

# Education

Wednesday, November 16 2011, 1:29 AM

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## Statistics

1. India's mean years of schooling is 5.1 (4.2 in 2000) compared to China's 8.2 and Brazil's 7.5.
2. India's gross enrollment ratio in higher education (universities) has become 20% and the target is 30% by 2020.

## Enrollment and Dropouts

1. India's enrollment ratio in primary is 90%. In secondary school dropout ratio is 40%.
2. Main reasons for not enrolling in primary school are "household atmosphere" and "financial constraints".
3. Main reasons for dropping out in secondary are "lack of quality education" and "alternate employment opportunity" for boys and "household work" for girls. Thus there is a clear need to shift the focus from access to quality.

## Analysis of RTE

## **MONITORING SYSTEM OF MID DAY MEAL SCHEME**

- The HRD Ministry will set up a state-of-the-art system to monitor the mid day meal scheme on a real- time basis. The Scheme which covers more than ten and a half crore school children in over 12 lakh schools will be monitored through latest communication system - Inter Voice Response System on a daily basis.
- It will be uploaded from every school giving details of the number of children having been provided food in every school. Problems, if any, can be fixed by taking corrective action through the district administration.

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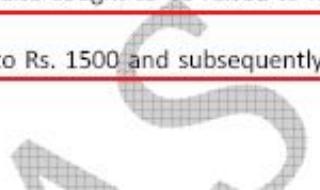
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- On the issue of quality of food, the system will allow any stake holder including community leader, to file complaint. The system will integrate web-portal with Inter Voice Response System through Cloud Telephonic. It will be the responsibility of the Head of the school to upload the website.

## REVAMPING MID-DAY MEAL SCHEME

[For other related details of MDM Scheme, please refer to July Current Affairs Notes]

- The Centre proposes to revamp the Mid-Day Meal scheme during the 12th Five Year Plan by extending it to unaided private schools in tribal, Scheduled Castes and minority-dominated districts.
- The revamped scheme will also cover the children studying in pre-primary classes located in the premises of primary schools.
- The Centre would also revise norms of assistance by enhancing cooking cost by basing the Mid-Day Meal price index exclusively on the basket of items.
- Transportation Assistance of Non-North Eastern Region (NER) States is also sought to be raised to Rs. 150 per quintal from its existing limit of Rs. 75 per quintal.
- The honorarium for cook-cum Helpers would be raised from Rs. 1000 to Rs. 1500 and subsequently to Rs 2000.



## RTE Performance

### *Inputs vs Outcomes*

1. However, what the law actually specifies are inputs that should be present in schools (in the form of buildings, facilities, teachers, etc.) rather than outcomes that children should be guaranteed (in the form of specific learning benchmarks). It thus makes a series of assumptions about how the inputs it mandates will translate into processes in schools and generate outcomes for children.

### *Teaching the curriculum*

1. Once in school, what is the content that children should be expected to learn? RTE has little to say about children's learning outcomes; however, it does require teachers to complete the curriculum of the grade they are teaching. Clearly, then, it is assumed that all children are at a level of mastery where they are able to keep up with the content prescribed for the grade in which they are enrolled, such that when teachers have finished the syllabus, presumably children have mastered its contents.

### *Diversity in classrooms*

1. The teaching-learning process is further complicated by the diverse composition of classrooms. The elementary education system and RTE both assume that children enter school at a certain age and advance a year at a time through the system, such that children enter grade 1 at age five or six and complete eight years of schooling at age 13 or 14. In practice, children in India do not necessarily begin grade 1 at the appropriate age, nor do they progress neatly up the ladder one year at a time.

### *Enrolment vs. attendance*

1. First, RTE's focus on ensuring that all children are in school translates into a directive that all children should be enrolled. In India, enrolment figures for the 6 to 14 age group have been in excess of 90% for many years now. But unlike in western countries, enrolment is a highly misleading indicator of children's actual exposure to schooling. An examination of children's attendance provides far more accurate information about children's actual participation in school. Moreover, it can provide important insights into the areas on which educational policy should focus to ensure that all children learn.
2. Annual Status of Education Report (ASER) 2012 data reveals that nationally, 71% of all children enrolled in primary schools (grade 1-5) were present in school on the day of the survey. Across states, this proportion varies substantially, from 94% in Kerala to 50% in Bihar

### *Improving Learning Outcomes - Teaching by Level Principle*

1. Reports suggest that only half the rural children in class 5 can fluently read text from a standard two textbook. Schools have been organized by age and grade. Children move from one grade to the next, regardless of the underlying learning composition of students.
2. We should follow the principle of teaching by level. Children are grouped into classes based on similar learning outcome levels and not age. This improves outcomes as each instructor had children who were at the same learning level and used appropriate materials and methods for that level.

### *Infrastructure Provision*

1. Teacher distribution: Overall teacher-student ratio is 30:1 but 40% of secondary schools and 30% of primary have higher ratios. India needs a million teachers to meet the teacher-pupil ratio specified in RTE.

### *Dropout Ratios*

1. Dropout ratio (annual) has gone down from 9% to 7%. But it is increasing in some states like Haryana.

### *Critical Assessment of RTE Performance*

## 1. Administrative issues - blurred division of responsibilities

1. Both the State Government and the local authority have the duty to provide free and compulsory elementary education. Sharing of this duty may lead to neither Government being held accountable. Schools established by the State Government would be under the authority of the State while Panchayats will have the duty to provide free education at the local level.
2. Moreover, there is no mechanism to provide for the local panchayat to get the funds from the State Governments for the local schools. In such a situation, it becomes plain that the local panchayats have no real authority.

## 2. After elementary stage: What happens to the children from the weaker sections after they complete their free elementary education in the elite schools. Predictably, these children will have to leave these schools and slip back to government schools.

## 3. Unrealistic standards and rigidity

1. The current norms of SSA are excessively rigid, and do not allow for regional, spatial and rural-urban differences. While the minimum norms for quantity and quality in schooling must be laid down by the central legislation and rigidity adhered to, it is important to allow for flexibility.
2. The Act laid down that within three years, only recognized institutions with certain minimum infrastructure will impart school education in the country.
3. Only schools that have the minimum teaching personnel and a playground will henceforth be allowed to function. At the present time, when land prices are so high, to conjure up a playground where there is none today is asking for the moon.

## 4. Teaching quality

1. RTE emphasizes on physical infrastructure but not on teaching standards. The pattern of funding of the SSA and the emphasis on expansion of enrollment has led to emergence of centres operating with minimal infrastructure and resources, which cannot be accepted as schools. There must be emphasis upon the minimum quality norms.
2. In a majority of villages, the teaching of children is in the hands of barely educated para teachers. The qualification for becoming a para teacher is higher secondary or even secondary pass.

## 5. Corruption: RTE Act, by giving absolute power to the Education Department and local bodies to make or mar schools, will become the ideal tool for large-scale, systemic corruption.

## 6. Financial issues

1. No definite formula for expenditure sharing has been provided under the Act itself and the central government has enhanced the states' share from time to time on its whim. The Centre continues to exercise strong influence over the State Governments, thereby limiting their freedom.
2. There is no prescribed fiscal formula for devolution of resources by the state to the Panchayat.

