty and attractive to the opposite sex." She paused. "It has your weight wrong too".

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Mother : "Why so late coming home from school?"

Boy : "The bus driver broke down."

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## OUR SERIOUS CONCERN : SCAMS & SCANDALS

While India has reached great heights in practically all areas of development and progress, it has unfortunately not been able to cleanse itself of corruption. In this context it is noteworthy that our Prime Minister had declared that corruption must be given zero tolerance.

Every Indian is aware that he faces corruption practically at every step in daily life. It could be an application for driving licence or a passport, a licence to set up a business or clearance of cargo through customs. It is most unfortunate that whereas corruption previously was in low figures, and at lower levels, it has now climbed to greater heights, amongst people in business and industry and among politicians and bureaucracy. There are hardly any areas which now remain unpolluted by this malaise. Politicians, bureaucrats, industrialists, traders and even professionals, engineers, doctors, teachers and numerous others do not hesitate to indulge in it. It would not be incorrect to say that corruption has penetrated almost every nook and corner of our society.

Transparency International, the well-known organisation, ever watchful against corruption, has in its compilation put India at 73rd position among 102 countries in the context of our reputation for corruption. In this context one is reminded of a Joke which signifies the unfortunate reputation that India has attained in this sphere :

*"Three Heads of States are stated to have gone before God. American Head of State asked God as to when corruption would end in his country. God replied it would take 40 years. This Head of State was a very old man of over 65 years; he started crying, saying that corruption will not end in his life-time. The Japanese Head of State then stood before God and asked the same question. He too was an old person of over 70 years. God replied that it would take at least 35 years. Japanese Head of State also started crying, saying that corruption will not end in his life-time. Thereafter, Indian Head of State went before God and asked as to when corruption would end in India. At this God broke down and started crying, saying that corruption will not end in your country in my life-time."*

Scams and scandals of corruption have been prominently before the people during the last many years; in this, the administration and judicial systems have not been able to achieve any positive results during the long years. These, dubbed as "Smoking Guns" of the last 50 years involving the total of Rs. 22,376 crores, in which 221 cases and 149 charge-sheets have been filed, are of following pattern, which are mentioned in a previous issue of this periodical :

- BOFORS GUN : Rs. 65 Crores; case filed on 22-01-1990; Charge-sheet filed on 22-10-1999; Convictions : None as yet; Recoveries : Nil.
- HDW SUBMARINES : Rs. 32.55 crores; Case filed on 05-03-1990; Charge-sheet filed : The CBI has asked for permission to close the case. Convictions : None as yet.
- AIRBUS : Rs. 120 crores; Case filed on 23-03-1990; Charge-sheet not filed yet; Convictions : None yet; Recoveries : Nil.
- STOCK MARKET : Rs. 4,100 crores; Cases filed ; Charge-sheets filed : Convictions ; Four; Recoveries : Nil.
- INDIAN BANK : Rs. 762.92 crores; Cases filed in 1992; Charge-sheets filed ; Convictions : None yet. Recoveries : Nil. Government have pumped in funds to revive bank.
- HOUSING : Rs. 65 crores; Cases filed in 1996; Charge-sheets filed ; Convictions : Four junior officials in two cases; Recoveries : Nil.
- FODDER (BIHAR) : Rs. 950 crores; Cases filed in 1996; Charge-sheets filed; Convictions : One (three officials); Recoveries : Nil.
- PETROL PUMPS : Cases filed in 1996 and 1997; Charge-sheets : None as yet; Convictions : None; Recoveries : Nil.
- UREA : Rs. 133 crores; Case filed in 1996; Charge-sheet filed; Conviction : None.



- BHANSALI FRAUD (CRB) : Rs. 1,031 crores; Case filed in 1997; Charge-sheet filed; Convictions : None; Recoveries : Nil.
- TELECOM : Rs. 1,200 crores; Cases filed in 1996; Charge-sheets filed; Convictions, one - all accused have gone in appeal. Recoveries : Rs. 5.36 crores.
- ANOTHER FRAUD (KAYPEE) : Rs. 3,218 crores. Cases filed in 2001; Charge-sheets filed; Convictions : None yet; Recoveries : Nil.
- UTI : Rs. 9,500 crores; Case filed : One in 2001; Charge-sheet : Not filed as yet; Recoveries : Nil.
- SWINDLING OF INVESTORS (HOME TRADE) : Rs. 1,200 crores; Case filed in 2002; Charge-sheet : Not yet filed; Conviction : None; Recoveries : Nil.

### INVOLVEMENT OF BUREAUCRACY :

We have one of the largest bureaucracies of the world, consisting of 20 million employees costing Rs. 70,000 crores per annum. In recent times our bureaucracy has unfortunately earned the reputation of including some instances of "robbercracy" as the magazine INDIA TODAY has claimed; the "steel frame" of India is being given the name "steal frame". Some examples have been given by this magazine. Let us briefly look at these.

TIRLOKI NATH SHARMA, CHIEF ELECTRICAL INSPECTOR OF PUNJAB STATE ELECTRICITY BOARD, has been found to possess Rs. 2.28 crores. From his salary he would have required many years to collect the moolah that was found on him. It was found that he was collecting money to issue NOCs, taking bribes for ensuring uninterrupted power supply and certifying that Industrial Units were consuming less power at lower loads than they actually were using. Punjab Vigilance Bureau caught this officer red-handed when he was accepting money from an Industrialist. SUBHASH SHARMA, VICE-CHAIRMAN OF DDA was arrested early this year by CBI for undue favours to some builders in exchange for Rs. 1.1 crore. His share in the amount was stated to be Rs. 50 lakhs; an IAS OFFICER ANAND MOHAN SHARMA benefited from this transaction by Rs 36 lakhs. This officer has been suspended and probe is on. VARINDER SINGH, ADVISER TO THE ADMINISTRATOR, CHANDIGARH, was hauled up for being found by CBI raid in possession of Rs. 30 lakhs in cash, Fixed Deposits worth Rs 46 lakhs, gold jewellery of Rs 13.72 lakhs. CBI subsequently found also three vehicles and one acre plot in West Delhi, a 700 sq. yds plot, a two-room building on a 300 sq. yds. plot, a seven acres Farm, a Computer Institute, a built up Farm House, two shops, another house of 274 sq yds plot - all these spread over South and Central Delhi. A Petrol Pump and 5.5 hectares Farm in Moradabad, Uttar Pradesh, plus documents of other immovable properties were later discovered. Purchase price (not market price) of property and land as established from recovered documents is estimated to be quite a few crores. FORMER CHIEF EXCISE COMMISSIONER, DELHI, S. MISHRA, was arrested in 2001 for taking bribe of Rs 10 lakhs from Flex Industry. CBI found Rs 8 lakhs in cash, and Bank Deposits, two flats in Ghaziabad, a flat in Haryana and ten Bank Accounts. He has been arrested and is facing charges. AN IAS OFFICER OF MANIPUR, L. GANGTE, is alleged to have colluded with Transport Contractor for short supply of rice from Food Corporation of India warehouse to drought affected areas. He was found guilty of allowing the Contractor to short-supply of 574 tonnes of rice, worth Rs 20 lakhs. CBI investigated the case; Chief Vigilance Officer sanctioned prosecution in November, 2002. He is stated to be still in service and no action has been taken. FORMER CHAIRMAN OF PUNJAB PUBLIC SERVICE COMMISSION, RAVINDER PAL SIDHU, is stated to have been caught red-handed while taking bribe of Rs 5 lakhs to promote an Excise Inspector to Punjab Civil Service. State Vigilance Bureau unearthed ill-gotten wealth of Rs 28 lakhs from him. He is facing trial. AN INDIAN REVENUE OFFICER, A. R. PARMAR, was caught accepting a bribe of Rs 50,000/- as Commissioner of Appeals, Mumbai. Assets worth Rs 2.1 crore were recovered from him, including flats in Delhi, Ahmedabad, Indore, Agra; 22 expensive watches; he was found to be operating 12 Bank Accounts; travelled sixteen times with family to various foreign countries. He is now facing charges. FORMER CHAIRMAN OF CENTRAL BOARD OF EXCISE AND CUSTOMS was arrested in April, 2001 by CBI for accepting a bribe of Rs 2 lakhs through his son and for amassing ill-gotten wealth; he is stated to have helped a Chennai based Trader to avail Rs 75 lakhs duty draw-back. He has retired and is stated to be on bail. Another INDIAN REVENUE OFFICER, L. S. PAWAR, was found by CBI to have FDRs worth Rs 1.05 crore, a house in South Delhi, six flats in Mumbai, two offices in Mumbai, a house in Mohali, three Farms and

