

COMMON CAUSE

VOICE OF "COMMON CAUSE"

TOO MANY HOLIDAYS

From COMMON CAUSE we have taken the initiative of loudly raising the matter of "TOO MANY HOLIDAYS" in India, particularly highlighting the fact that the subject of holidays in Government Offices inevitably leads to delays in policy implementation and decision making, which affect the functioning of agriculture, trade and industry, comprising the general economy of the country. This has been a major cause of our country not having been able to make developmental progress and keep pace with countries like China and certain other countries of south Asia.

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

We have filed a Writ Petition on this important subject in the Supreme Court to seek issue of requisite directions to the Government of India, and through them to the State Governments, to curtail the number of holidays. While this matter is pursued in the Supreme Court we have written to all Members of Parliament (Rajya Sabha & Lok Sabha - over 770 members) a self-contained letter on this subject, forwarding with the letter some write-ups, which recently appeared on this subject in the newspapers, particularly because within one week of April, four gazetted holidays surfaced this year, namely, Ram Navami (11th), Ambedkar Jayanti (14th), Mahavir Jayanti (15th) and Good Friday (18th). We have sent copies of the letter to all Chief Ministers of States and Union Territories.

This matter being of serious consequence and of direct interest to our Members we reproduce hereunder the letter issued to all Members of Parliament and forwarding letter to Chief Ministers of all States and Union Territories.

(In the context of reproduction of these communications we have not considered it necessary to reproduce the Writ Petition which has been submitted to the Supreme Court.)

LETTER ADDRESSED TO ALL MEMBERS OF PARLIAMENT (RAJYA SABHA AND LOK SABHA)

Hon'ble Member of Parliament,

India has capability and potential of attaining high level growth. Indians as individuals are capable of taking the country forward, matching its growth with countries like China and certain others in South Asia. Fifty years ago it would not have been envisaged that we will lag behind and not become a matching developed country.

**TOO MANY HOLIDAYS
CONDITIONAL ACCESS SYSTEM (CAS)
DELHI RENT CONTROL ACT**

**SPREAD OF CORRUPTION
CRUSADE AGAINST CORRUPTION
GRASSROOTS COURAGE**

Political, economic and Governmental factors all contribute to development processes. It cannot be denied that important factor of Governmental functioning has been our handicap. In the functioning of Governmental sector, while there are various matters of administrative system and procedures, one very important consideration is that of **the system of observance of Holidays in our Governmental Offices.**

As a public interest organisation, which has taken up a large number of issues for redressal of problems of the people, we have considered it necessary to write this letter to all Members of our esteemed Parliament, bringing to their special notice the enormous handicaps that are being caused in our developmental processes by the current **proliferation and surfeit of holidays and off-days in Government Offices.**

It would be incredible to believe, but this is a fact, that our Government Offices observe **as many as 201 holidays and closed days out of 365 days of the year.** These are : 104 Saturdays and Sundays, 17 gazetted holidays, 30 earned leave, 8 casual leave, 2 restricted holidays, 20 medical leave and 20 half-pay leave. In relation to our 17 gazetted holidays it might be mentioned that in developed countries the number of such holidays are : 10 in Japan, 11 in Canada, 9 in Hungary, 11 in U.K., 10 in U.S.A., 9 in Netherland and 13 in Austria; and there is corresponding check on other holidays and off-days.

The malady of proliferation of holidays and closed days has affected the Central Government Offices as well as the Government Offices of States and Union Territories. The work force of Government Offices, of the Centre and the States, constitutes 7% of entire work force of the country; lapses in functioning of Government Offices affect 93% work force operating in industry, trade and other development activities, which are in one way or the other dependent on the functioning of Governmental Offices.

Following points specifically need to be considered in relation to the proliferation of our holidays and closed days :

- (i) Gazetted holidays observed in India are mostly related to various religious festivals and observances. These comprise: Republic Day; Idu'l Zuha (Bakrid); Muharram; Holi; Ram Navami; Mahavir Jayanti; Good Friday; Milad-Un-Nabi (Birthday of Prophet Mohammed); Buddha Purnima; Independence Day; Janmashtami; Mahatma Gandhi Birthday; Dussehra; Diwali; Guru Nanak Birthday; Idu'l Fitr; and Christmas Day. We are a secular and multi-religious country; the origin of observance of these holidays is understandable. Time has, however, come to consider whether it would not be more appropriate to permit off-days on occasions of some of these observances and festivals to the employees of respective faiths and religions, and to avoid closing the Government Offices for these days. In this way the number of gazetted holidays can be reduced.
- (ii) Over a decade ago the Government Offices worked on the basis of six-day week. Demands of Unions of employees got this converted to five-day week. Vth Pay Commission got the matter examined in 1997 through experts and recommended reversion to six-day week, with 2nd or last Saturday off if necessary, and to maintain the alteration in hours of work which had been effected. It might be mentioned that some State Governments have continued to maintain six-day week. These States are : Assam, Himachal Pradesh, Madhya Pradesh, Meghalaya, Orissa, Rajasthan, Sikkim and Karnataka.
- (iii) The above mentioned off-days need to be reconsidered, from the viewpoint of effecting improvements in the economy of the country and to make it go forward in progress and development. Unions of employees need to be requested to consider this problem seriously, and agree to the reduction of number of off-days to the minimum possible, exploring the scope of bringing the total to approximately half the number presently being allowed as off-days. Their initiative in this behalf will bring glory to the country, lift it out of the present morass, and utilise its full potential to rise high in the comity of nations in development of its economy.

It may be noticed that during the month of April, 11th April was Ram Navami, followed by Saturday and Sunday; Ambedkar Jayanti on 14th, Mahavir Jayanti on 15th, Good Friday on 18th April. An employee taking leave of three days could easily enjoy ten days' off. In the month of May, 15th was Milad-Un-Nabi, 16th Buddha Purnima and again Saturday and Sunday on 17th and 18th May.

Hon'ble Members of Parliament will have observed that the subject of "Too Many Holidays" has been severely criticised in the Press during the current year. Forwarded are some of the Articles which have appeared in different newspapers.

Hon'ble Members of Parliament may kindly consider this matter for initiating appropriate action to ask the Government of India to effect necessary alterations in the policy of holidays and off-days, and to also request the State Governments to take action accordingly. This change can help to improve productivity and efficiency, lead to greater development of economy, and remove poverty, illiteracy and inadequacies.

COMMON CAUSE organisation has considered it a privilege to address this letter to Hon'ble Members of Parliament.

Director, COMMON CAUSE

To
Chief Ministers of all States
and Union Territories.

Subject : **OBSERVANCE OF TOO MANY HOLIDAYS IN GOVERNMENT OFFICES.**

Hon'ble Chief Minister,

I am forwarding herewith a letter which has been issued from COMMON CAUSE to all Members of Lok Sabha and Rajya Sabha, the Parliament of India. The letter is self-explanatory. We have highlighted in it the importance of curbing the tendency of allowing "Too Many Holidays", ostensibly to meet the demands of Unions of Government employees. It is a matter of serious concern that as many as 201 days out of 365 days of the year are observed as holidays and off-days in Government offices. The inadequate functioning of Government Offices is obviously a major cause of our country not making the progress which certain other countries have made in development processes.

We earnestly hope that you and your Ministry will kindly take note of these facts for determining the appropriate measures for curtailing the holidays and off-days. We would be grateful for information about the action being taken on this communication.

Director, COMMON CAUSE

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

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

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

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

WRITE-UPS ON THE SUBJECT WHICH APPEARED IN CERTAIN NEWSPAPERS DURING THE MONTHS OF APRIL AND MAY, 2003, WHICH WERE SENT AS ANNEXURES OF THE ABOVE LETTER TO MEMBERS OF PARLIAMENT AND CHIEF MINISTERS, AND WHICH WERE ALSO ANNEXED TO THE WRIT PETITION SUBMITTED TO THE SUPREME COURT.