## 7. Redressal mechanism: There seems to be a blatant vagueness on whose ultimate responsibility does enforcing the right vest.

1. The LA (generally the gram panchayat in rural areas and the urban local body in urban areas) is designated as the point of registration of grievances.
2. The SCPCR is designated as the point of appeals for non-redress at the state level. SCPCR have not been setup in many states yet.

3. There is thus a large visible gap between the LA and the SCPCR.
4. While the Department of Education has an internal system of management of complaints, this system is not visibly designated as such, and is therefore not accessible to citizens.
5. There is thus a need to designate and identify internal grievance registration and appeals points (officers) within the Department of Education at the state, district and block level.
6. There is also a need to simultaneously create an independent appellate unit at the district level.
8. Punishment for not ensuring the right: It is extremely weak in terms of the responsibility of the state, as well of private schools that do not conform and does not provide for adequate complaint and redressal mechanisms. Instead, the onus of blame, along with the susceptibility to punishment, is placed on parents/guardians.

## Government Initiatives

## 17. HRD MINISTRY NOW FORMS OVER-ARCHING BODY

- The Human Resource Development Ministry has now set up an over-arching body through an administrative order, after lack of consensus stymied its efforts to create a single regulator through an Act of Parliament for all streams of higher education.
- The essential mandate of the Higher Education Apex Coordination Committee (HEACC) will be to resolve issues arising out of "varying and sometimes conflicting regulatory provisions" mandated by regulatory bodies and professional councils that have come up to maintain standards in specialised areas.
- The HEACC will be unlike the National Council for Higher Education and Research (NCHER) which was envisaged as a super-regulator by dismantling the University Grants Commission (UGC) or the All-India Council for Technical Education (AICTE) or the National Council for Teacher Education (NCTE).
- The office order makes it clear that it will not impinge on the authority or functioning of statutory regulatory bodies or professional councils.

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- The constitution of the committee had become necessary as regulatory provisions of different statutory bodies vary from each other resulting in lack of proper coordination amongst them.
- The new committee would meet once in three months and would be coordinated by existing UGC.
- The HEACC will be chaired by the HRD Minister. UGC Chairman, AICTE Chairman, Secretary Higher Education, and Joint Secretary Higher Education will be members of the apex body on higher education.
- As the Health Ministry opposed the HRD Ministry's bid to extend its mandate to health education and the Bar Council of India was worried that the NCHER would encroach on its control over legal education,

- Government aims to provide skill training to 8 mn people during 2012-13 and 50 mn people during the 12th Plan. For this the Government will set up 1500 new Industrial Training Institutes and 5000 Skill Development Centers.
- The Higher Education and Research Bill and couple more have been introduced in the Parliament.
- A National Mission for Teachers aimed at improving teacher education and faculty development.
- A Higher Education Credit Guarantee Authority for providing limited credit guarantees through risk-pooling for educational loans.

### Unfair Practices (Prohibition) in Higher Education Institutions Bill (Amendment), 2010

- The institutes are required to publicly disclose their process of admission. In case of any departure, a student or any other stakeholder may move to a tribunal or a criminal court. The burden of proof will fall on the institution.

2. The institute will also have to hire teachers only satisfying the criteria setup by a competent authority and their salaries would have to be disclosed.

## *Higher Education Issues in India*

1. For profit clause: Education is not a market good in our country. One cannot run a for-profit educational institution in India. Educational institutions can only be established either by a charitable trust or as a Section 25 company where legally profits cannot be taken out. This leads to huge under-the-table capitation fees, over-invoicing of salaries of genuine employees, fake, non-existent employees on the rolls, over-invoicing of capital expenditure mostly to associated companies of the promoters, consultancy and perks to the promoters, and so on.
2. State subsidies: State should not be providing any kind of subsidy in terms of land, power, and infrastructure. Thus as long as this is the case and as long as reasonable regulatory requirements are enforced, and enforced well, on these institutions, there is no reason why their growth should be curtailed. In the education sector, no direct subsidies or concessions are provided. However, this seems set to change if the recommendations of the Narayan Murthy panel on higher education are accepted and implemented. The recommendations include providing free land on long leases, freedom from regulation of salaries and huge tax concessions for funding.
3. Brain drain to private institutions: Another phenomenon increasingly being noticed in the health sector is local brain drain – some of the best talent from prestigious government-run hospitals is moving to private, five-star medical hospitals. This is not going to happen in any significant way in the education sector in the near future. Unless foreign universities set up shop here. That will be a total game changer – the prestige, the money and the facilities offered by these would obviously persuade the best faculty to leave.

## Meta University

1. The country's first Meta university project, which allows students to choose from the study modules offered by different participating universities. The participating universities of this project — Delhi University, Jamia Millia Islamia, Jawaharlal Nehru University and IIT-Delhi — are still in the process of chalking out the modalities. The Meta university project will allow students to create a flexible curriculum, with more choices of courses. Under the system, the collaborating universities will provide, and recognize, credits to the students for different courses and facilitate student mobility across disciplines.

## RASHTRIYA UCHCHATAR SHIKSHA ABHIYAN (RUSA)

- The Cabinet Committee on Economic Affairs approved Rashtriya Uchchatar Shiksha Abhiyan (RUSA).
- It is a new centrally sponsored scheme for higher education which will be spread over two plan periods (XIIth and XIIIth).
- It will focus on state higher educational institutions.
- A total of 316 state public universities and 13,024 colleges will be covered under RUSA.
- RUSA will aim to provide greater autonomy to universities as well as colleges and have a sharper focus on equity-based development, and improvement in teaching-learning quality and research.
- The reforms initiated under RUSA will build a self-sustaining momentum that will push for greater accountability and autonomy of state institutions and also to unleash the potential of the state universities.

The key objectives of RUSA is

- To improve access, equity and quality in higher education through planned development of higher education at the state level.
- To improve the Gross Enrolment Ratio from 19% at present to 30% by 2020.
- To create new academic institutions, and expand the existing institutions, which are self-reliant in terms of quality education and professional management.

### Funding

- The funding will be provided by the Central and State Governments respectively in the ratio of 90:10 for North-Eastern States and Jammu & Kashmir, 75:25 for Other Special Category States (Sikkim, Himachal Pradesh and Uttarakhand) and 65:35 for Other States and UTs.
- The key principles for RUSA funding will be performance-based funding, incentivizing well performing institutions and decision making through clearly defined norms.

### Reforms in RUSA

#### 1. Changes at university level

1. It limits the number of colleges affiliated to a university to 200, to improve governance. Some of the universities currently have a large number of colleges under them; for instance, Osmania University in Andhra Pradesh has more than 900 colleges affiliated to it.
2. It will make universities more accountable.

3. It will rely upon a MIS to gather the essential information from institutions.

## 2. Expansion of access

1. It plans to set up more universities and expand existing ones.
2. Rs.99,000 crore scheme over the 12th Plan (2012-17) and 13th Plan (2017-22) periods.
3. A total of 300 State universities and 13,000 colleges will be covered under RUSA. Infrastructure grants would be given to 150 universities and 3,500 colleges to upgrade and fill critical gaps in infrastructure especially libraries, and laboratories. The RUSA scheme would also support 5,000 faculty positions.