several shops in Maharashtra. He is stated to have been suspended and is facing charges. COMMISSIONER OF CHENNAI CORPORATION, M. KALAIVANAN, alongwith Deputy Chairman of Chennai Port Trust, is stated to have amassed wealth to the tune of Rs 66 lakhs. Based on investigations by State Vigilance Department, the Chief Vigilance Commissioner imposed a major penalty on him in November, 2002. No action is stated to have been taken so far. AN IAS OFFICER, MALAICHAMY, is stated to have been charged with having wealth disproportionate to known sources of his income amounting to Rs. 2 crores. CBI raid in April, 2002, revealed he had 24 properties spread over in Delhi, Ghaziabad, Noida, Greater Noida, Vellore and Bangalore besides cash in Bank Deposits and Gold worth Rs 20 lakhs. He has retired and no action is stated to have been taken against him. VIKRAMJIT SINGH, HEAD OF THE STATE SCHOOL COLLEGE Tribunal of Punjab, is stated to have amassed assets worth Rs 1.35 crore by misusing his position as Principal Secretary to the then Chief Minister, Parkash Singh Badal, according to CBI enquiry. FORMER CHAIRMAN OF MAHARASHTRA PUBLIC SERVICE COMMISSION, S. D. KARNIK, is stated to have been involved in recruitment drive in which candidates who paid Rs 3 lakhs got cleared in the examination. He is now stated to be in jail, awaiting trial. Another OFFICER OF INDIAN REVENUE SERVICE, VIRENDER SINGH BAUTHIA, on a raid by CBI, was found to have amassed an amount of Rs 2 crores, six houses and six shops. He is under suspension and facing charges. R. PERUMALSWAMY, PA TO A FORMER UNION MINISTER, was arrested on 27-5-2003 while accepting bribe of Rs 4 lakhs from an officer of Indian Revenue Service who wanted a transfer, CBI recovered Rs 69 lakhs in cash and Rs 85 lakhs in cheques.

The state of affairs has become a cause for serious concern. Major reason for the state of affairs is claimed to be that there is no accountability. Hardly anyone in the Government service gets punished for being corrupt. The Watch-Dog Bodies like Lok Ayuktas were set up for ensuring accountability but they are under-funded and given limited powers. The Watch-Dog has thus become practically toothless. 4,500 cases against corrupt officials are pending in Courts and 11,734 cases are pending with various Ministries, awaiting action. During 1998-2001, 2,256 cases are reported to have been registered by CBI, but till date there has been only one conviction.

**POLITICIANS :** In politics corruption has surfaced quite frequently at many places in the country. While corruption for personal gain is no doubt condemnable, one has to keep in view the fact that for fighting elections all sorts of stratagems have to be adopted by politicians as well as political parties, for collecting funds. Huge amount of funds are needed for various purposes relating to elections; organising rallies, setting up pandals, hiring trucks and loudspeakers, printing posters and banners, arranging vehicles and many other connected requirements. For long there were suggestions that funding of political parties should be placed on proper and lawful footing; receipts should be given for all donations; the donations should be made exempt from income-tax; and there should be proper maintenance of accounts by political parties (this requirement was directed also by the Supreme Court on our Writ Petition). There were also expressions of severe criticism in regard to Jumbo Ministries (U.P. has 98 Ministers presently), switch-over of individual legislators from one party to another entailing defection, and various other stratagems, on account of which politics in India had earned severe criticism. Recently, the Parliament has taken decisions which, when implemented, will make the desired changes in functioning of politicians and political parties. The decisions are : political parties will maintain accounts, receipts will be given for donations, defections will not be permitted, size of Ministries will not exceed 15 percent of members (12 Ministers in the case of smaller States).

In recent months there have been quite a few sensational developments regarding some important politicians. Mayawati of U.P., Parkash Singh Badal of Punjab (he was arrested for having indulged in corruption), Ajit Jogi of Chhatisgarh, Dilip Singh Judeo, Union Minister of State (these two caught separately on audio/video tapes); these are the recent highlighted examples.

Some scams of large size have emerged during the last few weeks. One very important scam relates to the printing of fake stamp-papers in which a known individual, previously a mere vegetable seller, Abdul Karim Telgi, is stated to have been involved. Former Police Commissioner of Mumbai, R. S. Sharma, is also alleged to have got involved in this scam. Telgi scam comprises thousands of crores of rupees and certain officers of Nasik Indian Security Press are alleged to have been involved in printing of the fake stamp papers. Another unfortunate imbroglio, known as IIM admission scam, is stated to be of leakage of the question-papers of Common Admission Test (CAT) for admission of students in the Institutes of Management, Ahmedabad, Bangalore and Kolkata. This scam is stated to have involved about Rs 2000 crores.



A very unfortunate development, which has been importantly highlighted by the media, relates to the alleged murder of Satyender Dubey, an engineer of IIT, Kanpur, who took courage to expose a case of corruption; he was gunned down for display of such bravery. His case has been taken up by the Government of India for ensuring action against the guilty persons. This case has been strongly taken up by the media.

India cannot afford to allow corruption to continue its depredations. Individuals will obviously not be able to deal with this problem; those who stand up for "blowing whistle" to draw attention and raise alarm, have had serious repercussions. The mentioned case of Satyendra Dubey is an example of such "whistle blowing". There is importance of probity in governance and in the functioning of personnel of public offices. It can be said that legislation alone is not the solution for overcoming this problem but at least it can help to considerable extent. The objective of such legislation is to protect informers against any harm for reporting wrong doing. Such laws have already been enacted in countries like Australia, U.K., Canada and United States. Law Commission of India is stated to be drafting a Public Disclosure Bill. Recommendation of the Commission is stated to have been made nearly three years ago; the Constitution Commission submitted its Report to the Government more than a year ago. Sincere and urgent consideration of the recommendations of the Commission, accompanied by other reforms in the areas of electoral processes, political parties, decentralisation of power, judiciary and legislatures, need to be urgently considered for finalisation. Mere passing of a half-hearted "whistle blowing" act may not help to stem the present rot, but such a law can pave the way for further improvements.

A very important requirement for curbing corruption is also the expansion and strengthening of network of Central Vigilance Commission and consideration of possibility of having its branches in the States, or alternatively to constitute counterparts of CVC in each State with full coordination with CVC. People must be convinced that the governmental authorities of the Centre and the States will continue to take strong measures to stem corruption and assure the people about doing this.

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Newlywed to his friend : "For the first week, I talked and my wife listened. The second week, she talked and I listened. Now we both talk and our neighbours listen."

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An artist asked the gallery owner if anyone had shown interest in his paintings. "I've got good news and bad news", said the proprietor. "The good news is that when I told one of my clients that your work would appreciate in value after your death, he bought all of them. The bad news is that the client is your doctor."

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A teacher was giving her pupils a lesson in logic. "Here is the situation", she said, "A man is standing up in a boat in the middle of a river, fishing. He loses his balance, falls in, and begins splashing and yelling for help. His wife hears the commotion, knows he can't swim, and runs down to the bank. Why do you think she ran to the bank."

A girl raised her hand and asked, "To draw out all his savings."

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Two shipwrecked sailors were adrift on a raft for days. In desperation one knelt down and began to pray. "Oh, Lord, I haven't lived good life. I've drunk too much. I've lied. I've cheated. I've gambled. I've caroused with women. I've done many bad things, but Lord, if you'll save me. I promise\_\_\_\_\_"

"Don't say another word!" shouted his shipmate, "I think I just spotted land".

...

How many civil servants does it take to change a light bulb?

Twenty-two : ten to form a committee, five to form a sub committee, three to form a working party, two to hold the ladder, one to put in the bulb and one to write the report.

...

A doctor was fuming when he finally reached his seat at a civic dinner, after breaking away from a woman who sought his advice on a personal health problem.

"Do you think I should send her a bill?", he asked a solicitor who sat next to him.

"Why not?", the solicitor replied, "You rendered professional service by giving her advice".

"Thanks", the physician said, "I think I'll do that."

When the doctor went to his surgery next day to send the bill to the woman, he found a letter from the solicitor.

It read : "For legal services, £ 50."

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## OUR CURSE

### CASES OF WITCHCRAFT & SORCERY

Recent Diwali witnessed a cold-blooded, heinous crime performed to appease the deities of progeny, at Dehri village of Saharanpur district in western UP. A person of criminal background, Popin and his friend Govardhan abducted Monu, a six-year-old boy of Narrandra Kumar and Rosan. Later, he was brutally killed by Popin's sister, Murti Devi and her husband Madan as per the instructions of a tantrik.

Popin handed over Rs. 5 to Monu and told him that his father, Narendra, was looking for him. Monu blindly followed him. The motive behind this abduction and 'child sacrifice' was Murti's desire to have a male-child, after the death of her three children. Murti cut the throat of the child and collected the blood in a vessel and bathed in it. After 20 days, the villagers found some part of child's body on the lonely banks of the Ganga main canal, where, the villagers believe, the sacrifice had taken place. The police have not yet succeeded in recovering his body fully. This is the fourth 'child sacrifice' reported from the western UP, within six months. Another boy was sacrificed in the village of Pawla Begumpat of Hapur in April, to achieve wealth and prosperity. In August, a man killed his deaf and dumb nephew, in the Hapur region, believing that the birth of a deaf and dumb boy is a curse on the family. Therefore, to please the 'gods' and exorcise evils, he offered the 'bloody' ritual.

In Rardhana village of Meerut, a newly wedded girl was killed, as part of performing the tantrik poojas. Two months ago a two-year-old girl was 'sacrificed' in the Malakpur village, near Bijnor.