OUR HOLIDAYS ARE SACRED

We are in the midst of a long, long weekend, from Friday to Tuesday. The Central Government declared Ambedkar Jayanti a public holiday on Monday, April 14. Friday was Ram Navmi, and Tuesday was Mahavir Jayanti. All told, five days off in a row. Even when we celebrated Holi last month, the Central government had declared March 19 as a public holiday. All the Panchangs (Hindu calendars) showed the 18th as Holi. How did the government goof up? How to remove this confusion? The solution was easy and pleasant. Both March 18 and 19 were declared holidays and schools and colleges closed. Unbounded joy with unlimited number of holidays is the credo of our society.

We prove that we are secular and pluralistic in observing all our festivals. We have holidays on birth anniversaries of Rama, Krishna and many more, and then there are festivals like Dussehra and Diwali. If we celebrate Christmas and Good Friday, we also have holidays for Id-ul-Fitr, Id-ul-Zuha, Id-e-Milad and Muharram. We have holidays on Budha Jayanti, Mahavir Jayanti, Guru Nanak's birthday and Guru Govind Singh's birthday. I look at the calendar in joy and despair as I see as many as 26 holidays in a single calendar year. No wonder our work culture is affected.

If we do not observe religious holidays, will it make us less secular or more? The Fifth Central Pay Commission observed in its report: "We are of the considered view that efficiency and productivity would be considerably enhanced by curtailing holidays that are declared on various pretexts. In order to promote a sense of true secularism, religious festivals should rightly be treated as personal to individual employees and it should not be necessary to close government offices on such occasions. It should suffice if the Central government offices are closed only on three national holidays – Republic Day, Independence Day and Mahatma Gandhi's birthday. We need to develop a more committed work ethos and culture."

But who will heed the Pay Commission? No government is going to lose an election if it reduces public holidays. What does it matter if we rank only 122 among the 165 nations, according to the UNDP Human Development Report, 2001. Japan and Germany virtually rose as giants from the ashes of the Second World War. A Japanese did not care whether he was paid overtime wages, he just worked 15 hours a day and gave to his nation unprecedented economic growth. Germans also did the same. The Chinese started only in the 1980s but in two decades China has become an economic superpower on its own, though it also has a large population below the poverty level.

Why is India moving like a tortoise but without winning any race? We have lost the culture of hard work, motivation, team spirit and excellence. Studies have shown that in an eight-hour work day, the actual work done is only four hours. The work is not linked to productivity. We are experts in doing 10 things at the same time – undoubtedly a rare quality. But in the process we miss the goal and lag far behind. Our politicians never believe in standing in queue and are always jumping it.

Taken individually, an Indian is equal to any citizen of any other country. But taken collectively as a team, we lag behind. The crab spirit is all-pervasive. (The story that Indian crabs can safely be carried in an open container in a ship is too well known. No crab can come out of the container as the crabs never stop pulling each other down.) The spirit of sharing and giving, once all-pervasive, has been replaced by grabbing and

greed, spreading insurmountable corruption and making our nation one of the 10 most corrupt in the world.

With the dawn of the 21st century, India must awaken to the new century of sustainable human development. We are happy with good results and do not strive for the best. We are thrilled that we "made it" to the finals of the World Cup, content that we didn't get the cup, but we never ask why our cricket team was not the best. We lack the spirit of excellence.

Let us see this new culture of commitment, teamwork and excellence blooming and removing India from a cluster of poverty to a cluster of prosperity in the emerging global village. Work is worship.

Muralidhar C. Bhandare, Indian Express

OVER 200 (UN) HOLIDAYS FOR GOVT

How will you describe a country where employees enjoy more than 200 holidays a year? Doomed, I hear you declare, frowning at the impossibility of such luxury when employees in the developed world don't enjoy even 100 holidays a year. Unfortunately, that is the tragedy of India. I have got the details from the Personnel Ministry and the figures show that every government staff is entitled to 104 days of weekly (Saturday-Sunday) off, 20 days medical leave, 30 days earned leave, 8 days casual leave, 2 days restricted holidays, 20 days half-pay leave and 17 gazetted holidays. Together, it entitles a government staff to 201 holidays a year.

This leaves just 164 working days annually, which further get reduced due to labour unrest, trade unionism and strikes. Even on the actual working days, eight official hours of daily work is conveniently reduced to five since people come late, enjoy extended lunch breaks and leave early as a rule. And we all know how conveniently *sarkari babus* take frequent breaks while at their desks. In the US, a normal working day extends from 8 am to 7 pm with an exact 30-minute lunch break. With a very limited number of other holidays, two weekly day-offs are justified after 11x5 hours of sincere work. But in India, it's a charity we just cannot afford.

The truth may hurt but it is necessary to point out how we are paying the price for our so-called secularism. In no other country, does the government declare holidays for all major ceremonies of all possible religions – Hinduism, Islam, Sikhism, Christianity, Buddhism, Jainism et al. Forget about Islamic or Christian nations, which secular, democratic country other than India entertains such luxury? None. For us, democracy means appeasing everybody's demand. The same philosophy works behind declaring holidays for birth and death anniversaries of great men ("*mahapurush*"). Each of these people have become symbols of some vote bank or the other. And we cannot afford to offend any.

Work is glorified as worship in all religions. Each and every great man's life is a lesson in *Karmayog*. Yet, we shamelessly use them as excuses to stall work nationwide. For the last eight days, government work was limping along because of a series of holidays. Even Parliament was closed for 10 days. If our nation-builders were alive today, they would smirk at such bankruptcy of our national character.

As a result, files that get cleared in developed nations in three days, wait for three months in India. The ambitious decisions of Parliament, Assemblies and the governments get caught in this bottleneck and development goes for a toss. Still, the vote bank politics ensures that all parties turn a blind eye to this phenomenon and recommendations to improve the work culture gather dust.

Both the Parliamentary Standing Committee and the Labour Commission recommended that weekly Saturday holiday be abolished and the number of gazetted holidays reduced to just four days. But the government is sitting on these recommendations because it doesn't want to confront the trade unions. Even the Fifth Pay Commission had asked for slashing the number of holidays. But bowing to trade union pressure, the government of the day partially implemented the Commission's prescription – the wages were hiked but the number of working days didn't go up.

I don't understand how our trade unions can be so shamelessly indifferent to the national interests. With obvious exceptions – people who save the system from tripping altogether – the employees have absolutely no commitment towards work. A committed IAS officer, who first told me how the number of annual leaves count up to 201, bitterly observed that even if the government gives our staff 300 holidays a year, they will still come late, go early and take every opportunity to shirk work.

We don't need to look far for inspiration. In 1947, the British offered to sell Dubai to Nehru for 6 lakh Pounds. Nehru refused to buy the desert land saying that India was a huge enough nation with big potential and it would be difficult to manage a barren tract of land across the seas. That some desert has developed so much in the last 50 years that it can today compete with the US. Fascinating skyscrapers, amazing shopping malls, fabulous roads, surplus power, best hotels, thriving industries, a corporate milieu bustling with the world's top players – everything has made Dubai a huge economic success and a global tourist destination. Considering it had almost no cultivable land and little industry, decades of dedicated hard work has gone into making this miracle. Today, one dollar can be bought in just 3 UAE dirham while we need to shell out almost Rs. 50.

We must learn from such examples. We have to understand that as responsible citizens, work is not our liability but responsibility. If we don't look into the mirror, introspect and start working now, we may soon have all the time in the world but simply no work to do.

Rajiv Shukla, Indian Express

WHAT'S HOLY ABOUT HOLIDAYS?

The Parliament reassembled on April 7 after the budget recess and adjourned on April 10 till April 21. This adjournment was necessitated not because of any stalling of the proceedings or other similar problems in conducting normal business in Parliament, but because of the fact that many public holidays had intervened in this period. Besides the two Saturdays and the two Sundays during this period, April 11 was a holiday for Ram Navami, April 14 for Dr Ambedkar's birthday, April 15 for Mahavir Jayanti and April 18 for Good Friday. April 16 and 17 were to be the only working days in this period, but it was decided not to hold the sessions of the Parliament on these days because of the preceding and succeeding public holidays.

In the case of MPs, it can be claimed that their work in their constituencies is as important as their work within Parliament and therefore a long stretch of holidays does not necessarily mean holidays for them but are working days outside Parliament. However, the case of government employees is different. With a five-day week combined with a large number of public holidays, government offices are open for work for only about 240 days in a year. This does not mean that all government employees work for 240 days. In addition to the public holidays which are 23 in a year, a government employee can avail eight days as casual leave, two days from the list of restricted holidays, 30 days as earned leave and 20 days as sick leave on half pay in a year.

