iझkkl d

THE ADMINISTRATOR

Journal of the Lal Bahadur Shastri
National Academy of Administration, Mussoorie.

2002

yky cgknj 'kkL=h jk"Vh; iz'kkl u vdkneh] el jh

Lal Bahadur Shastri National
Academy of Administration,
Mussoorie.

*gekjk y{; gS &

xqkkRed if'k{k.k }kjk dk;Zdq'ky vkSj tokcng fl foy I ok dk fuekZk djd} l qkkl u LFkkfir djuseagkFk cVkuk] vkSj bl dsfy, vdkneh eal g;kxiwk] uSrd & eW; izku o ikjn'khZ ifjosk LFkkfir djuk A

"Vision Statement"

"We seek to promote good governance, by providing quality train-ing towards building a professional and responsive civil service in a car-ing, ethical and transparent framework."

lEiknd e.My

Jh otkgr gchcYykg	%	v/;{k
Jh fcukn dqekj	%	lnL;
Mk; vfrUnz lu	%	lnL;
Jherh ch- oh- mek nsoh	%	lnL;
Jh eukst vkgwtk	%	lnL;
Jherh vkjrh vkgwtk	%	lEiknd

lg;ksxh deZpkjh
vatw fo'ukbZ

EDITORIAL BOARD

Shri Wajahat Habibullah	:	*Chairman*
Shri Binod Kumar	:	*Member*
Dr. Atindra Sen	:	*Member*
Ms. B.V. Uma Devi	:	*Member*
Shri Manoj Ahuja	:	*Member*
Ms. Arti Ahuja	:	*Editor*

SUPPORTING STAFF

Ms. Anju Vishnoi

Contents

Foreword

It gives us great pleasure to present this issue of **"The Administrator"** to our subscribers. We at the LBSNAA are constantly trying to evolve our training inputs and methodology and welcome your inputs in enriching the current thinking in the field of public administration. We are aware that a number of officers working in their respective jobs are doing good work, which, if documented and shared with others, could preempt the reinvention of the wheel. There is a need to document these "best practices" across different sectors throughout the country in the form of a compendium that could serve as a ready reckoner for those interested in the area. These "best practices" would be innovations tried out at the grass root level for ensuring effective service delivery. Their efficacy would have been proven by their sustainability and replicability. We invite our readers to send in their write ups in 3000-5000 words for inclusion in the Compendium.

The Academy has in the meantime revamped it's website [www.civilservices.gov.in] and an Alumni Corner has been created there. This provides space for the alumni to interact, paste messages, chat on issues of concern, or catch up with old friends. The passwords for all the IAS officers have already been sent to all the Chief Secretaries of all states. We request you to access the Alumni Corner through your passwords and make it a truly interactive and live forum for exchange of ideas. Passwords for the other services are also being made and will be sent soon.

In this issue, we cover various aspects of public administration through a variety of articles. The 1952 batch of the IAS met for a retreat at the LBSNAA where valuable suggestions, based on their rich experience, were made by the participants. The report on the retreat is followed by an article on the civil service by Mr. S.S. Sidhu who was a participant therein. We also bring you articles on two sets of issues which though seemingly unrelated are of significant importance for each other. There are three articles on the issue of human development and the caste and class concerns. The other set pertains to the computerization of land

records where four articles present the work done in this regard in various parts of the country. Apart from these, the other articles address issues of national security, structural adjustments, implementation of government programmes, issues pertaining to the   north-east and some thoughts on organizational and personnel management aspects of governance.

We look forward to your continuing support and suggestions, and convey Season's Greetings from all faculty and staff of LBSNAA.

Arti Ahuja

E-mail : ahujaarti@lbsnaa.ernet.in
softrain@lbsnaa.ernet.in

A Report on the Retreat for the 1952 batch of the IAS Officers (6-7 June, 2002)

- M.H. Khan*

Every year the Retreat for the IAS Officers who joined service 50 years ago is organised by the Academy. This retreat was the sixth in the series organised by the Academy. The first was held in 1997, the Golden Jubilee year of the new nation, where ICS and the IAS officers, who were in service at the time of independence, participated.

This year the officers of 1952 batch were invited to benefit us with their views on 6-7 June 2002. Sixteen officers attended the Retreat. The seniors have been extremely contemporary in their approach and have provided valuable insights into the changing environment of the administration. The following were the issues discussed in the retreat.