More than twenty human sacrifices and related superstitions, excluding four children and a woman sacrifice, have been reported from the western UP this year. These are all to appease the deities to receive male children, improvement of financial status and exorcising evil forces that cause unhappiness and diseases in the family. According to police, these are only 'unnatural deaths'. For an ignorant insane, these heinous rituals are the only sources to attain wealth and relief from sufferings.

While walking on the brickpaved roads of Dehri village, one can see wolves rushing through the sugarcane fields, on both sides of the road. These wild animals could have eaten the other body parts of the sacrificed boy, soon after they were disposed after witchcraft. This is the main stumbling block in course of the investigation. Lack of solid proof, says a constable of Rampur police station.

Dehri is 15 kilometers away from district headquarters, Saharanpur. It enjoys many facilities, which are still not there in many UP villages. It was the cradle of Dalit awakening campaign. The Ganga main canal irrigates the whole village. There are schools and bitumen paved roads. But no public transport and medical facilities are available there. One has to walk seven kilometers to reach the Rampur-Saharanpur main road. Many government schemes are operational here but the social enlightenment is far away from that rural setting.

These dark villages cannot be swept clean by the external forces or inculcation. The bloodstained incidents might have shaken the consciousness of the righteous people across the country but evil forces pervade clandestinely in the bleak villages of rural India. There is no scope for penitential acts. The underworld of 'black magic' still entralls the ignorant people's wild-goose chase and these unreasonable rituals and paganism are so deep-rooted in their life.

It may be recalled here that minister of state for science and technology Sanjay Paswan is stated to have promoted superstition by playing the magician himself. In late September, Paswan walked over coals of fire wearing a cobra necklace in front of a selected audience of 2,000-plus comprising mostly of village exorcists, snake charmers, faith healers and others.

Paswan gave his demonstration of how to wade through burning firewood, keeping hundreds of viewers spellbound. He performed this 'miracle' during a seminar organised on the occasion of the anniversary of Bholu Paswan Shastri.

Paswan brandished swords to the delight of sorcerers and faith healers. Later, the minister also demonstrated the traditional faith healing system and danced along with his 'scientist' friends and others with bare sword in order to inspire them and to preserve the dying art.

His message for the larger audience of this ancient country. "These are all futuristic science and hence needs

promotion by the State, media and civil society... I am saying this with conviction, not politics in mind." Paswan's belief is strong. He said it was nothing but faith and strong belief in the tradition that kept him free from the impact of fire. He said the skill could be acquired by anybody who put some efforts in mastering the art. As a first step towards this tradition, the minister honoured 51 witch doctors, occultists, sorcerers and faith healers. His ministry would open two centres in Patna and Darbhanga for research in faith healing skills.

Even RJD chief Laloo Prasad Yadav, who scorns at the very mention of the word information technology, was livid. "Sanjay Paswan should be immediately sacked from the Union ministry for flouting the provisions of the Prevention of Witchcraft Practices Act, 1999, and for spreading superstition among the people, Yadav told reporters," When the world is laying stress on development of a scientific temperament, Paswan is busy patronising superstition in society."

In a caste-oriented political system, 'empowerment' does not necessarily mean elimination of the social evils. Political consolidation among Dalits of central India cannot be considered a byproduct of social reformation, like what Kerala, West Bengal and Maharashtra witnessed in the pre-Independence era. Therefore, the regimes of the 'oppressed' do not necessarily act as a catalysis for meaningful social reforms at the grassroots level. So the social order continues undisturbed and the State often fails to eradicate the primitive rituals and social cleavages. Each fragmented society in certain parts of India is tied up to the stakes of poignant beliefs and its religious identity, which prevent any upward motion of the community, morally and ethically. For every society, its self-expression is the caste. Even today, inter-caste marriage is treated as crime in most of the societies and they kill lovers, with the consent of their parents, to protect the 'dignity' of their family.

Recently, seven people of the Nat community were burnt alive in a remote Dostpur Shivli village of Unnao district of UP. The Nat community, which is hunted down by another section, fled from the Shivali village to get to safer places after this brutal massacre. Caste conflicts, heathen practices and starvation deaths are rampant in certain pockets, which are inexorably linked to the social backwardness, as a whole.

*(From Indian Currents Magazine)*

There was a recent news item : Condemning in most severe words the act of a tribal sacrificing a nine-year-old child to appease a deity in Jharkhand, the Supreme Court has upheld the death penalty awarded to him. The apex court said in such cases, extreme punishment "should be the rule". A bench comprising Justice Doraiswamy Raju and Justice Arijit Pasayat, upholding the death sentence to Sushil Murmu said, "This is an illustrative and most exemplary case to be treated as 'rarest of rare cases' in which death sentence is and should be the rule with no exception whatsoever." "No amount of superstitious colour can wash away the sin and offence of an unprovoked killing, more so in the case of an innocent and defenceless child," the Bench added.

It is obviously of paramount importance that the society, the ruralites in particular, must be rid of superstitions and the performances of the nature of such witchcraft.

## TRIBAL SLAVERY

SLAVERY is not what you read in history books. It's there in our midst. For those of you who reside in cities, a visit to neighbourhood flat will bring you face to face with slavery. Just take the case of Sanjita Tele. She hails from Orissa and came to Delhi through a recruiting agency : "A recruiting agent working in Dilshad Colony, in Delhi, brought me here. I worked as a housemaid in an industrialist's house in Ghaziabad. I had to start my work at 5 am and all I got to eat was two rotis at 4 pm. My chores used to last till midnight. I had to put up on the terrace of the house for the night, where I had to face the mosquitoes, heat, cold and dust. They didn't provide me with any bedding. When they were angry, they used to place heated iron rod on my body. I grew very weak and wanted to escape from that hell, but I couldn't. A neighbour happened to know about my miseries and informed the police."

Sanjita Tefe's is not an exception. Marita Dung of Jharkhand is now in Delhi's Deen Dayal hospital: "One day I was very tired as I was suffering from viral fever and I couldn't complete washing. I fell unconscious. At I am, my malik dragged me and tortured me. My left eye was damaged. I thought I would die. Later they complained to my agency that I was not doing my work well. They continued this torture for several days. At last, the agency asked my malik to produce me in their office. After seeing my pathetic condition, the agency admitted me to the hospital."

Sanjita and Marita represent a sample of hundreds of domestic help who are deprived of basic human rights, right under the nose of the seat of power of the Government of India. They can be called victims of the saga of the great Indian liberalisation. Liberalisation has created lucrative white-collar jobs and has driven several hundreds of families to



the cities. These families need a domestic help to cater to their needs because in most cases both parents are working. Often many of them still retain their feudal outlook even when they join the rat race in the consumerist world. The Indian middle-class and upper middle-class are engaged in promoting slavery for their comfort and pleasure.

There are about 80,000 girls from Jharkhand, Chattisgarh and the Orissa tribal belt who work in Delhi and earn Rs. 1,000 to 2,000. If the average amount is pegged at Rs. 1,500, the total income per month will come to Rs. 12 crore per month. This amount should ideally go to the remote villages and feed their starving families. But in reality, domestic servants are exploited by employers and also by the recruiting agencies.

These recruiting agencies profusely use Christian symbols to cash in the reputation of missionaries in the service sector. Out of fifty recruiting agencies working in Delhi, two are run by Christian organisations. But almost all of them use the picture of Jesus Christ or the Cross, if no names, to mislead the gullible poor to believe that the organisations are run by missionaries. The public seldom knows this and hence several of them wilfully hand over the money to these organisations, thinking that it reaches the domestic help's family. This fake image also helps the organisations to woo the girls from remote villages. Parents, who have been touched by missionary work, do not hesitate for a moment to send their children to these agencies.

Sylvia Horro came to Delhi with the help of nuns from Jharkhand. The fact that she was safe and used to send money regularly to her home prompted her parents to send their second daughter to Delhi. But seldom did they realise that the recruitment agency was a fake. Sylvia was not consulted either. Three girls - Christian Surin, Mahima Surin and Sylvia's sister, Marium Horro - came to Delhi through an agency working in Punjabi Bagh and ended up as slaves. Marium managed to contact her sister and requested help. When she approached the agency, they demanded Rs. 3,500 to release Marium. Sylvia paid it but the agency refused to disclose any news about the Surin sisters. "Even if we would have filed a written complaint in the police station, the agency would have insisted on getting Rs. 10,000 to release the Surin sisters." As expected, the agencies have all the blessings of the police.

The main reason why tribals are chosen is because of their simple, honest, hard-working and trustworthy nature. Being naturally shy and desirous of seclusion, they do not divulge family secrets or personal sufferings to outsiders," said Fr Sabri Muthu, a social worker of Hazaribagh, Jharkhand.

"The increasing population of Jharkhand has forced tribal families to migrate in search of land and jobs. The absence of adequate remunerative prices for agricultural and forest produce and exploitation of tribals by middlemen create rampant poverty. Most of these girls' parents were given an impression that they were going for an employment in convents and hostels which will enhance their economic status," says Fr Muthu.