## 3. Funding

1. Funding to state institutions: Almost 95% of the public higher education institutions are under the states and the rest are under the central government, but it's the central government institutions that get bulk of the funding. This programme will give more funds to state run institutions.
2. Funding to be based on reforms and performance:
  1. Under the scheme, an initial amount will be provided to the State governments to prepare them for complying with the above requirements.
  2. Once eligible for funding under RUSA, the States will receive funds on the basis of achievements and outcomes.
3. Pre-conditions for receiving fundings:
  1. Each state will be required to set up a higher education council that will channel funds from the central government to colleges and universities unlike the current system where the money directly goes to a college.
  2. Each state would have to prepare the State plans, commit at least 4% of GSDP towards RUSA, bring academic, sectoral and institutional governance reforms, and fill faculty positions.

## *Further Reforms Needed*

1. Reform initiatives need to be put in place to acknowledge and include the high performing part-time and contract teachers who have served successfully for a certain number of years in an institution, by granting full UGC benefits. The Indian system could benefit from the service of these experienced teachers. Their affiliation with one institution as full time employees with UGC pay-scale benefits will also enhance the overall quality of higher education in the institution. However, a multi-stake-holder approach of teacher evaluation system that would include students and administrative staff needs to be put in place in order to evaluate whether these part-time or contract teachers should be included as full time teachers with benefits or not. These contract teachers who also perform the role of University examiners and grade examination papers are often dedicated and successful teachers in the classroom. They come with lot of experience after working in multiple institutions as part-time and contract teachers. However, within the existing system if they continue to remain deprived of the UGC pay-scale benefits unlike the NET/SLET qualified candidates, this could eventually hinder the delivery of quality higher education. It could further increase attrition level among existing teachers in a system where qualified and experienced teachers are already scarce.
2. There is no formal process yet within the system to train teachers for higher education and research. The notion of teacher training is limited to the high school level within the Indian system. In Universities abroad this training often happens through working as teaching and research assistants with senior Professors at the Master's and doctoral level.



# E-Governance

Friday, October 21 2011, 4:58 PM

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## National e-Governance Programme

1. Under the National e-Governance programme, more than 97,000 Common Service Centers have been established across the country for making public services conveniently available to citizens.
2. Under the programme, many government departments will start providing e-services like Income Tax, Passports, Central Excise, and Corporate Affairs.

## The Electronic Service Delivery (Draft) Bill, 2011

1. It aims at delivering all the public services to the citizens in electronic mode within 5 years. A further extension of 3 years may be given in some cases. Each department will have to give a list of electronically deliverable services within 180 days of the notification of the Act.
2. It gives legal validity to electronic filing of forms, service delivery, information exchange etc.
3. Its grievance redressal mechanism and structure is similar to RTI Act, 2005.

## UID or Aadhaar Project

### Drawbacks

1. It is expensive.
2. The Home Ministry has raised concerns that the biometric data collection and verification doesn't meet national security criteria.
3. The National Population Register (NPR) under Registrar General of India also maintains biometric data for the population and there will be duplication of work.

### UID Salient Features

1. Since both fingerprints and irises are being captured using high quality sensors, high levels of accuracy.
2. On the effectiveness of biometric technology in Indian context with large number of rural/agricultural workers, the 'Failure to Enroll' (FTE) rate of the UIDAI Biometric system is at: 0.14%. Even the exceptions (0.14%) are checked manually and processed. The False Negative Identification Rate (FNIR) is computed to be as low as 0.035%.

## PDS & MGNREGS

1. Direct Subsidy: Subsidy will go directly to the target households who can then purchase their food from any PDS store or maybe even non-PDS shops.
2. Beneficiary Mobility: An individual who migrates to some other part of the country can easily continue to avail of his designated benefits.
3. Duplicate and Ghost Detection: The UIDAI will provide a detection infrastructure to the PDS programme to weed out duplicate and ghost cards.
4. Social Audit: The village-level social audit committee can be selected after authentication with the UID database. The **social audit reports filed by the village-level committees** can be authenticated by the biometrics of the committee members and social audit coordinator.

### *Public Health*

1. Meaningful Database: To capture spread of infectious as well as chronic or lifestyle diseases, UID linked healthcare database will be immensely useful.

### *Education*

1. Inflated Enrollments: Currently the primary education system in our country faces a serious problem of **inflated enrollment at school level**.
2. Migrant Labor: It will effectively address the issue of education of children of migrant laborers as their children can be admitted at new places, without cumbersome verification.

## **IT Enabled PDS Network (PDSN) - Nilekani Committee Recommendations**

1. A dedicated end to end computerized network of PDS called PDSN be setup having common platform.
2. PDSN software will have administrative flexibilities to enable state governments to offer cash or kind entitlements. Cash transfers will be via using UID authentication.

### PDSN Features

1. The beneficiaries will have a choice to receive their entitlement in kind or cash and at which FPS.
2. The beneficiaries will be able to make enquiries on their cell phones and can even track the grain.
3. The entitlement portability will bring about a competition in the FPS as shopkeepers adulterating will eventually see lesser business.
4. The IT strategy used will enable visibility in the supply chain.

## **National Optical Fiber Network**

1. All village Panchayats are to be connected through NOFN within 2 years with a 2 Mbps internet to enable delivery of public services to foster inclusive growth.
2. Benefits will be through better governance and reduction of rural to urban migration. According to World Bank, with every 10% increase in broadband penetration, there is an increase in GDP growth by 1.4%.



# Gender

Thursday, November 3 2011, 2:20 AM

## Acid Sale - Government Affidavit

1. The government proposed issuing licenses to retailers. Buyers will have to submit identity proofs and declare the purpose for which the acid will be used. Also, people below 18 years will not be allowed to buy acid.
2. The power to regulate the sale of acid lies with different state governments, so the central government can only introduce "model rules".

## All Women Bank

1. The proposed new bank may perhaps engage only women employees, but obviously providing bank employment cannot be the only or even the major aim of setting up a new bank.
2. The business of the bank cannot be women-centered.
  1. Only small establishments can be distinguished in terms of gender of the promoter(s). It would not be easy to make all its small business lending only to units promoted by women entrepreneurs.
  2. Its treasury portfolio would be like of any other bank as it would invest in government securities and other instruments.
  3. Similarly, its lending to medium and large corporates cannot necessarily be women centric.
  4. Even in direct agriculture lending it would not be easy to find women farmers given the biases against women in landownership.
  5. Hence if the proposed women bank is to lend exclusively to women-centered activities, its portfolio would be heavy in small loans, costly to administer and riskier.

## Gender Inequality Index

India ranks 129 among 146 countries even behind Nepal, Bangladesh, Sri Lanka and Pakistan. It uses 3 types of indicators.

1. Health: Maternal Mortality and Adolescence Fertility Rate.
2. Empowerment: Secondary education and representation in Parliament.
3. Labor Conditions: Proportion of female population employed.