1. National Security: Terrorism & Insurgency

The discussion was organised on the following sub topics

(a) Basic Causes for Terrorism and Insurgency

(b) Strengthening of Law Enforcement and Intelligence Agencies

(c) Involvement of the People

(d) Role of Civil Society

(e) Human Rights Issues

(f) Role of the Political Parties

2. National Security: Violence in Society

In the recent past, violence has spread in our society at an alarming rate causing concern to politicians, bureaucrats, non-government organisations and last but not the least, the common man. As a subject of paramount importance, this issue was chosen as a topic for discussion and debate in the two-day workshop held during the Retreat for the 1952 batch of IAS officers.

The session was chaired by Shri S. Ramanathan. All the participants deliberated on the causes of violence in our society and came out with some suggestions for curbing the spread of violence.

* Deputy Director (Sr.), LBSNAA, Mussoorie.

The main causative factors behind the spread of violence were identified. The group deliberated on possible solutions to this vexed problem and came out with some suggestions:

a. There should be a political will and clear political direction to combat violence. The police and administrators should be given a free hand to control violence without any interference.

b. Prompt and severe legal action should be taken against criminals in politics so that no criminal is given a ticket to contest elections.

c. Now that the education has been made a fundamental right, the government should work in the direction of imparting education to all the citizens of our society. This may, to some extent, help in mitigating ignorance which in turn may help in curbing violence.

d. The Right to Information is another instrument for empowering people to know their rights which will bring about transparency and accountability in the system.

e. Some mechanisms should be devised by the government to ensure security of tenure to civil servants so that their postings are not subject to the whims and fancies of their political masters and they are not unnecessarily harassed on this account.

f. Basic societal injustices, inequalities and economic disparities should be brought down by working for economic growth and development of all sections with due regard for equity.

In his concluding remarks, the Chairman summed up the discussions by emphasising the role of administrators in mitigating violence. They should play a proactive role in sensitive areas by becoming extra vigilant and taking adequate measures to promote peace. Emphasis should be on having a responsive administration and with administrators willing to listen to people and their grievances. The government should work in the direction of reducing the societal injustices and economic disparities which are at the root of the spread of violence in our society today.

3. Good Governance and Reforms in Civil Services

The discussion was organised on the following sub topics

(a) Maintenance of Law and Order

(b) Right to Information

(c) Citizen's charter

(d) Redressal of Public Grievances and Control of Corruption at the Cutting Edge Level

(e) Transfer of civil servants

(f) E-governance

(g) Enforcement of Laws

(h) Role Models

(i) Coordination between Executive, Legislature and Judiciary

(j) Training of Officers and Job Description

(k) Reservation

(l) Decentralisation and delegation of Powers

(m) Basic Causes for Terrorism and Insurgency

(n) Strengthening of Law Enforcement and Intelligence Agencies

(o) Involvement of the People.

Summing up the discussion, the Chairman made the following points:-

1. The need for the IAS is still there and the desirability of its continuity is much more now than earlier.

2. The focus needs to be on how to make it an effective instrument for implementation of policies and programmes of the government and in providing good governance.

3. Since Independence, nearly 600 Committees at the State and the Central level have made recommendations on administrative reforms, however this has resulted only in tinkering with the issue. There is a need for restructuring the civil service if it has to have credibility. A National Commission for Restructuring the Civil Services may be the solution.

4. The existing seniority mandated hierarchy of the IAS should be recast. It is essential that civil servants of 48 to 50 years of age reach the top, through an institutionised objective appraisal mechanism. For this, the Defence Services system of appraisal and weeding out dead wood can be adopted.

5. Shed the paternalistic attitude and learn to work in a participative role by

   -Spear heading decentralization

   -Playing the role of a facilitator

   -Developing Information Technology skills

   -Specialising in fields of economic administration.

6. Down sizing of bureaucracy is also a important imperative. The need for political will in this regard cannot be over-emphasized.

7. Simplification of rules and procedures needs to be taken up.

8. Constitution of a Civil Service Board and an Ombudsman is also suggested.

The importance of a proper relationship between the political executive and the civil service is crucial. Innovative approaches are needed to ensure better understanding of their respective roles and strict adherence to rules and regulations.

4. Corruption - Causes & Control

The discussion was organised on the following sub topics:

(a) Bureaucratic Corruption

(b) Political corruption

(c) Corporate Corruption

(d) Corruption, Crime and Politics

(e) Control of Corruption

The Chairman, Shri S.S Gill summed up the discussions highlighting the following points:

1. The need for less governance in a number of areas.

2. Downsizing should be structural. The number of levels examining any issue should be reduced not through level jumping, but by eliminating intermediate levels altogether.