But they lack social security and legal protection as workers, which is necessary for their survival in cosmopolitan cities. Inter-State migrant workmen (Regulation of employment and conditions of service) Act, 1979, enacted by state government, intended to prevent the massive migration of labour from one state to another, remains absolutely unimplemented. The absence of a central law to curb the trafficking of labour, often leads to chaos and uncertainties. Most recruiting agencies do not have a registration. There is no law in India that makes it mandatory for a recruiting agency employing domestic workers to be registered.

"There is no unified agency or authority to implement the inter-state migration Act", says National women's commission chairperson Poornima Advani, "We have strongly recommended to the state government, during our recent visit to Jharkhand, to take steps to register these recruiting agencies. There should be a penalty for non-registration. States like Chhattisgarh, Orissa, Andhra Pradesh and Uttaranchal are also facing a similar problem. Unless we make registration compulsory, we will remain mere spectators and will not be able to trace the girls, if anything happens."

Trafficking is mainly for four purposes - prostitution, domestic work, begging and organ transplantation. When it comes to trafficking of girls, the question of sexual violence becomes pertinent. "The demand for teenaged girls is directly proportional to the growth of the consumer culture and AIDS fear," says eminent social worker Jyotsna Chatterjee. More and more suppliers go to poor villages, where poverty and unemployment are rampant. In most of the cases, trafficking takes place with the tacit approval of parents. Providing agricultural labour and sustainable development opportunities in the rural sector is the only way to curb this exodus. A sharp decline in agriculture labour, and collapse of village industries, has created acute poverty and misery that has caused massive migration of unskilled labour. What awaits them in cities are not glamorous jobs of service industry but sheer slavery. The mushrooming of slums and

related law and order problems are the other side of this big issue.

A few years ago, agents of seafood export companies, working outside the state, recruited girls from the coastal region of Kerala, in large numbers. When they came to the railway station for departure, an NGO intervened in the issue. There were allegations of misuse of girls under the guise of these inter-state rackets. Girls were caught at the railway station and the police asked the agents to produce their registration certificates. Thus their mission aborted. After that incident, the government strictly enforced registration of recruit girls from the state.

"First of all, they should get the dignity of labour. They must be treated as human beings. Often, they are forced to work in inhuman circumstances," says Sehba Farooqui, general secretary, national federation of Indian women.

Media is biased in reporting the issues of the marginalised. They deliberately ignore the problems of domestic workers or tribals. When a media person is arrested, we will protest loudly. But if the skeleton of a tribal girl is found in a well, we would discard that story," said John Daya, senior journalist and human rights activist, in the Delhi domestic workers' conference.

"Our demand is that the Municipal Corporation of Delhi should keep a register which contains the details of full time domestic workers of that area," Farooqui added.

"Some recruiting agencies have a nexus with traffickers. Their only objective is to bring more girls and earn more money. They should have been blacklisted earlier. These girls are caught between the placement agencies and the landlords. If we can regulate the illegal agencies and draft a policy to stop the exploitation, the condition would be much better," says Jyotsna Chatterjee, "But one of the main obstacles is that under the definition of domestic workers, many sections are included - part timers and full timers, of different age groups. How do we categorize them? There is no uniformity in their work," she added.

Despite these social repercussions, its economic impact is very significant. Lakhs of girls are working in metro cities as housemaids. Even if they send a small amount home, it has a considerable role in the economy of the villages. But the dismal side of this picture is that many agencies pick up girls from the schools, without informing their parents. Around 30% of these housemaids are below 15 years. "They get down at the railway station in school uniforms. Many girls go with their friends, who work in cities, in order to escape from abject poverty," said Maxima Ekka, a volunteer of Delhi domestic workers' forum.

"We want to enhance the living conditions of these poor girls and thereby to ensure a safe and sustainable income for a sustenance of their deprived families in remote villages," says Fr. Freddie D' Souza, secretary, justice and peace commission, arch-diocese of Delhi. Training and finance assistance for self-employment, which is suited to the tribal ethos, mainly agriculture based and marketing facilities, are essential to revitalise the tribal youths.

"The National Commission for SC/STs has a prominent role in curbing such crimes. National commission and state commissions can work as the nodal agencies to check the violence against the tribal workers, especially in the cities. The state governments must set up a Website in which institutions and individuals who employ domestic workers should register the details with photos, along with service conditions, so that anyone can check the details," said Fr. Savari, Director, Alert Centre, Hazaribagh.

Whether it is in south or north, girls are more vulnerable to bonded labour. The recently published Unesco report on gender gap in education also confirms the disparity in our social milieu. A recent report in Tamil Nadu shows that around 35 lakh children are out of schools for employment and more than 50% of them are girl children. Everywhere, her childhood is murk and it haunts her throughout her life. Is anybody listening?

(From Indian Currents Magazine)

When James graduated from Oxford he applied for a position in the Civil Service. At his selection interview he was asked : "What can you do well?"

James thought for a moment and then replied : "Nothing."

"Good!", cried the selection panel in unison, "You're just the sort of chap we want - and we won't even have to break you in!"

## WRIT PETITION IN SUPREME COURT

### "ROAD ACCIDENTS IN INDIA" ALARMING STATISTICS

The statistics of accidents on our roads is a matter of alarm and serious concern. It is unbelievable, but based on facts, that every year 80,000 persons are killed on these roads; number of accidents have been of the order of 4,00,000, and the number of persons injured in these accidents nearly 3,33,000. The loss of property in these accidents is stated to be of the order of 3 percent of the GDP, amounting to about Rs. 55,000 crores. These accidents take place on our roads in cities, towns and on National Highways, most of them in the cities. Motorised traffic, including cars, buses, trucks, two-wheelers and three-wheelers cause them, and victims are pedestrians, passengers of the vehicles, cyclists, hand-cartsmen, bullock-carts drivers and school children. Motorised vehicles in our country are continuously and very rapidly multiplying, now numbering 50 million.

The statistics of fatalities and injuries cause concern, but it cannot convey the agony and anguish that is caused to the relatives of victims. There was a very unfortunate accident in Delhi when a bus carrying children to school broke the side of bridge, fell into the river, killing 27 school children.

Causes of these accidents, fatalities and loss of property include rash and reckless driving, driving under influence of alcoholic drinks, easy procedure of procurement of driving licences, inadequate measures for suspension and cancellation of licences of offending drivers, insufficient training of drivers before they are given licenses, inadequacies relating to road infrastructure including repairs of roads, provision of foot paths, provision of signs and signals and inadequate maintenance thereof, failure to make scientific analysis of each accident for avoidance of repetition of such accidents, lack of measures for education of pedestrians and other users of roads, and non-availability of ambulances in emergencies for removal of injured persons to hospitals. It is also felt that whereas the Government of India has enacted the Motor Vehicles Act, there is now great need of enactment also of Road Traffic Safety Act which should provide for all the requisite rules and regulations for fulfilment of the requirements where there are inadequacies.

Feeling very concerned about these spate of accidents and fatalities we have from COMMON CAUSE filed a comprehensive Writ Petition in the Supreme Court. In it we have sought directions of the Court to the Government of India and State Governments to effect the requisite improvements which can help to minimise the accidents. The Writ Petition is reproduced here-under.

### IN THE SUPREME COURT OF INDIA CIVIL EXTRAORDINARY JURISDICTION WRIT PETITION CIVIL NO. OF 2003

In the matter of :

COMMON CAUSE  
(A Registered Society)  
A-31, West End,  
New Delhi-110021  
Through its Director,  
H.D. Shourie

Versus

UNION OF INDIA  
Ministry of Road Transport & Highways,  
Transport Bhawan,  
1, Sansad Marg, New Delhi-110001  
Through its Secretary.  
And Govts. of NCT of Delhi, Maharashtra,  
Tamil Nadu, West Bengal and Karnataka

PETITION UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA FOR A WRIT OF/OR IN THE NATURE OF MANDAMUS AND/OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION, DIRECTING THE RESPONDENTS, KEEPING IN VIEW THE ENORMITY OF ACCIDENTS THAT ARE TAKING PLACE ON THE ROADS OF CITIES, TOWNS AND NATIONAL HIGHWAYS, LEADING TO CAUSATION OF ENORMOUS NUMBER OF FATALITIES AND INJURIES TO PEOPLE, BESIDES CAUSING HUGE LOSS OF PROPERTY, TO INITIATE ACTIVITIES AND PROCEDURES OF THE NATURE OF IMPROVEMENT OF LICENSING REGULATIONS AND TRAINING METHODS OF

MOTORISED VEHICLES AND DRIVERS OF THE VEHICLES, PROVISION OF APPROPRIATE INFRASTRUCTURE ON THE ROADS OF CITIES, TOWNS AND HIGHWAYS, INCLUDING SCIENTIFIC ANALYSIS OF EACH ACCIDENT THAT TAKES PLACE ON THE ROADS, EDUCATION OF THE USERS OF ROADS, TO ENSURE READY AVAILABILITY OF AMBULANCE FOR TAKING INJURED PERSONS TO HOSPITALS, AND SETTING UP COMMITTEES OF EXPERTS IN EACH STATE/UT FOR DEALING WITH THESE DEVELOPMENTS, AND RESPONDENT NO. 1 TO UNDERTAKE ENACTMENT OF A SUITABLE ROAD TRAFFIC SAFETY ACT, TO BRING ABOUT MINIMISATION OF ROAD ACCIDENTS BECAUSE THE ABSENCE OF SUCH IMPROVEMENTS WILL INEVITABLY CONTINUE DEPREDATIONS AND CAUSATION OF FATALITIES ON THE ROADS WHICH INACTION CONSTITUTES VIOLATION OF THE ARTICLE 21 OF THE CONSTITUTION.