There are also some other types of leave for special reasons such as 135 days for a woman employee as maternity leave and 15 days for the husband as paternity leave. Government employees are also entitled to special leave ranging from 6 to 21 days for the various types of family planning surgeries they may opt to undergo.

In a welfare state, the government has no doubt to set an example for all employers in the matter of granting medical leave, maternity leave, leave for operations connected with family planning etc. However, where the government has been needlessly extravagant has been in adopting the five-day week norm and recognising about 25 days a year as public holidays in addition to the 30 days of earned leave. Governments also declare holidays on occasions of happy events like victory of the Indian team in an important international contest or of grief at the passing away of a VIP. Add up all the days of leave a government employee gets in a year, and then it will be seen that there is truth in the gibe that India is the only country where a government employee gets pay for 365 days for working only one third of this period.

The argument that all advanced countries have a five-day week and some are considering even a four-day week norm has no relevance to the situation in India. So is the argument that a five-day week helps in increasing efficiency. In a developing country like India, the role of the government is quite different from that of the advanced countries because of the active involvement expected of the government in the development process. People depend mainly on the government for a variety of basic services they require, like supply of drinking water, power, food-grains, kerosene, health care, education etc. Even for the advanced sections of society, the government is still the provider of many services required for business, industry and the professions. If government servants are to be true to their name as servants of the people, a decision on the number of days government offices should remain closed has to be made on the basis of the convenience of the people rather than that of the employees. Unfortunately, such decisions which affect the people most are taken mainly on the basis of the demands and convenience of the employees without taking into consideration the views and convenience of the people who the government employees are supposed to serve. It is often claimed that rest and recreation for two days a week after five days of work are necessary for the physical and mental well being of government employees and also for better productivity in their work. However, actual experience shows that these assumptions are not true. The Fifth Pay Commission, while recommending a six-day week, had reported that several evaluation studies in India had shown that there had been a decline in work output after the introduction of the five-day week. However, the government decided to accept the demand of the employees for a five-day week, ignoring the advice of the Fifth Pay Commission on this issue.

The government did not also accept the very reasonable recommendation of the Fifth Pay Commission that government offices should remain closed only on three days in a year, namely, Republic Day, Independence Day and the birthday of the Father of the Nation. The government was very generous in accepting the Pay Commission's recommendation for a steep increase in salaries, pensions, etc., to its employees, but did not respect its recommendations on holidays and leave. Obviously, the government did not wish to displease its employees, with the result, the employees got both more holidays and more pay, while the views of the people who pay them were conveniently ignored.

If the people are to be convinced about the seriousness of the government's intention to raise India to the level of a developed country in the next two decades, the first and most important step the government should take is to restore the six-day week norm and to keep government offices functional all through the year, except on the three national public holidays as recommended by the Fifth Pay Commission. This will send a correct message to the people that the government is determined to adopt a new work culture in its functioning. There

can be no objection in a secular democracy like ours if we dispense with the present practice of *holydays* of some people becoming *holidays* for all.

The present appears to be an opportune time for launching a bold drive for a new work culture because of the government's decision to introduce a bill in the current session of Parliament for limiting the number of ministerial posts to 10 per cent of the strength of the Lower House of the legislature. One may ask how a legislation restricting the number of ministerial posts can help in creating conditions conducive for a better work culture in the government. The answer is that excessive fat has always been one of the major causes of sloth in government offices. Everyone knows that the proliferation of ministries and departments which has become very common both at the Centre and State levels is not because workload has justified it but mainly because of political compulsions to accommodate a large number of aspirants for ministerial posts. Ministries and departments which should have remained as single entities on the criteria of efficiency and healthy coordination have been artificially split up into several independent units in order to appease the claimants for ministerial chairs. Posts of ministers of state have been created even in the ministries and departments where the Cabinet minister himself does not have adequate workload, resulting in unseemly frictions and conflicts. When new ministers and departments are created, naturally new posts of secretaries and a whole hierarchy of complementary posts also get created causing wasteful expenditure, delays and more inefficiency. If the number of ministerial posts is reduced, automatically, the number of posts at all levels of employees will also be reduced, and a fresh wind of seriousness and commitment to work will start blowing across the whole government establishment. The presence of too many people at various levels of authority not justified by the load of work has always been identified as one of the most serious impediments to efficiency and productivity in government offices. Once the size of the ministries and departments and the various offices under their control get trimmed, we can reasonably be sure that the conditions for a new work culture will also get established.

Dr. P. C. Alexander, Asian Age

BABUDOM ON LEAVE? IT'S HOLIDAYS AT WORK

The proverbial Jack, one has reason to believe, used to work, work and work. But that's not the case with Jack, the Delhi government employee version. He's got holidays, you see, and plenty of them at that. Not that he minds. Why should he if the government pays him even on days when it's not 9 to 5. For those not in the loop, it's a never-ending party for employees of the city *sarkar*. After all, he enjoys the liberty of having more holidays than working days on his calendar. And that's official.

Informs an official at the department of personnel and training (P&T), "Holidays fall under three categories : national holidays, covering Republic Day, Independence Day and Gandhi Jayanti; closed holidays, numbering 18; and restricted holidays of which two out of 30 options can be availed." Add to this list, Saturday-plus-Sunday weekend off-days: 104 (compensatory leave for weekend services in the case of certain junior-level officers); casual leave: 8; earned leave: 30; medical leave: 20; and two or three off-days which can be announced by the government from its discretionary quota, and the tally comes to a minimum of 185 days. In other words, officially speaking, Jack is in the box for as long as he is in office. No wonder, the government's exchequer wears a dull look. "Money-wise, at an estimated Rs. 100 crore per *chhuti* and 23 declared holidays, the government stands to lose Rs. 2,300 crore per annum. And that's something the government can do

without," says an office-bearer of the All India Association of Industries.

We all have our off-days, but Jack has more off-days than others. If the recent extended weekend for babudom, thanks to Milad-ul-Nabi and Buddha Jayanti continuing through Saturday and Sunday are cases in point, it was literally a holiday binge in April, with the likes of Ram Navami, Baisakhi and Ambedkar Jayanti, not to mention Good Friday followed by Saturday and Sunday.

For the record, a recent study conducted on the basis of the financial calendar reveals that India, with an average of 23.8, enjoys the highest number of holidays (not counting Saturday and Sunday) on working days. A comparison with the US (9.2), and the UK (7.8) proves that our *sarkari* officials are head and shoulders above everybody else.

Not surprisingly, the public is upset with this holiday culture. "For the past week, I have been trying to get some work done at a government office. If things move at a snail's pace in such offices, frequent holidays make matters worse," complains Sumit Shrivastava, a businessman.

The official version, however, is that work continues despite the slew of holidays. "I work on off-days since they give me the chance to complete pending work and deal with urgent situations. But I can't say that the whole department follows a similar working pattern," says Delhi government chief secretary Shailaja Chandra. On the fact that babudom gets almost six months off by way of holidays. Chandra says "This is bound to happen with a five-day week. But then, the holiday list is decided by the Central government."

"I'm on holiday, by your leave". These could well be the words on the government employee's lips. "The system of leave is not uniform," maintains the official. "People with desk jobs normally have a five-day week, but those out in the field, such as employees of DoT, the Railways' zonal and divisional headquarters and the department of posts have a six-day week. Besides, the list of official holidays only indicates entitlement. Government officials never find the time to take leave. In fact, almost 90 per cent of officials try to encash their earned leave." Any way, holidays come in the line of duty for those in government service. And that's official.

Jyoti Sharma, Times of India

A busload of politicians was driving down a country road all going to the local constituency to battle out the coming elections. Suddenly, the bus ran off the road and crashed into a tree in an old farmer's field. Seeing what had happened, the older farmer rushed to the spot. He then proceeded to dig a hole and bury the politicians.

The next day the local police came to the scene to investigate. They asked the old farmer : 'you buried all of them...but were they all dead?'