3. The empowerment of the people will ensure that they will resist corruption. The dynamics of democracy will assert itself even in the case of Panchayati Raj Institutions.

4. Transparency with access to all Government files except those relating to foreign policy and security will prevent misuse of discretion.

5. Accountability, particularly for time and cost overruns in projects, is essential.

6. Administration runs on credibility and hence the image of the administration is very important.

7. Above all we are all a party to this phenomenon since we elect patrons and not legislators. The feudal mentality of approaching the legislators for favours needs to go.

5. Constitutional Reforms

The discussion was organised on the following sub topics:

(f) The position of the Prime Minister

(g) The President of India

(h) Electoral Reforms

(i) Panchayati Raj System

(j) Reservation Policy

(k) The Judiciary

(l) Coalition Government

(m) Bureaucratic Corruption

All the participants of the 1952 batch retreat expressed that the 1952 batch officers of the IAS is, in a way, fortunate, in the sense that they had the unique opportunity to be present in the Union Parliament, while the Indian Constitution was being introduced.

The detailed proceedings of the Retreat are also prepared and sent to the concerned participants, Chief Secretaries of all the States, Heads of all ATIs and members of the Standing Syllabus Review Committee.

Reforms in Civil Service
- S.S. Sidhu*

Change is the only permanent thing in society and life. Change is not only necessary, it is life. Nothing has, however, changed with regard to Civil Service, neither the basic structure, nor the system of career development. There has hardly been any change in rules for transaction of Government business in the Central or State Secretariates during the last 50 years.

The primary motivation of the higher Civil Service in India used to be:

A sense of pride and idealism in the essential nobility of the calling;

Espirit de Corps; and

An opportunity for the pursuit of public good or welfare.

The dominant image of a civil servant has been the pursuit of public good with no attempt to take credit for his work or to seek publicity for himself. The life of the civil servant was in some respects that of a monk, devoid of all interests, serving not God, but humanity.

Generally speaking, the senior bureaucrats conducted themselves in an exemplary manner. Objectivity, rectitude, anonymity and accountability were the hallmark of the Civil Service. They encouraged younger officers to take decisions to inculcate in them the sense of responsibility with discretion. There was a well conceived programame of career development in the Service. In contrast, these are the days of seeking media glare and publicity. It used to be believed that one's work should speak for itself. Civil Servants were to be seen but not heard. Now, several of them have become media celebrities. And it is difficult to believe that anyone's job, except that of the official spokesperson's, requires him to be accessible to the press every day. Jockeying for higher positions and coveted ministries has become free for all. There is a lack of transparency in regard to decisions for filling up higher posts. No punishment or adverse notice is provided against lobbying. In a way, this decline in civil service should be seen as a part of the larger degeneration of societal values.

---

* IAS (Retd.) U.P. Cadre, 804 - Ashadeep, 9 Hailey Road, New Delhi.

After India's independence, the then Home Minister, Sardar Patel fully appreciated the need for a sound and stable administrative set-up. In a letter to Nehru on 27 April, 1948, Patel said, "An efficient, disciplined and contented service assured of its prospects as a result of diligent and honest work is the sine qua non of a sound administration under a democratic regime more than under an authoritarian rule. The service must be above party."

What is happening now negates practically all the norms and principles on which Patel had constructed the edifice of public services. Political interference is rampant. Officers are being humiliated by way of whimsical transfers and suspensions. In overall management of services also, parochial, caste and personal considerations are fast creeping in. And, instead of a strong honest, fearless and vibrant civil service a weak, frustrated, apathetic, faction ridden and venal set-up, with groups, grooves and god-fathers of its own, is emerging.

There is a growing feeling in the public mind that the relevance of Indian Administrative Service is rapidly vanishing and its credibility is fast evaporating. Unless corrective steps are taken to reinvent the service it will be increasingly perceived as bothersome and irrelevant.

The question of increasing perception of the irrelevance of bureaucracy in the public mind has to be viewed in the light of changed conditions and the bloated picture of bureaucracy. The sense of demoralization is seeping in the Civil Services. The IAS also appears to be traversing an identity crisis of sorts.

The Civil Service in India has been somewhat immersed in paradigms of the past, with a predominant culture of conformity, and little incentive for innovation. How can the Civil Services reinvent themselves? Or is it time that services like the IAS prepared the ground for their extinction, in the national interest?