To

The Hon'ble Chief Justice of India and His Lordship's Companion Justices of the Hon'ble Supreme Court of India, New Delhi.

The Humble Petition of the Petitioner above-named MOST RESPECTFULLY SHEWETH :

1. That the petitioner is a Society duly registered under Societies Registration Act, 1860, and is engaged in taking up various common problems of the people for securing redressal thereof. The Petitioner Society has brought to this court various constitutional problems. The Petitioner has an established locus standi in its capacity as a bonafide public interest organisation for taking up matters of general public importance.
2. That in the present Writ Petition the Petitioner seeks to present before this Hon'ble Court very serious problem of enormous number of road accidents that take place in the cities, towns, and on the National Highways, in which enormous number of persons are killed and injured, that there are serious problems of certain inadequacies, shortcomings and procedural deficiencies which need to be effectively attended to by the Governmental authority of the Centre and the States/Union Territories for minimising the accidents, fatalities and loss of property. The matter relates to the entire country, all States/UTs, and normally the Union of India and all States/UTs would have been made Respondents in the Petition, but for avoidance of loading court procedure it has been considered appropriate to limit Respondents to the Union of India and the five States (Delhi, Maharashtra, West Bengal, Karnataka and Tamil Nadu) where Metros are located. The Petitioner's prayer would be that in deciding upon the action to be taken for curbing the menace of accidents the Hon'ble Court will make the directions applicable to all States/UTs.
3. That the Petitioner will initially present the facts of totality of the sad spectacle of enormity of accidents and fatalities, and the deficiencies and shortcomings which need to be tackled for dealing with this serious matter, and thereafter make specific humble suggestions for overcoming the deficiencies for achievement of the objectives of minimisation of this serious menace.
4. That in recounting the facts of totality the Petitioner seeks to mention that with the expansion, multiplicity and variety of vehicles on the roads in towns as well as on Highways it needs to be highlighted that there has during the last few years been an enormous increase of accidents on the roads, involving a very large number of fatalities, injuries to persons and loss of property. The increase of accidents and fatalities are in fact mind-boggling. Each year the persons killed in the accidents number about 80,000, the number of accidents is about 4,00,000; the number of persons injured is about 3,33,000. The rough estimate of social cost of road accidents in the country is stated to be in the region of 3% of GDP, aggregating to about Rs. 55,000 crores. In this connection it is worth mentioning that the total number of vehicles presently registered is estimated to be about 50 million, and more are being added on the roads practically every day. This heart-rending increase of accidents, fatalities and number of injured persons has practically become double during the last few years. In Delhi alone the number of accidents per year is presently of the order of about 10,000; the number of persons killed is about 2,000 (about 5 to 6 persons per day) and persons injured about 9,000. On National Highways of the country the number of accidents each year are about 1,50,000; the persons injured 1,25,000. In the four Metros, namely, Mumbai, Kolkata, Bangalore and Chennai the road accidents are generally of the order of 5,000 to 10,000 and fatalities range from 500 to 2000. While talking of accidents and fatalities etc. it needs to be kept in view that on the roads of cities, towns and National Highways the number of motorised vehicles including cars, scooters, two

wheelers, buses and trucks has increased manifold; users of roads include pedestrians, rickshaws, handcarts, bullockcarts and tongas. This variety of vehicles on the roads and the pedestrians etc. inevitably increases the risks of accidents. While it is easy to read and talk about number of accidents and fatalities one feels very concerned about the extreme agony, pain and devastation that is caused to the families by the fatalities of bread-winners, school children, ladies, besides the aged and disabled persons.

5. That in the context of these facts of increase in the number of vehicles, the types of users of the roads, and the number of accidents, fatalities, injured persons and loss of property, it needs to be considered as to what are the specific inadequacies and shortcomings which have contributed to this stupendous increase of devastation. One cannot envisage reduction in the number of vehicles or avoidance of further expansion, neither can one surmise that there can be reduction of pedestrians, cyclists, rickshaws. Taking these factors into consideration it needs to be considered as to what are the specific deficiencies which need to be removed. The Petitioner attempts, in the following paragraphs, to enumerate the problems that need to be tackled :-

(i) **Licensing Procedure** : In our country the formal driver's training is provided either at the limited Government sponsored Training Institutes or at the commercially operating Private Training Institutes which have mushroomed all over the country. As far as cars and two-wheelers Driver's Training is concerned it is largely provided by the privately run Driving Schools since there are few Government run Driving Schools in the country. The Schools normally conduct training programme of two weeks, of 30 minutes duration daily. The Programme is conducted with the help of a trained Instructor who teaches the novices basic driving skills of the concerned vehicles. At the end of training period the school facilitates its students in getting regular licences after they have undergone the tests. The driver's training of heavy vehicles like buses and trucks is normally provided at the Government recognised Training Institutes. There are about 2.2 million goods-vehicles and 4.4 million heavy-vehicles drivers in the country. The training of bus drivers for the various State Transport Undertakings and State Transport Corporations is normally provided under Training Centres of respective Organisations. Among the possible reasons as to why the driver's training has not been effective are the following :-

- (a) Skill and capability that have been shown to reduce the risks of collision are either not added or not given special treatment in most Drivers' Education Courses;
- (b) Adequate attention has not been paid to the importance of the determining whether the young drivers will appropriately utilise the skill they have learnt;
- (c) Over-confidence that arises from the skill acquisition, particularly advanced skill, is not addressed;
- (d) Life style factor related to risk driving and the developmental processes are not addressed;
- (e) Programme curriculum tends to treat young drivers as homogenous group;
- (f) It is of fundamental importance that there should be greatest strictness in the issue of licences. Licensing tests should be designed so as to make them reflect both the priority of traffic requirements and parallel priorities of drivers' education and training. Population of trained drivers is reported to be only about 4.94% in comparison to the untrained drivers who account for about 95% of the drivers. This is the conclusion arrived at by analysis undertaken by a Road Transport Corporation;
- (g) There needs to be definite regulations regarding the suspension and cancellation of driving licence; period of suspension of licence in cases of relatively minor driving default need to be defined; and licences of drivers involving fatalities need to be cancelled;
- (h) Cost of drinking and driving : More than 50% of accidents are stated to be caused by driving after taking drinks. This matter inevitably leads to high insurance and medical costs, loss of life and property, injuries that may cripple for life, emotional trauma for all concerned and loss of productivity and reduced profit. People who drink and drive are not aware of the impact of drinking on driving; there is widespread myth that use of alcohol is beneficial for driving; the work routine also facilitates alcohol use; friends and acquaintances influence and encourage the use of alcohol because in their view alcohol is perceived as a harmless drink and they do not believe that alcohol does not help to overcome sleeplessness and tiredness.

(ii) **Medical Tests of Drivers :**

Present medical checks of drivers are either non-existent or mere formality. Studies have shown that significant percentage of drivers have poor eye-sight. This matter is of obvious importance because poor eye-sight of the driver is directly related to the causation of road accident.

(iii) **Infrastructure Relating to Roads :**

Inadequate attention has so far been paid to the requirements of infrastructure in relation to the roads. Responsibility in this regard is of the concerned Municipal authority, Department of Roads, Traffic police, Electricity authority providing electricity for signals etc., Forest Department for ensuring proper & timely pruning of trees, inadequate provision of traffic control devices including traffic signals, traffic signs, road markings, and all other connected road safety devices. There are practically no traffic engineering and road safety engineering centres in the Municipalities and Highway authorities. In developed countries there are Traffic Engineering Centres in each urban area, for dealing with research and planning, for efficient management and control of traffic. It needs also to be mentioned that there is presently no effective and continuous coordination between the various entities which are concerned with maintenance of roads, provision and maintenance of traffic signals and markings on the roads for diversion of traffic, the traffic police, and other various departments. It is of paramount importance that there should be very proper and continuous coordination between the various authorities which in any way may be connected with maintenance of roads and control of traffic. For the purposes of such coordination Petitioner submits that the only appropriate remedy will be to establish Road Safety Committees on which there should be responsible representatives of each of the Departments which have responsibility in relation to road maintenance, discipline on the roads, and provision of requisite facilities and infrastructure.

(iv) **Ambulances and Hospitals :**

It is necessary that there should be ready availability of Ambulances for removal of injured persons to hospitals for immediate treatment.

(v) **Road Safety Education :**

Matter of obvious importance is that there should be programmes for educating the various elements concerned with accidents. Users of roads, pedestrians, traffic participants including cyclists, handcarts men, bullockcarts drivers etc., who generally have low socio-economic and educational background and do not know traffic rules and regulations. Pedestrians and Non-motorised Traffic (NMT) face enormous risks; they account for 60% to 80% of road traffic fatalities in the country. All NMTs need to be given thorough and repeated orientation in observance of Road Traffic Rules and avoidance of any situations which can cause accidents. These road safety education programmes can include written material for those who are literate and also illustrations, slides, specially prepared films, and also possibly through the medium of TV.