## Paid Domestic Workers

1. India recently adopted ILO Convention on Domestic Work, 2011. The Convention will ensure that the work conditions faced by domestic workers are same as other workers. It also requires governments to draw up legislation with this regard.
2. The convention also calls for the domestic workers clearly understanding the terms of their contract which should preferably be a written contract.
3. The Domestic Workers (Regulation of Employment and Conditions of Service) Bill, 2012 is being drafted. This bill aims at protecting the interests of the domestic workers and stipulates their registration prior to seeking work.

## Gender Budgeting in India

ing its introduction in 2004-05,<sup>3</sup> it was arguably the report of the expert group of classification of government expenditure, which became instrumental in laying out the road map for GRB.<sup>4</sup> One of the terms of reference (TORS) of the expert group was to look into and suggest ways to integrate GRB in the budgetary processes of the Government of India with plausible institutional mechanisms. The expert group submitted its report in July 2004 and broadly prescribed the norms under which the ministries/departments would report their gender budget.

Following this, the Ministry of Women and Child Development (MWCD) adopted "Budgeting for Gender Equity" as a mission statement in 2004-05. A Strategic Framework of Activities to implement this mission was also framed and disseminated to all departments and ministries of the Government of India (GOI). That same year, the Ministry of Finance initiated the process of creating an institutional mechanism for mainstreaming gender by mandating the setting up of gender budgeting cells (GBCs) in all ministries/departments. These GBCs were envisaged as focal points for mainstreaming gender through GRB. The year 2005-06 was a landmark one for GRB in India, with the introduction of the gender budget statement (GBS) in the union budget, to reflect the quantum of budgetary allocations for programmes/schemes that substantially benefit women.<sup>5</sup>

Although the Indian government's experience of GRB is widely used as a reference point for other GRB initiatives, there seems to be a visible gap between what was envisioned and what has been achieved under the rubric of GRB. In fact, the government's own road map for gender budgeting as envisioned by the Ashok Lahiri Committee was far more comprehensive.<sup>6</sup> With the preparation of the GBS, our energies seem to have stagnated at step 1, and unfortunately no concerted efforts have been made to deepen GRB work beyond this stage. Further-

The GBS performs the arduous yet important task of trying to assess what percentage of the total expenditure of the budget flows to women. As an accountability tool, it showcases the programmes/schemes and corresponding budgetary outlays of line ministries/departments with respect to their endeavour to advance and promote gender equality commitments.

The “Gender Budgeting Statement” (Statement 20, *Expenditure Budget*, Volume 1) has a purely quantitative format. Currently, 33 demands for grants out of a total of 106 disaggregate their allocations by sex and report in the GBS. The statement comprises two parts: part A, which details schemes in which 100% allocations are for women; and part B, which reflects schemes where allocations for women constitute at least 30% of the provisions.

empowerment (WE) and gender equality (GE). However, a case for whether there is need for higher public spending can only be made if one knows how much is allocated. Therefore, to even begin assessing the adequacy or inadequacy of public spending on women, we need to first know how much the government spends on women. This is where a quantitative format of the GBS becomes significant. At the very least, it helps us answer the most fundamental question of estimating how much the government spends on women.

Prior to the introduction of the GBS, there was no way of even estimating how much of the government’s total expenditure was flowing to women. Now, with the production of the GBS as part of the union budget documents, an institutionalised effort is being made to answer this basic question.

Contrast this with a format wherein each ministry/department submits bulky reports on how their schemes promote WE/GE. For instance, in the late 1980s the women's budget statements produced by the Australian federal governments were about 300 pages long and included a detailed narrative from each ministry on what their budget meant for women. However, the length of these documents became a major deterrent for those using them. Subsequently, the government had to issue a shorter version of the statement to widen its outreach. As seen

Furthermore, by asking line ministries to disaggregate allocations by sex, a thinking process is being initiated or a "consciousness", so to say, is being created of at least beginning to assess and hence reflect on the impact of allocations of a particular ministry on women.

(a) Schemes are reported in part A of the statement even though it is clear that 100% of the beneficiaries are not women. For instance, the Indira Awas Yojana continues to figure in part A, despite the fact that all of its allocations do not benefit women. In 2008-09, for instance, of the 20.94 lakh houses constructed, only 17.16 lakh houses were allotted to women, the remaining being jointly allotted to men and women from the same household (Government of India 2010a).

(b) Schemes reported in part B frequently claim that 100% of the allocations are for women, as opposed to reflecting the percentage that actually flows to women. For example, most schemes of the Ministry of Minority Affairs, Ministry of Earth Sciences and Ministry of Labour and Employment report 100% of their allocations in part B, whereas they are clearly not meant exclusively for women.

(c) Schemes reported in part B, where the reported percentage is less than 100% but there is no clarity on how the ministry estimated the percentage flowing to women. For instance, under the department of higher education, the budget line "National Council for Promotion of Urdu Language" shows approximately 33% of its total allocations under the GBS. What was the basis of arriving at this figure? Take another example, under the same department, the Central Hindi Directorate shows approximately 31% of its allocations in the GBS (figures not adjusted for the north-east component). Again, there is no clarity on the assumptions made to arrive at this number.

be taken to correct them. Equally important is the need to monitor the GBS. Presently no such monitoring or audit mechanism of the GBS is in place in India. Therefore, there is no way to ascertain whether what has been promised in the GBS is actually being fulfilled or not. This needs to be supplemented by a closer look

In contrast, consider for instance, a hypothetical expenditure: a training programme organised for the gender sensitisation for male police officers. This expenditure clearly falls on men. Therefore, if one were to go strictly by the logic of our current GBS, it probably will not feature in the GBS. But looked closely, the expenditure in this case, is clearly meant to address a critical gender concern – the need to make service delivery more gender responsive. Such expenditure is therefore more likely to promote gender equality than expenditure incurred on laundry of women officers' uniforms. Yet our current format does not leave any space to ask these questions.

We argue that an objective-based disaggregation is a much more useful way of disaggregating public expenditure. It is clearly more informative about the direction public policy ought to take to be more gender responsive.

A similar problem has been experienced with regard to the implementation of the Scheduled Caste Sub Plan (SCSP) and Tribal Sub Plan (TSP).<sup>8</sup> The Narendra Jadhav Task Force, set up by the Planning Commission in 2010 to review and re-examine the SCSP and TSP guidelines suggested several progressive steps for better implementation of SCSP and TSP. However it also made it non-obligatory for 43 ministries/departments to implement SCSP and TSP. The reason for this exemption is that there was not enough scope in these ministries/departments to create exclusive schemes for development of SCs and STs (Government of India 2010b) and therefore it was difficult for these to report expenditure in the SCSP and TSP. These ministries/departments include those largely engaged in policymaking without any significant beneficiary-oriented schemes; engaged in basic scientific research; implementing large infrastructure projects, whose benefits to SCs are difficult to quantify, etc.