Whatever may have been the shortcomings, and well-caricatured failures of the IAS, it cannot be denied that it has served as a disinterested and largely upright bulwork of administration, especially in the districts, with its feet firmly planted in the realities of rural India. It has served to promote continuity, national integration and a certain uniformity of approach. There is also no shortage of talent in the IAS. Since little can be gained by wishing away the bureaucracy in the country with India's size and diversity. What then should be done to convert the Civil Service into an effective instrument of governance?

A fundamental transition required is to consider some changes in the structure of the service.Bureaucracies are resistant to change, but a fundamental reinvention has become necessary - what with the compulsions

of the cyber-age, the integration of global economy and rapidly changing rules of economic and commercial transactions.   The bureaucracy might have to undergo a cultural revolution of sorts, with the focus of the incentive system being shifted from conformity and uniformity, towards encouraging innovation, adaptability and change. The speed with which the British Civil Service is embracing beneficial change and even fundamental structural transformation should serve as an eye opener.

The rigid seniority-mandated hierarchy of the IAS should also be recast with the creation of functionally independent streams within the service. This will assist in the process of specialization in the Indian Administrative Service which will be in keeping with the current trends. The question of introducing contractual system of service related to specified performance norms also deserve serious consideration particularly in higher echelons of the Central Government, say with regard to posts above Joint Secretary or its equivalent.

It is high time the Civil Service sheds its paternalistic attitudes and learns to work in participatory mode - with the private sector, with citizen's organisations and with local self government institutions. It should spearhead the efforts undertaken in various States towards decentralization. Good governance can only flourish in a milieu of subsidiarity, where the functions of administration are carried out at the lowest feasible level.

The Civil Service has also to equip itself urgently for the impending wave of electronic governance and e-commerce. These tools and services provide a splendid opportunity to effect transparency and greater accountability in government and to improve the speed and the quality of delivery of public services to the citizen.

A focused attempt has to be made to redress the relative neglect of vital areas like education, public health and other aspects of human development, by reorienting the bureaucracy towards these directions. The Civil Service needs to build up strong competence in these sectors. There is an invisible caste system within the IAS, especially at senior levels, with jobs in economic administration being more coveted. This bias has to be corrected.

The Civil Service and political executive has to take the initiative for simplifying the business of administration. We have some of the most convoluted procedures in the world.

There is an urgent need to effect transparency in procedures and systems for filling up higher level posts under the State and Central Governments. We need to set up Civil Services Boards to deal with promotions, transfers and postings;   time- bound processing of vigilance cases - currently these are allowed to drag on for years; and minimum tenure in a post. If an official

is to be shifted prematurely, it should not be casually or arbitrarily done, but after due consideration and reasons to be recorded and communicated to the official.

Reforms, are also needed to redefine 'public interest'; to leave the management of the Civil Services to themselves and not to the political executive of the day. Since independence, there have been more than six hundred committees and commissions at the Central and State levels to look into what can be broadly characterized as administrative reforms. There have been five Central Pay Commissions so far. Apart from their recommendations about pay structures of various categories of services, they have made useful suggestions aimed at improving efficiency, productivity and accountability in Civil Services. Despite this, the Civil Services reforms in India have been rudimentary. The reform effort has been conservative, only tinkering with the existing structures and processes. The result predictably has been a series of "correction slips". The reforms have neither limited Civil Service numbers nor have they brought transparency or accountability. As a refreshing contrast, the recent Civil Service reforms in some industrialized countries like Japan, Singapore, New Zealand and the UK have succeeded in trimming the size of Civil Service and making it lean, compact and accountable.

What is needed is the political will on the part of the Government to pursue this matter in a determined manner. Apart from constituting Civil Service Boards to deal with promotions, transfers and postings, political executives at various levels have to be restrained from interfering with the management of Services. They should also adhere to norms, rules and prescribed procedures. There is a pressing need of attitudinal change on the part of the Civil Services as well.

Digitisation of Cadastral Maps in Madhya Pradesh
- M. K. Agarwal*

Background

Computerisation of Land Records in Madhya Pradesh commenced in 1988.The initial computerization process encompassed the startup use of modern administrative practices to facilitate and eventually replace the traditional system of land Records Management. Initially the process involved the use of Computer to enter the land and related data from the khasra.The attributes related to all aspects of Khasra and land holding as available with the patwari and the Government. This was basically textual data and was entered through a program made using Clipper and Dbase. Since all the information that was to be computerized had to be in vernacular,GIST technology was used to enable the Hindi environment. The program enabled all information as it is to be entered into the computer.The reporting and printing options enabled the printing and subsequent disribution of Khasra copies. The program was installed and made available at the Tehsil and the updated data was consistent with the manual records of the patwari. The copies of the map was still distributed by making a manual copy of the selected plot/polygon.