(vi) **Scientific Analysis of Accidents :**

At present there is no scientific analysis of individual accidents for determining as to what factors have contributed to the causation of accidents and fatalities. This requirement is of obvious importance, for ensuring that the factors which lead to the accidents are eliminated and improvements are effected so that provision of every element of infrastructure and other requirements is ensured. In developed countries such scientific analysis of every serious accident is considered indispensable. Each factor regarding serious injury undergoes a road safety audit. The regional political head has to answer to Legislature as to why such accidents have happened and what steps will be taken to avoid repetition of such accidents. These are utilised for minimising the risks of accidents.

(vii) **Road Traffic Safety Act :**

In our country we have the Motor Vehicles Act, but there is now also paramount need of enactment of Road Traffic Safety Act. This Act should lay down regulations dealing with specific responsibility of drivers, proper maintenance of roads and traffic-connected signs and signals etc. and all rules and regulations for observance by all concerned including pedestrians and NMT (Non-Motorised Traffic). The Road Traffic Safety Act should

contain all the regulations and the requirements relating to avoidance of accidents, responsibilities of respective Departments of State Governments, Municipal bodies, Police authorities, and the penalty for non-observance of prescribed regulations. The Act should specify the duties, responsibilities, rights, directives and punishments in case of failures by any factor i.e., driver, vehicle, road and road-users. The Motor Vehicles Act has also a number of lacunae. The accidents occur due to mistake or default of one or more of the following factors :-

- (a) Vehicle driver
- (b) Vehicle
- (c) Roads
- (d) Road user
- (e) Climatic conditions

To reduce the number of accidents of factors, except climate, need to be controlled but the Motor Vehicles Act seeks to control only the driver and vehicle. These various facts justify the need of enactment of Road Traffic Safety Act in addition to Motor Vehicles Act.

6. That in the context of the serious situation that has arisen because of enormous multiplicity of the number and types of vehicles on the roads of our cities, towns and National Highways, the frightening figures of accidents, fatalities and causation of injuries on the roads, it needs to be recognised by the Governmental authority of the Centre and of States/Union Territories that Fundamental Rights of individuals guaranteed in the Constitution place an obligation on them to ensure that every possible step is taken for ensuring the safety of users of roads and of the traffic in all its aspects. The Petitioner has brought before the Hon'ble Court this matter of serious consequence and prays that the Centre and States/Union Territories should be directed to ensure that the requirements spelt out in the Petition are urgently taken up for being fulfilled.
7. That the above grounds are being taken without prejudice to one another and the Petitioner craves leave to add to or amend the above grounds.
8. That the present Petition is being preferred bonafide, in the interest of bringing about essential improvements and securing technological upgradation of the participants of road traffic, in the interest of the country and the people.
9. 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 subject matter of the present Petition.
10. 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 may be pleased :

- (i) to issue a Writ, direction or order in the nature of mandamus and/or any other writ, direction or order directing the Respondent No. 1, in consultation with representatives of the Respondents No. 2, 3, 4, 5 & 6, and also representatives of other States/UTs :-
  - (a) to set up fully satisfactory procedures of licensing of vehicles and licensing of drivers, for ensuring that the vehicles are fully equipped with all the safety travel requirements, and also ensure that drivers of private vehicles as well as drivers of public vehicles including buses and trucks, are fully trained and are competent to drive the respective types of vehicles, and to also organise high-level training arrangements for the drivers of respective types of vehicles; appropriate procedures should also be ensured for suspension/cancellation of driving licences in the event of any default or for involvement in any accident;
  - (b) to ensure provision of all infrastructural requirements of roads, including signs, signals, footpaths, repairs of roads, and all such other requirements which will help to minimise risks of accidents on the roads;
  - (c) to set up methodology and requirements for undertaking scientific analysis of every accident, for ensuring that similar causes do not recur which can lead to accidents, thereby minimising the possibilities of accidents;

- (d) to establish suitable organisations for providing education to all types of users of roads, through experts as well as use of suitably devised visual and audio media;
- (e) to ensure the availability of ambulances for immediate removal of injured persons to hospitals;
- (f) to set up Committees of Experts in each State/UT and in the bigger cities for dealing with these various requirements for minimisation of accidents on the roads;
- (ii) to direct Respondent No. 1 to formulate a suitable Road Traffic Safety Act to meet effectively the various requirements for minimisation of road accidents; and
- (iii) to pass such other and further orders as may be deemed necessary to deal effectively with the various matters relating to traffic safety on the roads and minimisation of road accidents, 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  
Through  
(H. D. Shourie)  
Director, COMMON CAUSE

Place : New Delhi

Date :

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The world-famous lawyer was holidaying on an expensive yacht when he fell overboard into a group of sharks. They declined to eat him out of professional courtesy.

...

Customer : "Waiter! What are these coins doing in my soup?"

"Well, sir, you said you would stop coming to this restaurant unless there was change in the meals."

...

A father asked the headmaster for help, informing him that his son had got the gambling habit and that he was anxious for the boy to grow out of it. "I'll see what I can do", replied the headmaster.

When the father called for his boy at the end of the term the headmaster said, "I think that I've cured your son of the gambling habit. I'll tell you what happened. One day I saw that he was looking at my beard and he said, "Sir, is that a real beard or is it false one? I wouldn't mind betting five pounds that it is false."

"All right," I replied, "I'll take your bet. Now pull it and see. Of course I made the boy pay me the five pounds, so I think I've cured him all right."

"Oh, dear," groaned the father, "He bet me ten pounds that he would pull your beard before the term ended!"

...

An elderly shopkeeper was ill and his family, who thought he was dying, had gathered around his bedside. Suddenly the old man roused up and said : "Is Rachel here?"

"Yes, I am here," said his wife.

"Is John here?" went on the old man.

"Yes I am here," said his son.

"Is Sarah here?" he again asked.

"Yes, I am here," said his daughter.

The old man sat bolt upright in bed and yelled, "Then who the hell is looking after the shop?"

...



## NOTICE OF ANNUAL GENERAL MEETING

To

All Members of COMMON CAUSE

The Annual General Meeting of COMMON CAUSE Society will be held in COMMON CAUSE House located at 5, Institutional Area, Nelson Mandela Road, Vasant Kunj, New Delhi-110070, on Saturday, the 21st February, 2004 at 10.30 A.M.

Agenda will be as follows :

- (i) Consideration of Annual Report and adoption of the Annual Accounts alongwith the Auditors' Report for the year 2002-2003.
- (ii) Appointment of Auditors for the year 2003-2004.
- (iii) Activities and Programmes.
- (iv) Elections.

It may kindly be noted that in accordance with Rule 15 of the Rules & Regulations of the Society if within half an hour of the beginning the quorum is not present, the meeting shall stand adjourned for same day and will be held after half an hour, and members present in the adjourned meeting shall form the quorum of the meeting.

H.D. Shourie  
Director  
COMMON CAUSE

### ANNUAL REPORT FOR THE YEAR 2002 - 2003

During the year of report COMMON CAUSE continued to pursue its activities and programmes for redressal of common and collective problems of the people through the instrument of Public Interest Litigations filed in the Supreme Court, Delhi High Court and before National Consumer Disputes Redressal Commission. We continued to also receive quite a number of individual complaints relating to their problems; these were referred to the concerned governmental authorities and action was taken by them wherever justifiable. Quite a few of our Writ Petitions are yet pending in the Supreme Court and Delhi High Court; these continue to be pursued. Given below are the various PILs which have been pending for sometime and also those which were submitted during the year of report:-

#### CASES IN SUPREME COURT OF INDIA:

**MPs LOCAL AREA DEVELOPMENT FUND:** In the Writ Petition we have sought directions for scrapping the scheme due to the alleged misuse of funds as brought out by the Comptroller and Auditor General of India (CAG) in his Reports. We have also resisted the demand of MPs to enhance the fund from the present Rs.2.0 crores to Rs. 3/4 crores.

**APPOINTMENT OF LOK PAL AND LOK AYUKTAS:** Writ Petition relates to enactment of Lok Pal Bill, and ensuring appointment of all Lok Ayuktas and Up-Lok Ayuktas under the Legal Services Authorities Act. The Writ Petition continues pending. The Lok Pal Bill is reported to have been finalised and referred to the Standing Committee of Parliament, and may be placed before the Parliament shortly.

**NON-PERFORMING ASSETS(NPAs):** The Apex Court has issued interim orders, and the Government has enacted legislation to help the banks to ease realisation of outstanding loans. The Banks are claiming that the percentage ofNPAs is coming down.

**RAILWAY ACCIDENTS:** Writ Petition was filed after the serious accidents at Khanna and Gaisal. The Writ Petition has inter alia stated that new lines are approved as populist measures, and the safety measures are ignored on the plea of non-availability of funds. During hearing of our Writ Petition the Court observed that there was no use extending the lines for travelling without even securing the safety of the passengers who travelled on the existing lines. The Court also asked Solicitor General about the steps being taken for safety measures. The Govt. of India has since sanctioned a non-lapsing fund of Rs. 17,000/- crores for safety measures.