Therefore, the second major limitation of a purely quantitative format is this: while it helps us answer the question as to how much is supposedly being allocated and spent on women, it does not directly facilitate gender responsive planning and budgeting. Thus, it would be more useful if the GBS began with (a) identifying the pressing gender gaps in a particular sector/scheme, followed by (b) what steps the ministry/department will take, in the particular year, to address the gap and (c) then identifying the budgetary resources needed to address these pressing gender gaps and ensure that the requisite funds are made available and spent well. Unfortunately, because the current format reduces GRB to an allocation exercise, and, moreover, takes the form of something that is done as an after-thought, it is not in a position to inform policymaking.

Much attention was paid to the composition of the GBCs as well. As per the charter:

...the Gender Budget Cell should comprise a cohesive group of senior/middle level officers from the Plan, Policy, Coordination, Budget and Accounts Division of the Ministry concerned. This group should be headed by an officer not below the rank of Joint Secretary. The functions and working of the GB Cell may be reviewed at least once a quarter at the level of Secretary/Additional Secretary of the Department (*ibid*: 65).

The functions listed were also a good start. Amongst others, three important tasks assigned to the GBCs were:

- (1) Identifying a minimum of three and maximum of six largest programmes (in terms of budget allocation) implemented by the ministry to analyse gender issues addressed by them.
- (2) Conducting/commissioning performance audit (at the field level wherever possible) for reviewing the actual physical/financial targets of the programme, the constraints if any, in implementation, the need for strengthening delivery systems, infrastructure/capacity building, etc.
- (3) Organising meetings/discussions/consultations with GBCs of related departments within the ministry, field level organisations/civil society groups/NGOs working in the sector for exchanging ideas and getting feedback on the efficacy of sectoral policies and programmes.

A rare model which the Philippines uses includes the National Commission on the Role of Filipino Women (NCRFW) (which has taken the lead in GRB in Philippines)<sup>12</sup> in all budget discussions conducted by the MoF for sectoral ministries (Encinas-

An interesting example is Cambodia, where the Ministry of Women's Affairs convenes a technical working group on gender every six weeks which brings together all the gender focal points from various ministries and departments (Kingdom of

# Land

Tuesday, November 15 2011, 2:24 AM

## Land Acquisition, Rehabilitation and Resettlement Bill, 2011

### *Current Structure*

1. Acquisition and compensation are two separate things. Acquisition is based on the doctrine of eminent domain where the state has the sovereign right over land and can extinguish private property. Compensation stems from the natural rights of the person deprived. Current framework gives primacy to 'eminent domain' under which the State can forcibly acquire land for a public purpose at prices which do not reflect the market price.
2. Where the acquisition is of forest land, which is not owned by tribals but on which the tribals have traditional usufructuary rights, the tribal communities have often not been consulted as is required under PESA and the displacement of tribal population has not been accompanied by well planned resettlement and rehabilitation programmes.
3. Independent estimates place the number of people displaced following development projects over the last sixty years at 60 million, and only a third of these are estimated to have been resettled in a planned manner. Most of these people are the rural poor without any assets, marginal farmers, poor fisher-folk and quarry workers. Given that 90.0 per cent of our coal, more than 50.0 per cent of most minerals and most prospective dam sites are in Adivasi regions, there is likely to be continuing contention over issues of land acquisition in these areas, inhabited by some of our most deprived people.

### *Bill vs Act*

1. Definition of "public purpose"
  1. In the Act it is very wide. It is necessary to re-define it so as to restrict its scope for acquisition of land for strategic purposes vital to the State, and for infrastructure projects where the benefits accrue to the general public.
  2. The provisions of the Act are also used for acquiring private lands for companies. This frequently raises a question mark on the desirability of such State intervention when land could be arranged by the company through private negotiations on a "willing seller-willing buyer" basis, which could be seen to be a more fair arrangement from the point of view of the land owner.
  3. In order to streamline the provisions of the Act causing less hardships to the owners of the land and other persons dependent upon such land, it is proposed repeal the Land Acquisition Act, 1894
2. Rehabilitation
  1. There is no central law to adequately deal with the issues of rehabilitation and resettlement of displaced persons.
  2. As land acquisition and rehabilitation and resettlement need to be seen as two sides of the same coin, a single integrated law to

deal with the issues of land acquisition and rehabilitation and resettlement has become necessary

## Scope

1. The provisions of this Bill shall not apply to 16 existing legislations that provide for land acquisition. These include acquisition for atomic energy, railways, highways, SEZs, mines etc.
2. "Public purpose"
  1. It includes acquisition by government for (a) own use, hold and control (including PSUs); (b) for PPPs; and (c) for private companies for public purpose (excluding private hospitals, educational institutions and hotels).
  2. Public purpose projects include acquisition for defence purposes; infrastructure projects; agriculture related projects; industrial corridors, NIMZ; water and sanitation, educational, sports, healthcare, tourism, transportation and space.
3. The law would apply when Government acquires land for its own use, hold and control, or with the purpose to transfer it to private companies for stated public purpose.
4. Only rehabilitation and resettlement provisions will apply when private companies buy land for a project above a threshold area. This threshold is left to be decided by the state governments.
  1. This may amount to a serious dilution as the state governments, in bid to attract industry, may fix very high thresholds.
5. The land acquisition provisions would apply to the area to be acquired but the rehabilitation and resettlement provisions will apply to the entire project area even when private company approaches Government for partial acquisition for public purpose.
6. Affected families include those whose livelihood (dependent on the land for past 3 years) may be affected due to the acquisition.
7. To ensure food security, multi-crop irrigated land shall be acquired only as a last resort measure. An equivalent area of wasteland shall be developed, if multi-crop land is acquired. In districts where net sown area is less than 50 per cent. of total geographical area, no more than 10 per cent. of the net sown area of the district will be acquired.

## Acquisition Mechanism

1. Land can be acquired only after a Social Impact Assessment is done and consent of 70% of affected people is taken in case of PPP.
  1. The SIA report will be evaluated by an independent multi - disciplined expert group which will also include non officials, social scientists, PRI members and rehabilitation experts.
  2. However, such recommendations are not binding.
2. A preliminary notification indicating the intent to acquire land must be issued within 12 months from the date of evaluation of the SIA Report. Subsequently, the government shall conduct a survey to determine the extent of land to be acquired. Any objections to this process shall be heard by the Collector. Following this, if the government is satisfied that a particular piece of land must be acquired for public purpose, a declaration to acquire the land is made. Once this declaration is published, the government shall acquire the land.
3. Once the preliminary notification for acquisition is published, an Administrator shall be appointed. The Administrator shall conduct a

survey and prepare the R&R scheme. This scheme shall then be discussed in the Gram Sabha. Any objections to the R&R scheme shall be heard by the Administrator. Subsequently, the Administrator shall prepare a report and submit it to the Collector. The Collector shall review the scheme and submit it to the Commissioner appointed for R&R. Once the Commissioner approves the R&R scheme, the government shall issue a declaration identifying the areas required for the purpose of R&R. The Administrator shall then be responsible for the execution of the scheme. The Commissioner shall supervise the implementation of the scheme.

4. These conditions may be skipped when urgency clause is invoked. Urgency clause may be used only for defense, national security, and national calamity.
5. Private company may request the government for land acquisition only after it has acquired 80% of the land for the project.
6. In scheduled areas, consent of the PRI will be required.
7. If an acquired land which is transferred to a person for a consideration, is left unutilized for a period of 10 years from the date it was acquired, it shall be returned to the Land Bank or the appropriate government. If any unused acquired land is transferred to another individual, 20 per cent of the appreciated land value shall have to be shared amongst the original land owners.