The next logical step in computerization of Land Records is this enabling of spatial component of the data to digitized from the cadastral maps and put on the computer.Various guidelines/directions have been issued by the Ministry of Rural Development in this regard for overall computerization of Land Records. The ultimate aim, as envisaged in various documents, is the creation and successful implementation of a "On line Land Information System". The structure and record-keeping of Land Records is different in each of the States and varies as per the way the local Records of Right is kept. The State of MP also follows a unique system of maintenance of Land Records and related cadastral maps.

These cadastral maps available with the patwari are the only source of information for the spatial component/visual component of the land holding information. These cadastral maps have been made after a detailed survey

* Joint Commissioner, Land Records, Madhya Pradesh.

and subsequent updation as per the need based on transfer or division of landholding. Subsequent updation of these records is also made whenever survey of the land was done. These cadastral maps and their copies also find acceptance in the Court of Law for all matters of dispute pertaining to location and position on ground. The corresponding information about ownership and other details is made available from the khasra copies.

Pilot Project

In continuation of the Centrally sponsored drive for the Computerisation of Land Records, in 1999,pilot projects were sanctioned by Ministry of Rural Development, GOI for Digitisation of Village level cadastral maps on experimental basis in the selected states. In Madhya Pradesh the same was taken up for Raghogarh Tehsil of Guna District and Shivpuri Tehsil of Shivpuri District. Initially, four vendors were identified for sample digitization covering these two tehsils. The four vendors worked on four different platforms viz. ArcInfo, AutoCAD Map, MapInfo and Microsation.

Objectives

Although the project was financed by Ministry of Rural Development, but no specific objectives were set at the National level. In Madhya Pradesh it was started by keeping in mind the following objectives:

a) Valuable ancient land records which forms backbone for land revenue administration can be preserved for longer period.

b) Creation of computerized Land Information System for efficient storage, easy retrieval and prompt updation of cadastral information.

c) Quicker response for meeting public demand for maps and providing accurate and updated records.

d) Transparency in records to minimize the evils of interpolation.

e) To develop a LIS to enable the optimum use of land resources, and facilitating better decision making in planning process.

f) A system easy to integrate with other computerized system like Registration, Forest, Electricity, Education, Health etc.

Process/Methodology

The overall process was divided into the following steps:

1. Scanning of Cadastral Maps.

2. Digitization of Cadastral Maps in a number of layers as:

   * Village boundary, Railway line and Road Network(all types)

   * Rivers, canals and water bodies

   * Plot boundaries

＊ Plot (Khasra Numbers) etc.

3. Edge-matching and verification of the cadastral maps.

4. Acquisition of DOS based GIST textual data.

＊ Plot No., Ownership, Area, Crop, Revenue, Land type, Irrigation pattern etc.

5. Linking of textual data to digitized data.

6. Application software for the query and printout of the cadastral maps as per requirements.

Since this was the first such process in the state, to facilitate these four vendors working space was provided for scanning and photocopy of the cadastral maps within the premises of the Office of the Commissioner Land Records. Textual DOS GIST format data was provided to them for attachment to the digitized cadastral maps. The maximum error permissible for the process of digitization of the cadastral maps from those of the original maps is 0.01mm.No error was permitted for the linking of the DOS GIST textual data to the digitized cadastral maps. Entire work was completed in one year time and data were finally handed over to the tehsildar of respective tehsils.

Flow Chart of Maps Digitisation Process
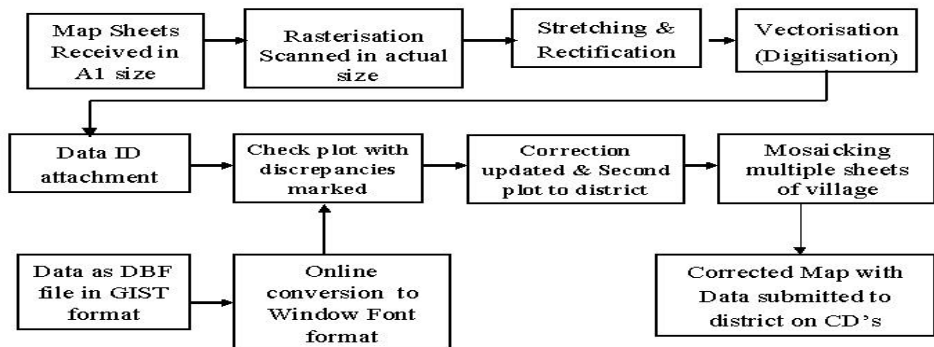
Result:Immense beneficial to Land holder