**FAKE UNIVERSITIES AND BOGUS TEACHING INSTITUTIONS:** Proliferation of fake universities and bogus teaching institutions has become a menace affecting the careers of a large number of aspiring young children. It is satisfying to note that the University Grants Commission (UGC) and All India Council for Technical Education have started taking some remedial measures, and issuing suitable press notices warning the public about fake institutions,

and advising the institutions / universities to upgrade their infrastructural facilities. UGC is reportedly working on enactment of a new Act having more teeth.

**CRIME AND VIOLENCE ON T. V. :** There is large dose of crime, violence and sex in some of the programmes being put forth by TV channels. Our Writ Petition is yet pending. The Ministry is claiming that steps are being taken to control depiction of too much crime, violence and sex in the TV programmes.

**LAWYER'S STRIKE:** The Apex Court has observed that strikes by Lawyers affect the Fundamental Rights of the Litigants.

**SLAUGHTER HOUSES - POLLUTION :** This Petition related to environmental pollution due to unhygienic and filthy practices adopted in the Slaughter Houses at various places in the country.

**MAINTENANCE OF ACCOUNTS AND SUBMISSION OF ANNUAL AUDIT REPORTS BY POLITICAL PARTIES:** This Write Petition was decided by Supreme Court in 1999 and directions were issued to Governmental authorities; we have written to all recognised political parties and have again taken the matter to Court, for contempt proceedings and further necessary action because of continuing failure of most parties to comply with requirements of the law in these matters.

**RITUAL OF BURYING OF CHILDREN IN SOME VILLAGES OF TAMIL NADU:** This ugly ritual of burying grown-up children, for a short while, for propitiating some Gods and Goddesses, has been brought before the Court in a Writ Petition. The Petition is yet pending.

**DELHI RENT ACT:** This Writ Petition was initially filed in the Delhi High Court for issue of directions to the government to issue notification implementing the Delhi Rent Act, 1995 which was passed by the Parliament and assented to by the President of India. On disinclination of Delhi High Court to issue directions, a Writ Petition was filed in the Supreme Court of India. The Apex Court has, unfortunately, rejected our appeal recently. We have since filed Review Petition.

**COMMUNAL HARMONY:** Taking serious note of the happenings in Gujarat, a Writ Petition has been filed in the Supreme Court for propagation of communal harmony. The Petition is yet pending.

**LARGE SCALE ADVERTISEMENTS:** It is a common practice that advertisements of various sizes are inserted in newspapers and magazines projecting image of political parties / politicians at huge cost to the exchequer. We have sought directions of the Apex Court to stop this practice. The Hon'ble Court has since issued notices to the Respondents.

**FUNCTIONING OF SOME AIRPORTS:** Huge investments have been made in setting up some of the Airports as populist measure though these are economically un-viable. Some of these airports are not functioning. However, nothing substantial is being done to up-grade infrastructural facilities and passenger amenities of world standards at Delhi, Mumbai airports etc.

**AIDS CONTROL MEASURES:** Huge funds are allotted / received by the National Aids Control Organisation (NACO) for educating people to control the spread of this disease, and for taking preventive measures. The funds are reportedly not being used properly. There is lack of effective monitoring system. The Apex Court has issued notices to the Respondents.

**JUMBO CABINET IN UTTAR PRADESH:** A jumbo cabinet was installed recently in U.P. after the fall of Mayawati Govt. We have sought limits to be imposed on the size of cabinets, linked with the strength of legislatures. A Bill limiting the size of cabinets to 15% of the strength of a legislature, and automatic disqualification of a defector to hold any office, has now been passed by the Parliament.

**EDUCATION OF POOR CHILDREN:** Though the education to children between the age of 6 to 14 has been made a Fundamental Right, steps to achieve the same have not been put in place. We have taken this matter to the Supreme Court.

**ROAD ACCIDENTS:** Fatalities in road accidents on Indian roads are reported to be about 80,000 annually. Lives are lost daily in road accidents, both on Highways and in cities. Some of the fatal accidents are due to delay in prompt medical aid etc. We have sought co-ordinated approach from all concerned agencies.

**TWO-CHILD NORM:** The Supreme Court of India had recently upheld the provision of two-child norm for Sarpanches and Up-Sarpanches in the Haryana Panchayati Raj Act. We have suggested in a Writ Petition to Supreme Court that similar provision be incorporated in Panchayati Raj Acts of other States.

### **CASES IN DELHI HIGH COURT :**

**INFRASTRUCTURAL FACILITIES IN BURNS WARDS OF SAFDARJUNG HOSPITAL:** During the last hearing, the Delhi High Court had summoned Health Secretaries of the Union and Delhi State Govts. to explain why the amount

allocated for upgrading Safdarjung Hospital's Burns Wards has not been spent. The Hon'ble Court also directed Government to inform it how the Burns Wards could be brought up to international standards.

**MENACE OF STRAY CATTLE, DOGS AND MONKEYS:** The High Court of Delhi has issued series of directions, including relocation of illegal dairies, increase in the number of vehicles engaged in impounding cattle and filing of quarterly progress reports with co-ordination among MCD / NDMC and DCP of the area. The MCD has since increased the fine for stray cattle from Rs. 1,400 to Rs. 5,000/-.

**APPOINTMENT OF UNEDUCATED TECHNICIANS IN THE DEPARTMENT OF PATHOLOGY OF SAFDARJUNG HOSPITAL:** During hearing of our petition, the All India Council of Technical Education had also stated that it would welcome remedial steps to restrain Safdarjung Hospital from running the disputed course illegally and putting public health in jeopardy. The petition was disposed of after the Hospital gave an undertaking that only properly educated and trained personnel would henceforth be appointed.

**CONDITION OF MORTUARIES:** Petition was filed for improvement of conditions in the Mortuaries. The Delhi High Court imposed a fine of Rs. 20,000/- on the Union Govt. when its advocate did not appear on the date of hearing, and for its failure to implement the recommendations of the Committee appointed to improve the conditions of Mortuaries in government hospitals in the city; the fine amount would be used by the city government for renovation of the Mortuaries.

**HOARDINGS:** Petition has been filed against illegal placement of over-sized Advertisements and Cut-outs on bus-stops, electricity poles and other such places; it is yet pending.

**SALE OF ILLICIT LIQUOR:** A Writ Petition was filed and the Delhi High Court has directed the Centre and the Delhi Govt. to take appropriate steps to curb smuggling and sale of spurious liquor in Delhi, which claims number of lives.

**SALE OF SPURIOUS DRUGS:** On our Writ Petition, the Delhi High Court ordered the Mashelkar Committee which was constituted to look into this menace, to file a report. The Petition is yet pending.

#### **OTHER IMPORTANT ACTIVITIES:**

COMMON CAUSE continues to take up other important public causes from its platform. On important subjects, two special issues of our periodical, entitled 1) OUR INDIA - POLITICAL, ADMINISTRATIVE, JUDICIAL SYSTEMS and 2) OUR OBJECTIVE - RELIGIOUS HARMONY & PEACE UNITY OF RELIGIONS, were published and circulated, copies of these issues were sent to important personalities and Govt. functionaries.

A detailed letter was written to all the Resident Welfare Associations' Committees of Delhi regarding Unit Area Method of assessment of property tax. The Municipal Corporation of Delhi is pursuing the matter, and new system may be enforced w.e.f. 1st April, 2004.

State Advisory Committee has been constituted by Delhi Electricity Regulatory Commission (DERC) to advise on policy matters. The Chairperson of D.E.R.C. recently requested COMMON CAUSE to nominate a representative on this Committee. Mr. P. K. Dave was kind enough to agree, and his nomination has been communicated. Another Technical Committee to look into complaints regarding fast-running of newly installed electronic meters has been constituted. Our Consultant has been nominated on it. We have now been approached to nominate our Consultant on the Consumer Complaints Redressal Forum being set up under the Electricity Act.

#### **FINANCE & ACCOUNTS;**

Audit Report of Accounts of COMMON CAUSE Society and COMMON CAUSE TRUST, for the year ending 31st March, 2003, has been received; its main portions including balance sheets are attached.

It will be noticed that Corpus Fund of COMMON CAUSE now aggregates to Rs. 41,00,689/-. Life membership subscription fund aggregates to Rs. 8,99,945/- COMMON CAUSE TRUST'S Corpus Fund is Rs. 83,00,000/-.

Expenditure on the staff of COMMON CAUSE was Rs. 3,52,562/-. The staff consists only of Consultant, Accountant, two Stenographers and two peons. No remuneration is drawn by Director. Expenditure on printing and stationery has been the main item. In the last year the expenditure on this item showed increase, particularly because of the higher printing charges due mainly to an additional (5th) Special Periodical of COMMON CAUSE. The German Foundation FNST has been gracious enough to meet every year our expenditure on printing of the quarterly periodical.

Through the gracious help of Goodearth Foundation we were able to construct COMMON CAUSE HOUSE in the Institutional Area, on Nelson Mandela Road, Vasant Kunj. From the Audit Report of COMMON CAUSE TRUST it will be noticed that two floors of the building which are on rent, fetch monthly rent of Rs. 1,53,000/-. COMMON CAUSE is using only one floor of the building.