### Compensation & Rehabilitation

1. The recent amendments dilute compensation further, leaving it to the appropriate government to determine whether compensation should be at market value of the land or twice that in rural areas, and fixing compensation in urban areas at market value.
  1. The significant escalation of land and property prices in affected areas once a development project is announced is unaccounted for, as awards are to be determined on previous rates. This leads to unjust compensation and dispossession.
2. The value of land in the rural area will be determined by a sliding scale model reflecting the distance from the urban areas.
3. In irrigation project each landed PAF will get one acre of land in the command area. SC/STs will get up to 2.5 acres.
4. In urbanization projects, 20% of developed land will be for landowning PAFs in proportion to the land acquired.

### Real Estate Bill (Regulation and Development), 2013

#### *Salient Features*

1. The Bill will make it mandatory to register projects of 4,000 square metres or more. It is limited to residential real estate.
2. It has provisions to deter builders from putting out misleading advertisements.
3. It also intends to make it mandatory for developers to launch projects only after acquiring all statutory clearances from relevant authorities.
4. All relevant clearances for real estate projects would have to be submitted to the regulator and also displayed on a website before starting the construction, sources said.
5. It gives a clear definition of carpet area.

6. It establishes a Real Estate Regulatory Authority with specified powers to exercise oversight of real estate transactions, appoint officers to settle disputes.
7. Establishment of fast track dispute resolution mechanisms for settlement of disputes, through adjudicating officers (an officer not below the rank of Joint Secretary to the State Government) to be appointed by the Authority, and establishment of an Appellate Tribunal.
8. Compulsory deposit of 70% (or such less as notified by the state governments), of funds received in a separate bank account.
9. The buyers have the right to obtain information, to know stage-wise time schedule of project, claim possession of the apartment as per promoter declaration, refund with interest in case of default, and after possession entitled to necessary documents and plans. Duty of allottees to make necessary payments and carry out other responsibilities as per the agreement

#### *Next Reforms*

1. The government should now follow up on the regulatory changes like rationalising stamp duty and eliminating cascading taxes.
2. Incentives should be provided for energy-efficient buildings.
3. Ensuring clear land transaction records and property titles, single-window clearances and easy access to urban utilities.

#### **Land Titling Bill, 2011**

1. Attempt is made to make the land tradable and prepare a conclusive record of all land titles.

# Legal Services

Thursday, November 10 2011, 2:10 AM

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## Legal Services Authorities Act,1987

1. Art 39 of the Constitution says free and speedy legal aid.
2. SC/STs, women, children, disabled, victims of ethnic violence, persons in custody and people with annual income <1 lac are entitled to free legal aid under the Act.
3. It also established Lok Adalats for speedy justice.

## National Legal Services Authority (NALSA)

1. It employs para-legal community based volunteers to provide legal aid in villages. It aims to cover all villages.
2. It runs Legal Aid Clinics in villages where the employed para-legal volunteers are trained by district legal services authorities.
3. NALSA framed regulations in 2010 to provide free and competent legal services to all. Typical services include scrutiny and filing of applications and in exceptional cases engaging senior lawyers where life and liberty of a person is at stake.

# Local Self Government

Saturday, November 26 2011, 12:32 AM

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## Legislative Steps to Improve Panchayati Raj Institutions

1. An amendment bill is proposed to reserve 50% of seats in PRIs for women and reservation for SC/STs in proportion to their population in the village.
2. It is the duty of the Panchayat Officer / Secretary to ensure that relatives of women Panchs are not present in the Panchayat meetings.

## Role of Gram Sabha in Implementing the Forest Right Act, 2006

1. To determine the claims of STs and community rights over the shared resources in their area.
2. To recommend development projects in the area to the government which involves felling of trees.
3. To consider resettlement packages of people affected by the government projects in the area.
4. To pass a resolution against any higher authority for violation of forests in the area and if no action is taken by the State Monitoring Committee on the resolution within a specified time then any court would be enabled to take it up.

## Schemes for Empowerment of Panchayats

1. Backward Regions Grant Scheme: In 250 backward districts, funds are provided to promote Panchayati institutions by giving them a greater say in planning and execution of schemes.
2. Rashtriya Gram Swaraj Yojana: Funds are released to States for training and capacity building of Panchayati Raj Institutions in districts uncovered by the BRGF.
3. e-Panchayat: For computerizing the databases, accounts and other functions of the Gram Panchayats for accountability and transparency.

# Minorities

Thursday, November 3 2011, 2:01 AM

## Multi Sectoral Development Programme (MSDP)

1. On the basis of Sachar Committee Report, 90 districts were identified as Minority Concentrated Districts (MCD). Under the 15 point programme of the PM, 15% of the financial outlay in flagship schemes goes to the MCD. Special allocations up to \$700 mm are made for the development of these districts under the MSDP.
2. It is being revamped now to avoid duplication of programmes with IAY and ICDS. Now the housing and child development concerns will be taken care through these schemes. Focus of MSDP would be on education, health and skill development.
3. The unit of planning for implementation of MSDP has been changed to Block instead of District to sharpen the focus on minorities. The cluster of minority concentration villages would also be covered.
4. Block Level Committees would be constituted to ensure grass root planning and people participation. It would prepare the plan for the Block and also monitor the implementation.
5. Delegation of powers to approve projects to States to expedite the approval process.

# NGOs

Sunday, November 6 2011, 9:12 AM

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## NGOs in India

### Types

1. Traditional developmental NGO which help a village or a group of villages in a specific activity.
2. Research oriented NGO who research a topic in depth and then lobby with the government or petition the courts.
3. Activist NGOs like the Narmada Bachao Andolan.

### Challenges

1. Accountability and credibility of the system has been challenged. So an accreditation system should be developed.
2. Danish government has decided to fund anti-government NGOs, Kundankoolam and hence the government has decided to step up vigil on the foreign funding of NGOs.

## Government Initiatives

### National Policy on Voluntary Sector, 2007

1. To create an enabling environment for NGOs.
2. To enable NGOs to legitimately mobilize financial resources from India and abroad.
3. To identify ways in which GO and NGOs can work together in partnership.
4. To encourage NGOs to adopt transparent management systems.

### Negative Government Actions Towards NGOs

1. Only 3 states have come up with their NGO policies (UP, Bihar and TN).
2. The Foreign Contribution (Regulation) Act 2010 severely curtails their ability to raise finances abroad.
3. The proposed Direct Taxes Code and the visa regime for NGOs to invite experts is also very restrictive.
4. Also even though some ministries regularly consult with NGOs, there is no such institutionalized process.

### The Foreign Contribution Regulation Act (FCRA), 2010

1. It regulates the flow of funds to NGOs + other institutions of national importance like media, politics, bureaucracy etc.
2. It creates a new 5 year registration system where each NGO will have to register after every 5 years. Although the official reason given is to eliminate the dormant NGOs, the real reason is to give a handle in government's hand to force the NGOs to come begging every 5 years so that it can dictate the terms.
3. Banking sector has been given more powers to regulate these fund flows.