The old farmer replied : 'Well, some of them said they weren't but you know how them politicians lie!'

A Surgeon, a Field Marshal and a Politician had had a very liquid lunch together and were now in a deep argument.

'A surgeon's job is the oldest profession in the world', said the Surgeon.

'What makes you say that?' asked the Field Marshal.

'Well', replied the Surgeon, 'When woman was created she was made from one of Adam's ribs and surely only a surgeon could do something like that'.

'Nonsense!' snorted the Field Marshal, 'Even before Adam and Eve there was a world and it is said that order was created out of chaos. Who else could do that but a soldier of the highest rank?'

'Ah!' said the Politician, 'But who do you think created the chaos, for being sorted out?'

CHINA - INDIA COMPARISON

China started their family planning policy in 1970, India in 1952. In 2001 our birth rate was nearly 3 times more than China. 27 births per 1000 as against 8.8 for China. India is adding 18 million people per year, against 9 million per year in China. Total addition to population is a function of total births minus total deaths.

India's per capita earning is US\$440 per year against US\$990 per year in China. As per the World Bank, the poverty line definition is US\$1 per person per day or US\$365 / person / year, for underdeveloped countries like India, China etc. As per the official data from both governments, China has 3% population below the poverty line, compared, to India's 26 to 29%! Only better governance will help.

China attracts 87 million tourists per year (this is expected to reach 90 million in 2002) against 2.5 million per year to India. The International Tourism Industry is (7 times the size of I.T. or software) about, US\$3700 billion per year. India, in spite of its old history and 21 cultures and languages, seems to have 'missed the bus', in Tourism. Tourism is a very big employment generator. It is estimated that every one tourist generates 2 to 4 jobs. Tourism promotes International trade and understanding.

In Foreign Direct Investment, FDI, China + Hong Kong received US\$ 106 billion last year (US\$70 billion from NRC's) vs US\$3.6 billion (US\$0.2b from NRI's) for India. Only better Governance can attract FDI and Tourists.

In exports, China is nearly + 700% of India. Taking the exports of Hong Kong + Macau into account, China's exports would be + 1000% of India. China's GDP is 50% in manufacturing or US\$ 650 billion per year. India's GDP is 25% in manufacturing or US\$ 110 billion per year. China's manufacturing base is nearly 6 times of India's.

Indians score high marks on performance, outside India! This is because the Governance is better outside. In countries where the Governance & Administration is poor, the performance of its citizens is also low!

Watch, Mumbai

A man went for a brain transplant and was offered the choice of the two brains - an architect's for 10,000 pounds and a politician's for 100,000 pounds.

'Does that mean the politician's brain is much better than the architect's?' asked the man.

'Not exactly', replied the brain transplant salesman. 'The politician's has never been used.'

...

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.

...

It is no use telling politicians to go to hell - they are trying to build it for us here.

...

CAS (CONDITIONAL ACCESS SYSTEM) FOR TVs

During the last few weeks there have been enormous lot of write-ups in newspapers, and transmission on TV, about the introduction of CAS (Conditional Access System) envisaging the provision of Set Top Box on each TV for enabling the viewers to watch the programmes of Pay Channels, and a matter of projection of specified numbers of FTA (Free to Air) Channels by the Cable Operators. Problems of viewers vis-a-vis those of Cable Operators, Pay Channels and producers of programmes are all inter-connected in this matter. Government's announcement that the system will come into operation from 14th July, 2003, and reported estimates of prices of Set Top Boxes made the viewers, the consumers, very much concerned about this entire matter. The Prime Minister declared that the policy formulation and its implementation should be such that these are consumer-friendly. On the basis of direction of the Prime Minister the policies have got appropriately moulded. The matter for the present appears to be settled, with lowering of customs duty on import of Set Top Boxes, provision of adequate number of FTA Channels, levy of prescribed amount payable monthly by the Viewers to Cable Operators, and disciplining of the functioning of Cable Operators.

From COMMON CAUSE we have communicated our views to the Minister of Information & Broadcasting. Originally we had planned to take this entire matter to the Supreme Court, but with the policy changes coming about at rapid pace within a period of couple of weeks this step became redundant. Copy of the letter addressed to the Minister of Information & Broadcasting, along with its enclosures is reproduced below.

LETTER ADDRESSED TO THE MINISTER OF INFORMATION & BROADCASTING

Dear Mr. Prasad,

Indian viewers of TV, the consumers, are grateful for the direction given by the Prime Minister that the CAS system which is being introduced, should be consumer - friendly. You, as the Minister Incharge, have been kind enough to emphasise this aspect and have taken initiatives accordingly.

There are quite a few issues which we consider to be of special importance in relation to this entire matter of CAS. We have incorporated these issues in the enclosed comprehensive note.

We earnestly hope that you will kindly give appropriate consideration to these issues and suggestions for necessary early action.

Kind regards,

Yours sincerely,

Mr. Ravi Shankar Prasad,
Minister of Information & Broadcasting,
Government of India

Director, COMMON CAUSE

ISSUES RELATING TO PRESENT POSITION OF CAS

- (i) It is obvious that TV Viewers are not only in the four Metros (Delhi, Mumbai, Chennai & Kolkata); they are spread in all towns and cities, and the TV has also penetrated into the houses of some affluent villagers. It is roughly estimated that there may in fact be total of about 70 million TV sets in the country. Viewers may be about 200 millions. We need to consider the whole issue on consideration of such totality.
- (ii) It is of paramount importance that all Cable Operators in Metros as well as in other towns and cities of the country perform their task in such manner that (a) they ensure quality of transmission (for this purpose the responsibility imposed on Bureau of Indian Standards (BIS) should be widely publicised and BIS should ensure the quality of equipment used for the purpose), (b) they must maintain data of the number and addresses of subscribers and should be under obligation to submit a quarterly return through the designated Governmental authority, submit accounts as prescribed by the Government, and pay Taxes. This should be ensured irrespective of whether the Cable Operators are in the four Metros or operating in any other city and town of the country.
- (iii) Charges levied by Cable Operators should be standardised, particularly in respect of FTA (Free to Air) Channels; this amount has presently been fixed at Rs. 72/- plus taxes. This should be the charge irrespective of the number of FTA channels, whether they are 30 or 45, as announced, or whether they are more as we are suggesting in the matter of FTA channels mentioned hereinafter. This amount should be operative wherever Cable Operator is located in the Metros or in any other city or town of the country.
- (iv) FTA Channels : The minimum number of FTAs originally mentioned by the Government was 30; the number has been increased to 45. These are obviously arbitrary numbers. We see no reason why it should not be prescribed that all FTAs (other than Pay Channels), in any of the languages in which the Programme is projected, should be in the bouquet of FTA channels for supply by the Cable Operators. This will satisfy all the viewers of different cities, and originating from areas of different languages of the country.
- (v) Pay Channels : It is necessary that viewers should be informed as to which are the Pay Channels. People in general presently do not know this. I, the undersigned, am myself not aware which of the channels projected on the TV screen are the Pay Channels and how many the Pay Channels are there. It should also be indicated as to which Pay Channel is charging what amount for providing programme to the viewers. It is obviously necessary that every viewer should be aware as to what monetary burden will be assumed by him for viewing the particular Pay Channels, and the number of channels.
- (vi) STBs (Set Top Boxes) : The Government of India has taken a very appropriate step in drastically reducing the custom duty on the import of STBs. The position will get more clear when STBs start appearing and featuring on the TV sets of viewers. It is necessary that payment in respect of each Pay Channel, or a bouquet of Pay Channels, should be communicated to the viewer by the Cable Operator so that he can decide as to which channels he wishes to see. It is hoped that a viewer will not have to pay more than Rs. 200/- (inclusive of Taxes), for viewing his selection of FTAs and the Pay Channels:

"I have a severe headache and want some medicine to cure it".

"Now, I believe, you don't need any medicine. I had a headache yesterday and I went home and my loving wife just kissed me and so comforted me that the pain was soon off. Why don't you try the same cure?"

"Yes, I think I will. Is your wife indoors now?"

...

There was an area of disagreement between the sexy young widow and a bachelor friend who was the latest addition to her brood. So they took their problem to court.