## AUDITORS REPORT

We have audited the attached Balance Sheet of Common Cause ('the Society') as at 31st March, 2003 and also the Income and Expenditure Account for the year ended on that date annexed thereto after incorporating the accounts of the Common Cause Trust ('the Trust'). These financial statements are the responsibility of the Management of the Society/the Trust. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in India. Those Standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

We report that:

- i. we have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purpose of our audit;
- ii. in our opinion, proper books of account as required by law have been kept by the Society/the Trust so far as appears from our examination of those books;
- iii. the Balance Sheet and the Income and Expenditure Account dealt with by this report are in agreement with the books of account; and
- iv. it is the policy of the Society/the Trust to prepare its financial statements on the cash receipts and disbursements basis except interest on fixed deposits/bank deposits which is accrued every year. On this basis, revenue and the related assets are recognised when received rather than when earned, and expenses are recognised when paid rather than when the obligation is incurred. In our opinion and to the best of our information and according to the explanations given to us, the said accounts give a true and fair view in conformity with the accounting principles generally accepted in India :
  - a. in the case of the Balance Sheet, of the state of affairs of the Society/the Trust as at 31st March, 2003; and
  - b. in the case of the Income and Expenditure Account, of the Deficit in Common Cause, and Surplus in Common Cause Trust for the year ended on that date.

For VKGN & Associates  
Chartered Accountants

Vijay Gupta  
FCA-81986

Place : New Delhi  
Date : July 31, 2003

**COMMON CAUSE**

(Registered under the Societies Registration Act, 1860)  
**Balance Sheet As At March 31, 2003**

	Schedule	31.03.2003 Amount (Rs)	Schedule	31.03.2003 Amount (Rs)
<b>LIABILITIES</b>			<b>ASSETS</b>	
Capital & Corpus Fund Accounts	A		Fixed Assets	D 3,51,299
• Life Membership Subscription Fund		8,99,945	Investments	E
• Corpus Fund		41,00,689	• Fixed Deposits with SAIL (Including interest accrued)	35,85,685
Foreign Contribution Fund	B	6,026	• Fixed Deposits with HDFC (Including interest accrued)	7,00,879
Common Cause Trust	C	4,41,593	• Fixed Deposits with Indian Bank (Including Interest accrued)	3,15,220
			Current Assets, Loans & Advances	F 1,08,164
			Deficit:	
			As per Income & Expenditure Account	3,87,006
		<u>54,48,253</u>		<u>54,48,253</u>

Significant Accounting Policies & Notes to Accounts : Schedule G

**Income and Expenditure Account for the year ended March 31, 2003**

	31.03.2003 Amount (Rs.)	31.03.2003 Amount (Rs.)	
<b>INCOME</b>		<b>EXPENDITURE</b>	
Donations	46,397	Staff Salary & Bonus	2,43,062
Annual Membership	11,700	Honorarium to Consultant	1,09,500
Associate Membership	2,600	Printing & Stationery	2,67,495
Interest Received		Water & Electricity Expenses (Net of Recoveries)	95,614
• Savings Bank	14,578	Telephone Expenses	22,704
• Fixed Deposit with SAIL	4,14,503	Postage Telegrams	81,812
• Fixed Deposit with HDFC	59,986	Legal Expenses	29,600
• Fixed Deposit with Indian Bank	15,220	Conveyance Expenses	30,996
Amount transferred from :		Meetings & Seminar	3,360
Foreign Contribution Fund Account	168,606	Membership Charges	1,000
		Bank Charges	1,347
		Books & Periodicals	1,488
		Repairs & Maintenance	12,518
		Miscellaneous Expenses	5,925
		Housekeeping & Staff Welfare	2,515
		Depreciation	72,282
		Auditor Remuneration : Audit Fee	10,500
		Advertisement Expenses	4,000
			<u>9,95,718</u>
		Deficit-Excess of Expenditure over Income	2,62,128
		Deficit-Balance brought forward	1,24,878
	<u>7,33,590</u>	Balance-Carried to Balance Sheet	<u>3,87,006</u>

Significant Accounting Policies & Notes to Accounts : Schedule G

Signed in terms of our report of even date

For VKGN & Associates  
Chartered Accountants

For COMMON CAUSE

Vijay Gupta  
FCA-81986

Govind Narain  
President

H.D. Shourie  
Director

Place : New Delhi  
Date : July 31, 2003

K. K. Jhingan  
Treasurer

Schedule-C

**COMMON CAUSE TRUST**

(Under Regulation 8 of the Rules & Regulations of the COMMON CAUSE)

**Balance Sheet As At March 31, 2003**

LIABILITIES		Schedule	31.03.2003 Amount (Rs)	ASSETS		Schedule	31.03.2003 Amount (Rs)
Building Fund Account (Funds received from Goodearth Foundation)			83,00,000	Fixed Assets	C-1		58,38,105
Security Deposit (Rent)			4,59,000	Investments			
Advance Rent			4,59,000	• Fixed Deposits with HDFC Bank			25,53,436
Surplus/(Deficit): As per Income & Expenditure Account	C-2		7,46,212	• Interest accrued thereon Balance with HDFC Bank A/c . No. 011202000044			53,930
				Deposit with Delhi Vidyut Board			7,96,138
				TDS on Rent recoverable F.Y. - 2002-03 24,990			1,44,500
				F.Y. - 2003-04 96,390*			1,21,380
				TDS on Interest recoverable F.Y. - 2002-03			15,130
				Balance Transferred to Common Cause			4,41,593
			<b>99,64,212</b>				<b>99,64,212</b>

**Schedule - C-2**

**Income and Expenditure Account for the year ended March 31, 2003**

INCOME		Schedule	31.03.2003 Amount (Rs)	EXPENDITURE		Schedule	31.03.2003 Amount (Rs)
Rent			17,51,000	Electricity Expenses			—
Interest on Fixed Deposit			1,45,871	Depreciation	C-1		5,03,371
Interest of Income tax refund			24,555	Property Tax			4,30,000
				Bank Charge			714
				Ground Rent			40,487
				Subletting charges to DDA			2,13,138
				Stamp Duty on Lease Agreement			20,000
				Professional Charges to Auditors for Income Tax			10,000
							<b>12,17,710</b>
			<b>19,21,426</b>	Surplus/(Deficit)			7,03,716
				Surplus/(Deficit) - Balance brought forward			42,496
				Surplus/(Deficit) - Carried to Balance Sheet :			<b>7,46,212</b>

Signed in terms of our report of even date

For VKGN & Associates  
Chartered Accountants

Vijay Gupta  
FCA-81986

Place : New Delhi  
Date : July 31, 2003

For COMMON CAUSE

Govind Narain  
President

K. K. Jhingan  
Treasurer

H.D. Shourie  
Director

## THE COURAGE TO BE ALONE

Somebody was asking me about religion. I told him : religion has nothing to do with what you believe or do not believe. It is meaningful only if it becomes your breathing, not your faith. It is something which you either do or you do not do, which you either are or you are not. Religion is action, not mere talk.

Religion manifests in your actions only when it has become your essence first. Our actions become our being first. Before releasing the fragrance, it is essential to become a flower. Like the cultivation of flowers, the soul also needs to be cultivated.

And for the flowers to arise in the soul, it is not necessary to go to the mountains. They can be cultivated wherever you are, because you can be in the mountains while remaining exactly where you are. There are mountains and forests in the inner solitude of one's self.

This is so-truth and beauty are seen only in complete solitude. And whatever is great in life is attained by those who have the courage to be alone. The deeper secrets of life open their doors only in solitude, and the soul attains to love and light. Only when all is calm and quiet will those seeds sprout which are lying deep in the soil of our being, containing all our bliss in them. The growth happens from inside towards outside, and only in solitude. Remember, truth grows from inside. Artificial flowers can be imposed from outside, but as far as the real flowers are concerned, they grow from within.

For this inner growth it is not necessary to go to the outer mountains or forests, but it is necessary to be in that inner space. The path leading there is within everybody.

Take a few moments away from the hustle and bustle of your everyday rush, and forget the concepts of place and time around you, and your so-called personality, and the 'I' that is born out of it. Empty your mind of all that keeps it constantly full. Whatsoever comes to your mind, know well that you are not it and throw it out. Drop it all, everything—your name, your country, your family. Let all of it disappear from your memory and remain like a blank sheet of paper.

This very path is the path to our inner aloneness and solitude. It is through this that the inner sannyas finally happens.

When your mind drops all clinging, breaks all barriers of name and form, only then does that remain in you which is your real being.

In that moment you are alone, in solitariness.

What is known at that time is not of this world.

It is in this knowing that the flowers of religiousness bloom and life is filled with the fragrance of the divine.

What is known in these few moments - the silence, the beauty, the truth - gives you strength to live on two planes simultaneously. Then you are in the world, yet you are not of the world. Then there is no bondage, and life is liberated. You are in water, yet the water does not touch you.

In this very experience is the fulfillment of life, and the attainment of religiousness.

## 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 petitions 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 extension of the scheme of family pension. An important

### 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 inter alia 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*

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.**