# North East

Saturday, December 3 2011, 1:38 AM

## **Look East Policy and NE**

### Look East Associations

1. BIMSTEC: It was formed with Bangladesh, India, Myanmar, Sri Lanka, Thailand initially and was expanded to include Bhutan and Nepal in 2004. It was renamed as Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation. It has agreed to achieve a BIMSTEC Free Trade Area by 2015.
2. Mekong-Ganga Cooperation: It was launched in 2000 with India, Myanmar, Thailand, Cambodia, Laos and Vietnam. They issued a "Vientiane Declaration" which aims at promoting cooperation through tourism, connectivity, communication network and cultural exchanges.
3. Kunming Cooperation: It came up in 1999 in a non-official conclave of businessmen to expand economic cooperation between Bangladesh, China, India and Myanmar. It aims at reviving the old silk route between Assam and China.

### Importance

1. Connectivity: Between India and SE Asia via land.
2. Resources: Apart from merely being the connecting area, NE has other things to offer to increased trade with the eastern countries. Assam can look to export its refinery products, agricultural and handicraft products.
3. Industrial Dispersion: Opening up the border trade between India and Myanmar will lead to Indian manufacturers finding it profitable to locate in NE to serve the east Asian markets. These industries can also use the agricultural products produced locally as raw material. Already attractive fiscal packages exist for industries to be located in NE. But the progress has largely been slow due to high cost and lack of markets.

### Challenges

1. Challenge from sea trade.
2. The currency of Myanmar is grossly overvalued.
3. For its development the Central allocated funds look high on a per capita basis. But on considering the geographical requirements of the region, they are grossly inadequate.

### Steps Taken

1. Railway and highway projects have been launched by UNO will connect NE with East and SE Asia. (These projects aim to connect by land W Asia with E Asia)
2. There are several other connectivity projects including development of Indo-Myanmar Inland Waterway and Indo-Bangladesh transit.

## Rural Society

### Rural Credit

#### *The Social Setup*

1. NE can boast of having significant and bankable social capital due to strong tribal ties. The local credit system makes use of this social capital. A system of common pool of funds exists to lend out to individual members.

## *Government Initiatives*

1. The Rajiv Gandhi Grameen Vikas Nidhi (RGVN) helped in transformation of the rural credit sector in the region. It leveraged these community lending pools and apart from giving them loans, they taught them modern management and accounting practices.
2. The Assam Government setup a fund so that the community lending pools get funds at cheaper rates and the benefit can e passed on to the end borrowers.
3. However, following the micro finance controversy in AP, the Assam government issued a circular prohibiting NGOs from engaging into MF or SHG promotion activities since they were profit making activities.

## Agriculture

### *Issues*

1. Assam was food surplus state in early years of Independence and has now turned a food deficit state.
2. The yields have gone up slower than the national growth. The reasons for the slow improvement in productivity is dependence on monsoons, floods, pest attacks and uncertain weather. As a result the production costs are 10-20% higher in NE.
3. Massive floods are a recurrent phenomenon. Embankments are breached each year and what is instant needed is dredging of the river beds.

## *Government Initiatives*

1. BGREI Programme.
2. The state government has pitched for a special sub-plan on agriculture in NE in the 12th Plan.

## Educational Setup

### *Government Initiatives*

1. Sarva Siksha Abhiyan: It has been very successful in NE. It focuses on universal primary education and low rate of drop outs.
2. Community Participation: SSA has community participation features in NE which has been its major strength. There is a Village Education Council (VEC) monitoring the performance of SSA in the village and its members are drawn from the community. Village Education Registers are maintained to keep a track of children's enrollment.

### *Issues*

1. Natural calamities and rains hamper attendance due to poor infrastructure.
2. The selection of VEC executives has to be honest. VERs in most villages are not maintained properly.
3. Insufficient capacity in the higher classes leads to drop outs.
4. The teachers should be trained properly and attendance recorded in a better way. Community participation needs to be enhanced.

### **Infrastructure Development**

#### Challenges

1. The terrain of the area makes railways and internal waterways very difficult. So roads are the only feasible option.
2. Railways is majority in narrow gauge and the total length is only 2500 km limited mainly to Assam.
3. The limited traffic makes the flight operations unreliable and costly.
4. Current telecom rules prohibit signals within 500m of the border areas. However, in NE most of the people live in border area only. Hence this rule needs to be changed.

#### Government Initiatives

1. The North East Council was setup in 1971 by Planning Commission to act as the nodal agency for NE developmental programs. The Hill Area Development Program was launched in 1974.
2. Road Development: In the 11th Plan, massive road construction projects were launched in NE. The Department of Road Transport and Highways has allocated 10% of its funds for NE.
3. Air Connectivity: Plans are to operationalize 50 airstrips by 2012 and provide for 600 flights per week. The air routing policy ensures NE airports are served by commercial airlines.
4. Waterways: To develop Inland Waterway No. 2, a permanent canal stretch will be developed between Assam and Bangladesh.
5. Power: Out of a total potential of 50 GW, 15 GW of additional power will be tapped into in the 12th Plan. For this purpose, the largest dam of the country is being built in Arunachal Pradesh.

# Scheduled Castes and Scheduled Tribes

Friday, October 21 2011, 4:47 PM

## Economic Empowerment

1. The government proposes to reserve 4% of its total purchases from SC ST companies. However, the issue with this is that it can lead to formation of shell companies where SC ST are just the front.
2. Pradhan Mantri Adarsh Gram Yojna: It provides the funding gaps for an integrated implementation of existing schemes in 1000 SC dominated villages in 5 states. It was launched in 2010.
3. Tribal Sub-Plan (TSP): It forms a part of annual Plan of a State. The benefits given to the tribals and tribal areas of a State from the TSP are in addition to what percolates from the overall Plan of a State. The funds provided under the Tribal Sub Plan have to be at least in proportion to the ST population of each State.

## Minor Forest Produce Scheme

1. 13 minor forest produces will be covered under minimum support price mechanism. This proposal has been approved by planning commission.
2. These produces have significant social and economic value for tribals. Their estimated value @ first point of purchase is ~\$720 mm per annum out of which \$400 mm are for bamboo and tendu alone. Other produces covered under the scheme will be mahua (both flowers and seeds), chironji, lac, sal (both seeds and leaves), tamarind etc.
3. It will be administered by MFP Commission under the ministry of tribal affairs. State agencies will be carrying out the procurement operations and will be funded by the center.
4. MSPs will be linked to NERGA wages, transportation costs, value addition and local market prices.

## *Minor Forest Produce Market*

1. What the primary tribal collectors of Non Timber Forest Produce (NTFPs) get today is a very small fraction of the potential value embedded in NTFPs.
2. Mere notification of MSPs will not do. Trade in NTFPs is neither competitive nor transparent. The reach of a typical procurement agency is limited and it is only in the tendu trade that some states have reached gatherers, at high transaction costs. Even in tendu trade, intermediary aggregator-contractors exhibit rent-seeking behavior. State procurement agencies are more likely to make MSP effective for small trader-aggregators rather than for the numerous scattered gatherers. This can have a negative impact on gatherers

because it will provide a floor price for traders/aggregators, de-risking their trade and improving their competitive strength. This increases the bargaining power of trader/aggregators vis-à-vis gatherers.