"Did you sleep with this woman?" asked the judge. To which our hero replied, sincerely, "Not a wink, your honor. Not a wink".

...

CORRUPTION

It is a matter of very serious concern for all citizens of the country that the malaise of corruption has crept into every nook and corner of the functioning of our system, the administrative, political, economic development, operation of trade and industry and even sacrosanct judicial processes. Everyone comes across news about the misdoings of elements involved in almost all types of transactions, the amounts ranging in the respective transactions from hundreds, thousands, lakhs to crores of rupees. It is very seldom that any case of corruption gets solved and highlighted; when it does, particularly in cases which have always been considered untouchable, like relating to judiciary, it causes enormous pain and shame. A judge of High Court, and some senior judicial functionaries, have in recent months brought disgrace to the country on being arrested on charges of accepting bribes.

Great lot of information regarding corruption cases appears these days in the newspapers. We reproduce hereunder some writings and news on this subject. These constitute only a tiny fraction of iceberg which this subject has become in our country. One hopes that exposure of cases of corruption will help to motivate individuals and organisations to intensify their campaigns for minimising and eradicating corruption.

Lok Sevak Sangh, an organisation of constructive workers located at Delhi, which has also tied itself up with the known international organisation, Transparency International, has recently expressed its objectives in the following manner in their Bulletin, for eradication of corruption.

CITIZENS' CRUSADE AGAINST POLITICAL CORRUPTION

We are writing this to inform readers about the measures which Lok Sevak Sangh, in association with Transparency International, India, and other like minded NGOs, shall take to prevent the "drift to disaster". While the corruption of bureaucrats can be taken up before the Central Vigilance Commission and the corruption of MLAs and State Ministers can be challenged before the Lok Ayuktas of the States, there is no effective forum available to the aggrieved citizen or NGO to question the corruption or abuse of authority by MPs and Union Ministers. The Lok Pal Bill, even in its diluted version, is being shelved from one Parliament session to the next, because the political will is missing. We shall be, therefore, taking the following steps to combat political corruption in high places.

- (i) Our All India People's Vigilance Committee (PVC for short) shall either act 'suo moto' or upon receipt of a complaint from any aggrieved citizen or NGO relating to the corruption or abuse of authority by any MP or Union Minister. The PVC shall check the veracity of the complaint and shall give every opportunity to the person complained against to give his version.
- (ii) If the complaint is found to be prima facie correct the PVC, with all the evidence at its disposal, will seek the opinion of our People's Lok Pal Commission (PLC for short) consisting of former Chief Justices and Judges of the State High Courts.
- (iii) If according to the People's Lok Pal Commission a prima facie case has been made out then the PVC shall go to the Ethics Committee of Parliament (Lok Sabha or Rajya Sabha as the case may be), for necessary action.
- (iv) If the Ethics Committee does not take early and adequate action, the PVC shall go to the Supreme Court for direction to the Government for taking necessary action.
- (v) If the Supreme Court does not act or if it gives a clear directive to the Government but the Government fails to act on the same or tries to circumvent it and, after all legal and constitutional ways to seek redress have failed then we shall offer Satyagraha in the Gandhian way.

2. In case there are too many complaints, we shall take up the more serious ones. We shall begin our work with the following matters brought to our notice :-
- (i) The financial irregularities committed by some MPs with or without the connivance or indulgence of the Collector concerned, in respect of the MP Local Area Development Scheme (MPLADS), which have been detailed by the Comptroller and Auditor General of India. Grave suspicions of misuse and corruption of the amounts allocated to each MP are evident on downloading from the website of the CAG's report. No action was taken by Parliament or Government on the CAG's two detailed reports.
 - (ii) In the Jharkhand Mukti Morcha case, it was held by the Supreme Court that while the bribe-giving MPs can be prosecuted, the bribe-taking MPs cannot be prosecuted as they enjoy immunity under Article 105 (2) of the Indian Constitution. We respectfully differ from this decision of the Supreme Court and are examining whether a public interest petition can be filed before the Supreme Court for a Review of its decision. However, in fairness to the Supreme Court judgment, we have noted that :-
 - (a) The Supreme Court did record : "However, Parliament may proceed against both bribe-takers and bribe-givers for breach of privileges and contempt". Our Parliament did not take any action.
 - (b) The Supreme Court also held that MPs are public servants for the purpose of proceedings under the Prevention of Corruption Act. But since no prosecution can be launched under the PCA without the sanction of the Competent Authority and since such authority in case of MPs has not been clearly named, there is a lacuna. The Supreme Court hoped that Parliament will remove this lacuna expeditiously. The Parliament took no action.

We now propose to approach the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha to direct the Government to respond positively to the Supreme Court's suggestions and bring forth necessary legislation without further delay.

3. We shall continue to press for a change in the 'system' that permits bribery, corruption and abuse of authority by MPs and Union Ministers and allows the guilty to go unpunished for several years, if punished at all. It appears to us that the beneficiaries of a corrupt system are not likely to agree easily to changing that system; and even if the system is changed for the better, the corrupt and the criminal shall not hesitate to circumvent or subvert that system. Therefore, we have to attack corruption on both levels i.e. bring about systemic changes as well as ensure exposure and exemplary punishment to the wrongdoers.
4. We shall also continue with our long term measures viz. (a) Promotion of moral and ethical education in our schools and education in democracy and good citizenship in the senior classes, and (b) Voters' education on non-party lines.
5. The majority of MPs and Union Ministers are honest. I respectfully ask them to remember what Edmund Burke said; "The only thing necessary for evil to triumph is that good people do nothing".

A woman getting off a bus was seen deliberately to place a parcel on the seat. A fellow passenger, alighting at the time, asked her why she was doing that?

"I do it every day", was the reply, "it's my husband's lunch. He works in the "Lost Property Office".

EXTRACTS FROM LETTER ADDRESSED BY LOK SEVAK SANGH & TRANSPARENCY INTERNATIONAL, INDIA TO THE PRESIDENT OF INDIA, PRIME MINISTER OF INDIA, DEPUTY PRIME MINISTER AND CERTAIN OTHER DIGNITARIES.

- (a) We reproduce below the important statement of the President of India, Shri A.P.J. Abdul Kalam, as reported in the Press on 27th April, 2003.
"India could not become a developed nation without eradication of corruption from public life. If we cannot eliminate corruption, and ensure transparent governance, the vision to become a developed India by 2020 will be a remote dream."
 - (b) The Prime Minister, Shri Atal Bihari Vajpayee in his speech at Palwal on 20th February, 2000 had declared;
"Corruption has become a major stumbling block for India's development despite having immense natural resources and agricultural potentials. Steps must be taken to remove corruption form public life ... We are committed to bring the Lok Pal Bill before the Parliament and include the office of the Prime Minister in its ambit".
 - (c) The Transparency International, Berlin, a world-wide movement to eradicate corruption having chapters in 80 countries, have ranked India amongst the 20 most corrupt countries of the world. Our object is to make India corruption free, starting with the elected representatives of our Nation and senior bureaucrats and then going down to the lower rungs of the corruption ladder.
2. We are appalled at the reports of the Comptroller & Auditor General of India (CAG) regarding the financial irregularities and gross violations of the guidelines issued for utilisation of the funds allocated to the Members of Parliament, Rs. 2 crores per year to each M.P., to be spent through the Collector / Deputy Commissioner according to the guidelines at the MPs discretion. Brief extracts from the CAG's 1998 report about the Member of Parliament Local Area Development Scheme (MPLADS for short), as also his review report in 2001, as submitted to the President of India under Article 151 of the Indian Constitution are attached herewith for your perusal. We also enclose two well informed and factual write-ups on the subject of MPLADS, as published in the Hindu and the Frontline - one by Shri Era Sezhiyan, a former Chairman of the Public Accounts Committee of Parliament and a senior fellow, Institute of Social Sciences, New Delhi, and another by Shri Arvind P. Datar, a senior Advocate of the Madras High Court. Shri Sezhiyan was kind enough to send us a copy of his article for necessary action.
 3. The CAG's reports (downloaded by us from his website), based on sample and test audits of only 165 districts out of 488 and of only 241 constituencies out of about 787, make a sad reading and constitute a serious indictment of some erring MPs & conniving or obliging Collectors/Deputy Commissioners and the complete failure of the Ministry of Planning (now Statistics) & Programme Implementation to stem the rot despite repeated warnings of the CAG. In many cases the Utilisation Certificates were not submitted at all; in several cases the guidelines were deliberately breached and MPLADS funds were diverted and mis-used. To add insult to injury., Ms Mayawati (Chief Minister of UP with BJP's support) was shown on leading TV channels exhorting her BSP MPs and MLAs to divert portion of the 'commissions' they receive from MPLADS to her party fund. Her defence: Shri Mulayam Singh Yadav (former Chief Minister of UP, now MP) had done worse things.
 4. Apart from Rs. 2 crores allocated to each MP every year under MPLADS (we understand this amount is going to be increased to Rs. 4 crores for each MP), there are thousands of MLAs who have followed suit and have been allocated a few lacs of rupees each for work in their constituencies and they are also now demanding an increase in their allocation. In this representation we are not dealing with the case of erring MLAs because such complaints can be taken up with the Lok Ayukta of the State concerned. But it is regrettable that in many States there are no Lok Ayuktas, in some States the Lok Ayuktas were appointed