3. What is needed instead is a powerful business model which ensures that collectors of NTFPs become shareholders in an institution that helps them to climb up the value chain. Indeed, we may need to visualize several such institutions, each of which would be centered round those NTFPs that share a similar market structure as also geographical spread.

# Senior Citizens

Sunday, November 6 2011, 8:25 AM

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## Statistics

1. India will have ~25% of its population as 60+ by 2050.

## Government Initiatives

### National Policy for Older Persons (Draft), 2011 (Mohini Giri Committee)

1. Extension of Indira Gandhi Pension Scheme to all BPL senior citizens, enhancing monthly pension to Rs. 1000 p.m. and to adjust this annually with inflation. Additional pension in case of disability and loss of adult children. The PDS would be reached out to all BPL senior citizens.
2. Care within the family must be provided and institutional care should be a last resort.
3. Long term savings, credit should be encouraged. Senior citizens should be considered an asset.

### *Indira Gandhi Pension Scheme*

1. It covers only BPL senior citizens (65+) and gives monthly Rs. 200.

### New Pension Policy, 2011

1. It is a defined contribution scheme which means that the final payout depends upon the contribution and its growth. This contrasts with defined benefit schemes where final payout is fixed.
2. At retirement, a person will have the option of withdrawing 60% of his accumulated wealth and invest 40% in a life insurance.

### Senior Citizens Act, 2007

1. It makes maintenance of parents/senior citizens by children/relatives mandatory and justiciable via tribunals.
2. It provides for revocation of transfer of property by senior citizens in case of their negligence.

### Drawbacks of Government Schemes

1. They are not universal. The selection criteria is complicated and error prone in most. e.g. many target specific groups only.
2. Support amount is so low and many schemes ask for contribution from people.

# Youth & Sports

Friday, December 9 2011, 2:10 AM

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## DRAFT NATIONALSPORTS DEVELOPMENT BILL, 2013

- The Ministry of Youth Affairs and Sports placed the Draft Sports Development Bill, 2013 in the public domain. The Ministry is seeking public comments on the Bill. The Bill seeks to promote and develop sports as well as strengthen the management and governance of sports.
- The proposed Bill was drafted by a Working Group chaired by former Justice Mukul Mudgal and comprising eminent sports persons and legal experts. The working group was set up by the Ministry in 2012, following the recommendations of the Cabinet and National Sports Federations for revising a Draft Bill circulated by the Ministry.
- The key features of the Bill are:
  - **National Olympic Committee:** A National Olympic Committee is established subject to its recognition by the International Olympic Committee. The Committee will mainly perform functions prescribed in the Olympic Charter, be responsible for bidding for international multi-sport events, provide for a fair, expeditious and transparent mechanism for redressal of grievances in and amongst National Sports Federations affiliated with it, and conduct national games at regular intervals.
  - **National Sports Federations:** The Bill prescribes the duties and functions of National Sports Federations and requires them to be recognised (by the International Federation and/or the National Olympic Committee) and accredited (by the central government). Sports federations have to be accredited to receive direct or indirect funding from the government.
  - **Athletes Commission:** An Athletes Commission will be set up in the Olympic Committee and every sports federation, to advise them on the development of the sport, training and competition schedules, athlete's grievances, selection and technical criteria, and logistics and administration support.
  - **Sports Election Commission:** The Sports Election Commission will be responsible for the conduct of free and fair elections to the National Olympic Committee, National Sport Federations and the Athletes Commission.
  - **Unethical and unfair practices in sports:** The Bill seeks to address unethical and unfair practices in sports and allows the central government to frame rules to prevent doping practices, fraud related to age and sexual harassment of athletes. An Ethics Commission will enforce a Code of Ethics in sports.
  - **Appellate Sports Tribunal:** An Appellate Sports Tribunal is established to adjudicate disputes related to sports.

- **RTI Provision:** RTI will be made applicable to all National Sports Federations (NSFs). RTI will cover every sport and no exception has been made for BCCI. However, there were certain areas where RTI would not be applicable. RTI will not include team selection, fitness or injury details and contract details with players.
- In order to represent India in international events and to have a right for a particular sport federation to use 'India' or 'Indian' in the sport scenario, the federation shall have to comply with Chapter IV (Unethical practices in Sports) and Chapter IX (Applicability of Right to Information Act).

## PREVENTION OF SPORTING FRAUD BILL, 2013

(i) A person is said to commit the offence of sporting fraud if he, directly or indirectly:-

- manipulates or tries to manipulate sports result, irrespective of whether the outcome is actually altered or not
- deliberately misapplies the rules of the sport
- removes or reduces all or part of the uncertainty normally associated with the results of a sporting event
- wilfully fails to perform to his true potential, unless such under performance can be attributed to strategic or tactical reason deployed in the interest of that sport or team
- discloses insider information
- Fails to disclose knowledge of or attempt for Sporting Fraud.

(ii) Maximum punishment has been proposed to be imprisonment for five years and with fine of ten lakhs or five times the economic benefits derived by the person from sporting fraud, whichever is greater.

(iii) Whoever attempts or causes to commit the offence of sporting fraud shall be punishable with the same punishment as provided for the offence.

(iv) A person who abets the commission of sporting fraud shall be punishable with the same punishment as provided for the offence

(v) No court inferior to that of a Metropolitan Magistrate or Judicial Magistrate of the first class shall try any offence punishable under this Act

## National Youth Policy (Draft), 2012

1. It changes the definition from 13 - 35 years (in 2003 policy) to 16 - 30 years. UN definition is 15 - 24 years.
2. It highlights the importance of targeted skill development initiatives recognizing the diversity of youth sections. 3 priority subgroups are women, disabled and socially and economically backward. Age wise subgroups are 16 - 20 years needing education facilities, 20 - 25 years needing access to employable skills and 25 - 30 years who need access to self employment and entrepreneurship. Separate action plans will be drawn up for each subgroup.
3. It introduces the concept of youth development index which would be monitored and evaluate the progress. The youth development index will comprise of 5 subindices based on health, education, work, amenities and participation.

## National Skill Development Architecture

1. There was a National Skill Development Council which has been converted into National Skill Development Authority. This will give it the power to draw funds and spend them (which was not possible earlier). The overall architecture is 3 tiered with a National Skill Development Fund and a National Skill Development Corporation.
2. The Authority will be responsible for strategizing, monitoring, implementing, evaluating etc. all the skill development activities. Its current aim is to provide skills to 30 mn people in 12th FYP.

## National Physical Fitness Programme (Draft)

1. 3% weightage to be given to a fitness evaluation to comprise of cardio respiratory endurance, muscular strength, muscular endurance, flexibility, jumping and % of body fat. Fitness tests are to be conducted at least twice a year. A WHO report cited that by 2030 one in 3 Indians would be either diabetic or a coronary patient. Another star programme will be initiated.