and removed and, still worse, in some States like Uttar Pradesh, the office of the Chief Minister has been excluded from the jurisdiction of the Lok Ayukta. At the Centre there is still no Lok Pal, otherwise we would have taken our complaints to him. The first Lok Pal Bill was introduced about 35 years ago and the present 8th Lok Pal Bill is being tossed about from one Parliament session to another, with no hope of appointment of an effective Lok Pal in the near future. The political will is missing despite solemn commitments made by leading political parties in their election manifestoes, including the following commitment made by the National Democratic Alliance (reference NDA's Agenda for Governance', items Nos. 26 & 30) -

"We will introduce necessary electoral reforms on the basis of the recommendations of the Goswami Committee, the Inderjit Gupta Committee and the Law Commission Report so as to deal with the malaise of defections, corruption and criminalisation of politics, and to prevent electoral malpractices. We will enact the Lok Pal Bill with adequate powers to deal with corruption."

5. The Lok Pal may not be there but the Ethics Committees of Lok Sabha & Rajya Sabha are very much there. It should not be difficult for them to identify the erring MPs as well as the Collectors / Deputy Commissioners concerned, since the CAG has named the constituencies audited by him. The Ethics Committees and the Parliament, if they so wish, can take the most stringent action against the erring MP or Minister for contempt of the house or breach of privilege as the Supreme Court has suggested in the case of Jharkhand Mukti Morcha Case. If the Ethics Committees wait for conviction of the erring MPs, then they shall be waiting for ever. There is no forum today before which an aggrieved citizen or NGO can go to seek redress against any MP or Minister, howsoever incontrovertible the evidence of his wrongdoing may be. The Supreme Court has held that the MPs are public servants and the Prevention of Corruption Act is applicable to them also, but since no competent authority to sanction the prosecution has been named by Parliament despite Supreme Court's suggestion, no prosecution can be launched under the Prevention of Corruption Act against any MP or Union Minister.
6. In view of the aforesaid submissions we respectfully appeal -
 - (1) To the President to kindly ask the CAG to complete his audit in all remaining constituencies and forward his report to the President at the earliest possible.
 - (2) To the Deputy Prime Minister and Home Minister to kindly order the CBI or the Central Vigilance Commissioner to investigate speedily the cases mentioned or to be mentioned in the CAG reports under the category "Suspected Fraud" so that exemplary punishment under the law can be given to the wrong-doers.
 - (3) To the Ethics Committees to kindly examine closely how each MP and the concerned Collector / Deputy Commissioner, in the constituencies identified by the CAG, have actually utilised the funds under MPLADS and in case there has been wrong doing, to recommend to Parliament to take exemplary action against the erring MPs, and to ask the State Governments to take similar action against the erring Collectors / Deputy Commissioners.
 - (4) To the Prime Minister to kindly direct his Ministry of Programme Implementation to forthwith plug the loopholes in the MPLADS and to monitor and ensure honest and efficient implementation of the Guidelines.
 - (5) To the Chairman of Rajya Sabha and Speaker of the Lok Sabha to kindly ask the Government and Parliament to proceed further and enact an effective Lok Pal Legislation during the following monsoon session of Parliament and to finalise the sanctioning authority for prosecution of any erring MP under the Prevention of Corruption Act, as suggested by the Supreme Court.

WORMS IN THE SYSTEM

If there's one thing of which we've had very regular and sensational instances, it's been the dishonest and the corrupt in our midst. People who have tried hard to make it almost a social grace, an attribute to clever, civilised living. There have been ministers charged with such activities - the ancient and you would say the *venerable* Sheila Kaul; the seemingly simple Sukh Ram; the loud-mouthed stand up comic Laloo Prasad Yadav; and the doughty leader of 'backward' people from Tamil Nadu, Gingee Ramachandran.

There have been senior; very senior bureaucrats similarly charged and even arrested, solemn of mien, exuding an air of consequence - creatures like B.P. Verma, then Chairman of the Central Board of Excise and Customs; Subhash Sharma, the Vice Chairman of the Delhi Development Authority. Senior police officers including a Director General of Police, all aglitter with rows of medals on their uniforms, have also been arrested and charged with an assortment of crimes ranging from murder to rape to dishonesty. And we have had judicial officers join this family; two—a judge and a magistrate—charged in Punjab, and a former judge of the Delhi High Court, Shamit Mukherjee, arrested and later released.

There have been top executives from the corporate world, like the head of Coal India who was sacked, and stock exchange operators like Harshad Mehta and Ketan Parekh, and, in earlier years, two chairmen of ITC, K. L. Chugh and J. N. Saprú, and some senior executives of that company.

And those are the big ones. The ones whose activities may have caused some of us some surprise. But we all know that many police constables take bribes, as do telephone linemen, officials at various levels in municipal corporations, and in the income tax departments. We've just taken it as a feature of everyday life. There have been some surveys conducted by some agencies which rank India as the second most corrupt country in the world. We've all seen these duly reported in the media, shaken our heads and carried on doing whatever we do.

So are we, then, innately dishonest? Is dishonesty a level to which we all eventually head, like water to the lowest level, and is honesty and integrity something alien to us? Is our notion of dishonesty a very complicated concept which can be explained away by some carefully selected extracts from some ancient texts which blur our antagonism to it? Obviously the answer to all these questions is no, but it doesn't always appear to be that. There are those whose general disgust makes them declare that the answer is yes. But, whatever sensational revelations we may be presented with, whatever personal instances we may come up against graft, bribe-taking and dishonesty, the answer will still be no.

For one reason, at least. The fact is that there always is an outcry, there is anger, and the governments at the Centre and in the states do enact laws to curb corruption, and do set up the machinery to give effect to these laws. We see it all around us - the Central Vigilance Commission, the CBI, the enforcement directorate of the ministry of finance, these do exist and they do work and they do bring dishonest people to book. That, really, is not the point. The point is that the sum total of all that's being done is simply not enough.

That people in general are disgusted with the prevalence of dishonesty is true. It is also true that there is a general acceptance of it as a part of our society, and not enough anger at the manner in which the authorities are setting about eliminating it. And the fact is it can be eliminated, if only the machinery set up for the purpose is effective enough to do it. Times out of number these agencies have complained in public about the shortage of staff. Times out of number the Central Vigilance Commission has complained that the commission's recommendations are not acted on - the whining and moaning is continuous. And while it never seems to stop, no one, no one in any position of authority, takes any serious steps to look at the structures that have been set up to eliminate corruption, to study the laws that exist and the procedures that have been prescribed.

The plain fact is that all of them are in a dreadful state. The laws have loopholes so large that anyone with

a small amount of common sense would be able to walk through them. The procedures are so convoluted and elaborate and require so much to be done for an investigation to move forward an inch. The structures of enforcement agencies are antiquated, ridden with hierarchies on which those within the structures spend most of their time ensuring can ascend, and unable to facilitate quick effective action.

As I said, the agencies are constantly moaning about their terrible workload, their shortage of staff and – not as often – of the cumbrous procedures they have to follow. As things stand, one doesn't see that much is being done about it. These cries of distress seem to meet with complete indifference. But they aren't, I can tell you. Anxious efforts are being made to improve matters, but these efforts are inefficient and are themselves lost in a maze of procedures.

Surely, at some time those responsible – someone like L.K. Advani, for example – needs to stand back and reflect on what is going on in this terrible business, and decide that enough is enough. It is possible to issue orders to get essential things done – position men where necessary; give them the powers and discretion they need to act quickly; bring all the enforcement agencies together to work as one, and take swift action at the lowest level and at the highest.

A constable taking a bribe, or a corporation official, or someone in any small office -- quick, resolute and determined action needs to be taken to deal with them and not just to start an inquiry, the usual ploy behind which our enforcement agencies tend to hide. The elimination of corruption must not be, additionally, the responsibility of any one agency; every person in authority must be made to take similar swift steps to stamp it out.

It won't be easy. I know of a recent case where a member of the staff of someone holding a very high office was caught red-handed, stealing a large sum of money. Soon after that the dignitary was besieged by the man's colleagues, his wife, his son, his brother and most of his community with pleas like: "He's a poor man, how will his family live? He has two daughters to marry off, his children will starve" and so on. Issues the dignitary was expected to consider, but not the man, when he stole the money!

Garib hai, use maf kar dijiye. That is the acid test. At some point it has to be made clear, no matter how painful it is, that there can be no compromise with dishonesty. Being rich or poor has nothing to do with it. It is question of how we live, how we want to live. With honour, or with equivocation. It is a matter which is completely non-negotiable.

And unless that hard decision can be taken, that uncompromising attitude to dishonesty made generally accepted, and unless the means of eliminating it made much more effective and quick, we will remain where we are – wallowing in sensational disclosures, and paying to officials just to get on with our lives.

Bhaskar Ghose, Hindustan Times

METHODS OF MAYAWATI'S RULE EXPENSE ACCOUNT OF THE LEADER

The people of Lucknow are unlikely to forget January 14, 2003 in a hurry. That day they saw one of the grandest birthday parties ever in the city to celebrate the 47th birthday of Uttar Pradesh Chief Minister Mayawati. With the state bureaucracy trampled into servility, it was no surprise that Chief Secretary D. S. Bugga himself played host. The state machinery was pressed into service as if it was an emergency and bureaucrats jostled with each other to compliment "Behenji". A 50 kg cake was cut and 15,000 kg of laddoos were passed around among those joining the revelry.

With everyone having a good time, there should have been no cause for complaints. Except that the Uttar

Pradesh High Court wasn't amused. It asked the Comptroller and Auditor General and the Advocate General of Uttar Pradesh to account for the expenses incurred by the Government on the celebrations. Mayawati's response was similar to her reactions in the past. "The Manuvadis", she said, "were targeting her because she was a Dalit Ki beti (a Dalit's daughter)."

If that was typically evasive, here is what she has admitted. Yes, the State Government spent over Rs. 75 lakhs from the Contingency Fund for the birthday bash in defiance of provisions which clearly state money cannot be used for such purposes. The scale of the celebrations, however, seem to suggest that what was drawn from the Contingency Fund was mere loose change. Bridging the deficit didn't prove a problem. Her cronies distributed thousands of coupons for collecting money that was later gifted to her. Of course, no one is willing to say precisely how much money was collected. Needless to say, no one has the gumption to ask either.

That Mayawati is a spendthrift is no secret. Especially when it comes to splurging someone else's money. Recently, she sanctioned more than Rs. 1.4 crore to renovate the state headquarters of the Bahujan Samaj Party. Though her mentor Kanshi Ram lives in Delhi - his personal security is, therefore, the headache of the Delhi Police - she ordered the withdrawal of Rs. 16.35 lakhs from the contingency Fund for security arrangements at his Humayun Road residence in the capital.

Such splurging is not mindless. After all, Mayawati has a political agenda to fulfil and every controversial decision is in some way linked to that agenda. In her first brief tenure as chief minister in 1995, she dipped her hands liberally into the Contingency Fund to withdraw crores of rupees for her dream project, the Ambedkar Memorial in Lucknow. Her successor Kalyan Singh had ordered a special audit of the project in 1997. Later, an inquiry committee had indicted officers for misuse of powers and administrative discrepancies in the construction of the memorial. Mayawati's name had also figured in an FIR as an accused in the Rs. 60 crores fire pump scandal in 1995.

Corruption and misuse of power are commonplace in politics but what makes Mayawati stand out is the sheer effrontery with which she does it. When the Samajwadi party released tapes that clearly showed Mayawati asking her MLAs and MPs to deposit a portion of the money received under the Vidhayak Nidhi and the MPLAD schemes with the party, Mayawati, not surprisingly, went on the offensive. She ordered a series of inquiries against the Samajwadi party chief Mulayam Singh Yadav on the discretionary quota scandal and misuse of development funds meant for MLAs.

From India Today

Joe had been out of the town with a dazzling blonde, and as he returned home the rosy tints of dawn began to colour the skies. Marshalling his inner resources, he managed an air of quiet sobriety before the suspicious eyes and clapping tongue of his wife.

Suddenly, as he was undressing, she punctuated her harangue with a sharp, gasping intake of air.

"Joe", she asked through clenched teeth, "where's your underwear?"

Blearily, Joe perceived that his boxer shorts were, indeed, missing. Then inspiration struck.

"My God!", he cried, with aggrieved dignity, "I have been robbed!"

...

Latest comment from the pundits regarding the population explosion : if the birth rate keeps increasing there will soon be standing room only on the earth, at which time the birth rate would stop increasing pretty quickly.

...

As they ran for their respective trains, Ralph called to his fellow-commuter, Paul :

"How about a game of golf tomorrow?"

"Sorry", Paul called back, "but it's the kids' day off, and I've got to take care of the maid".

...

DELHI RENT CONTROL ACT

It is indeed very unfortunate that on account of manipulations by certain organisations of shopkeepers and support provided to them by some elements among politicians, improvements in the half-century old and antiquated existing Delhi Rent Control Act have been held up and the matter has continued to languish in the Parliament. Hundreds of thousands of house-owners and tenants are adversely affected on account of enormous delays in effecting requisite changes in the existing law; the interested politicians continue to disregard the initiative taken to effect improvements in this Act.

Recently a public notice was published in newspapers inviting people to submit their Petitions, addressed to the Secretary General of Rajya Sabha, on any matters of importance which require to be considered by the Rajya Sabha. We from COMMON CAUSE have submitted a Petition on Delhi Rent Control Act in response to this Public Notice. As the interests of owners and tenants of premises all over Delhi are involved in this matter we have considered it appropriate to write to all 700 Residents Welfare Associations of Delhi to take initiatives and write to the Secretary General of Rajya Sabha.

LETTER ADDRESSED TO ALL 700 RESIDENTS WELFARE ASSOCIATIONS OF DELHI

We are forwarding herewith to you a copy of the letter which has been addressed by COMMON CAUSE to the Secretary General of Rajya Sabha of Parliament. It is on the important matter of Rent Control law. Everybody is aware of the excruciating problems being encountered between owners and tenants of premises in Delhi. The major cause has been the continuing delay in finalisation of the new Rent Control Act for replacing the antiquated fifty years old Act.

A notice has recently appeared in Hindustan Times on behalf of the Secretary General of Rajya Sabha that Petition can be submitted to him on any subject which may be important from the viewpoint of the people. We have accordingly addressed to him the Petition, copy enclosed.

We request all RWAs to kindly consider immediate action of sending appropriately worded Petition to the Secretary General of Rajya Sabha on the subject of pendency of enactment of Delhi Rent Control Act. You are welcome to send a copy of the letter to COMMON CAUSE.

Director, COMMON CAUSE

Encl : As above.

The matter of Rent Control is in fact of general interest to people in all towns and cities of the country. States and Union Territories have their own Rent Control Laws. Wherever there is need of updating the existing Rent Control law people should take the requisite initiative and demand the change. They can, if necessary, secure excerpts from the Delhi Rent Control (Amendment) Bill which is presently pending before the Rajya Sabha. For Delhi, which is a Union Territory, Rent Control legislation has to be enacted by the Parliament.

LETTER ADDRESSED TO SECRETARY GENERAL
OF RAJYA SABHA

This Petition from COMMON CAUSE, the public interest organisation which has taken up a large number of problems of the people for redressal of their grievances.

Sheweth

COMMON CAUSE represents that the Delhi Rent Control (Amendment) Bill, 1997, which was introduced in the Rajya Sabha on 28-7-1997 "for consideration and passing", needs to be expeditiously dealt with. The subject of Rent Control has become a very excruciating problem between owners and tenants of premises of houses and shops. The present Rent Control Act operating in Delhi was enacted half a century ago and has become outdated. Arising from the recommendations of a Joint Meeting of Chief Ministers in 1992 a new Rent Control Bill was prepared by the Government of India in 1994 for bringing about balance between the demands of owners and tenants. It was later passed by both Houses of Parliament and was also signed by the President of India; thereby it became Delhi Rent Control Act.

There is always a clause in every Act that it shall come into force from the date it is enforced by the Government. For various political reasons, motivated by some organisations of shopkeepers, the Government of India did not bring this Act into force. This matter was taken to the High Court by the Petitioner; differences in views of Judges relating to certain aspects of the matter necessitated its being referred to the Supreme Court where it is still languishing.

Meanwhile, the matter was referred by the Government to the Joint Parliamentary Committee of the Parliament. Certain amendments were made in 1995 Act. The Amendment Bill prepared by the Joint Parliamentary Committee has since been pending in the Parliament. It has been in the list of Rajya Sabha matters since its introduction on 28th July, 1997, six years ago. No decision has yet been taken.

The matter is of obvious importance. Hundreds of thousands of owners and tenants in Delhi are affected by the problems arising from operation of the antiquated Delhi Rent Control Act. Political considerations, based on agitations launched by certain groups of shopkeepers have held up the finalisation of this matter.

This Petition is being submitted to the Secretary General of Rajya Sabha with the request that the matter may kindly be brought to the notice of Rajya Sabha for early enactment of the legislation.

Director, COMMON CAUSE

"Well", he said, "that's that. I wish you much happiness in your new apartment and here are the two keys that come with it."

She straightened up, accepted the keys, and favoured him with a dazzling smile.

"And here is a month's rent in advance, honey", she replied. And she handed him back one of the keys.

I don't know what's wrong with me, doctor, "said the curvy callgirl. "I feel tired, dragged out, pooped. No pep. No get up and go. Is it vitamin deficiency, low blood count, or what?"

The medico gave her a tip-toe examination and then his verdict : "Young lady, there's really nothing wrong with you. You're run-down, that's all. You've been working too hard. I suggest you try staying out of bed for a few days."

GRASSROOTS COURAGE & INITIATIVES : A FEW INSTANCES

- I. A huge banyan tree affording shelter to thousands obviously starts only as a tiny seed. Sri Ramakrishna Mission Sarada Vidyalaya, in Chennai in South India, was also evolved like this, with the indomitable will of a young girl. This girl was no other than R. S. Subbulakshmi Ammal, who dedicated her entire time and energy for the cause of women's emancipation. Recently the organisation celebrated its diamond jubilee.

One India One People

•••

- II. While fate snatched away her husband early in life, it was Subbulakshmi's father R. V. Subramania Iyer, a retired government official, who in his far-sighted wisdom educated his daughter, much to the consternation of his relatives and friends. Subbulakshmi's courage to swim against the currents of all the negative factors in society helped her attain a colourful education, not to speak of the responsible coveted positions she held in various academia. Subbulakshmi's sensitive heart was touched by the plight of young widows, and the poor and neglected ladies during her time. To rehabilitate them, she started the "Widow's Home". She also started a Higher Elementary Training School, a Model School and a hostel complex attached to it. She prepared these inmates for the Government Eighth Standard Examination. After they emerged successful, they were made to undertake two years of Higher Elementary School Teachers' Training Course.

Over the last sixty years, Sri Ramakrishna Mission Sarada Vidyalaya has blossomed as a vast educational complex. Today, it boasts of two Higher Secondary Girls' Schools, one Middle School and one Primary School - with more than 6,500 students mostly hailing from poor families.

The Hindu

•••

- III. Fifty-year old Anjina Rajagopal, a Keralite from Karnataka, is single. But she chucked her steno's job to run Saikripa, a society for homeless children.

Anjina's first child happened by chance. While walking to her office from the bus stop one morning, Anjina saw a boy being thrashed by a fruit vendor near ITO in New Delhi. The vendor said the boy was an orphan and always pestered him for food. Says Anjina : "I went back again in the evening. The child was crying helplessly. I decided to take him home."

She informed the police and advertised in a newspaper. When no one came forward to claim the boy she decided to look after him. This happened in 1990.

Anjina and a few like-minded friends decided to register a society, Saikripa, to look after homeless children. Three months later, Rajat got a sister. By 1992, Anjina had acquired a family of seven including an abandoned newborn.

Till this time, Anjina had been managing with her steno's salary and a donation of Rs. 100 each from nine society members. Now she decided to give up her job and approached an NGO for help. A charity show also helped her collect a basic fund. The family grew. Later a software company bought land for Saikripa and built a two-and-a-half storey home that now houses 30 children of Anjina.

Times of India

•••

IV. **Blind Teacher Gives the Visually Impaired a Foothold in Cyberworld**

Arti Bubna is having a tough lecture. The 24-year-old teacher is trying to teach visually impaired Nikita Vaid, 17, the concept of a "menu bar" on a computer. She tries for the fifth time: "Imagine the menu of a restaurant that lists food. The 'menu bar' on the computer is just like that." But Nikita is not yet clear. "So why do other menus drop down from it?" A two-hour lesson later, Nikita finally understands the concept of a menu bar. What makes this lesson even more extraordinary is Bubna herself is blind.

Bubna is the brain behind the three-year-old Voice Vision Computer Training Institute in Mumbai's western suburb, Goregaon. The institute imparts basic computer skills like how to use the computer, surf the Net, design web pages and also use code in different computer languages for the visually impaired.

Bubna is self-taught, as she has mastered the computer from an online course at the Hadley School for the Blind in the US and after hours of practice. Born with a cataract in her eyes, Bubna lost her eyesight completely by the time she was 20. Almost all the private computer institutes that she approached denied her admission. Many months later, however, she discovered JAWS – a software that reads out everything on the computer screen.

Today she charges Rs. 5,000 per course and is also the dealer for JAWS.

What Bubna counts bigger than her personal achievements is her ability to motivate other visually impaired students in the information age and making them employable. Her immediate dream is to construct a three-or-four-storey building with classes on each floor.

Outlook

A small farm boy was milking his cow when all of a sudden a bull tore his chain and made straight for the cow. The boy was not at all afraid and continued with his milking while workers nearby watched in horror.

The bull came rushing in, then stopped equally suddenly but within a few inches of the boy, then turned round and walked away quietly. "Weren't you afraid?", one of the workers asked the boy.

"Oh, not at all", the boy replied coolly, "I happened to know that this cow was his mother-in-law".

...

"It's a very difficult case to diagnose", the doctor told the young brunette after finishing examination. "As near as I can tell you're either going to have a baby or else you have a cold".

"Must be a baby", the girl said, "I don't know anybody who could have given me a cold".

...

The lady of the house suspected that one of her two sons was paying attention to the maid. Anxious to find out which one, she said to the girl, "Gertie, suppose you could have a date with one of my sons, which would you prefer?"

"Well"; replied Gertie, "It's hard to say, Ma'am, for I've had some grand times with both of them. But for real rollicking spree, give me the master".

...

Little Johnny was playing with his father's wallet when he accidentally swallowed a quarter. He went crying to his mom, choking on the quarter. They took him to a doctor, who said that the quarter was impossible to remove without surgery; they consulted a specialist who was of the same opinion. Then came a man who said he could get the money out in a jiffy. He turned little Johnny upside down and patted him with great precision on the back of neck and sure enough, the quarter rolled out. Everyone was amazed; the father said, "You must be an expert!" The man replied, "No sir, I'm just a tax collector".

...

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.