Although computerized ROR system was implemented long back in MP but the copy of map was still being distributed by making a manual copy of the selected area/plot. After the digitization of maps in these two tehsils any selected khasra (plot) Map, at random can be printed alongwith the adjoining khasras on an A4 size paper. This A4 size printout also contains the details of District/Tehsil/Village Name, Khasra No., Owner's and Father's Name, Area, Scale of the Map etc. Separate format has been devised for the Government land. Government of MP has given legal sanctity to it by

amending the copying rules last year. The sample of the printout are given below:

A powerful tool for the Decision-Makers

The spatial and non-spatial data together with the developed application tool with GIS interface is helping Tehsil and District Administration in various useful aspects of Land Management. These are:

- Locating Plot(s) belonging to person(s) on the basis of name, father's name, caste etc.
- Locating multiple plots of a person.
- Division of plot based on various criteria.
- Faster updation and presentation of data(Spatial and Non-spatial).
- Planning of Crop pattern.
- Planning of irrigation pattern.
- Planning of revenue generation.
- Land acquisition.
- Development of existing and planning of new structures.
- Finding of land use like, residential, commercial, industrial, water bodies etc.
- Generating of reports for higher officials/management with adequate maps.
- Generating a component for MIS at State/National level.

Sample Screen of the customised Software are shown below :
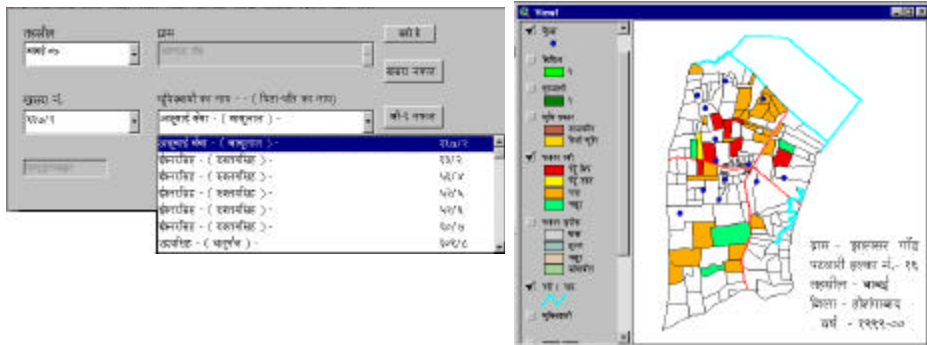
Comparative study of GIS Platform used and suitability of platform for future

It may be noted that the Geographical Information System field is evolving and there is a great need to evaluate and ascertain true needs and finances before making a decision. The various Geographical Information System platforms available in the market offer functionality and features which are far greater than the need of the department:

Our requirements primarily relate to -

a. Digitisation of Land Records from base khasra maps,

b. Correlation of these components with non-spatial(text) data,

c. Generation of Khasra maps as per requirements and,

d. GIS related analysis for the purpose of better administration.

The top two requirements, viz. digitisation of land records and correlation of these spatial data with non-spatial data are very generic in nature and nearly all GIS platforms will suit our needs. The other two requirements are very specific in nature and have to be specially designed and developed as an application for land records and cannot be extracted directly from any existing GIS platform, whether those evaluated or those not evaluated but available in the market. The GIS platform and the application surrounding it has to be customised and developed as per needs and requirements.

The second most important issue is to evaluate and give a detailed thought on the number of instances (copies) of the software of such applications which will run in the whole state and their compatibility issues. The replicability of the system and solution within the parameters of cost, ease of use, time of development, time of deployment, ease of installation, etc. has to be kept in mind before making any decision. Any single solution which involves purchase of a full and complete GIS may be very complex and

would also involve factors wherein the cost-usage parameters may not be justifiable.

All good GIS platforms come in basically three variants. These are :

a. Full software version with a possibility of add-on modules.

b. Run-time version with nearly all functionality.

c. Components which can be integrated into other third party front-end development tools.

After evaluation of the ongoing projects, it is recommended that a component based model is best suited for our requirements . This model will also be the best in terms of the future use of the department. The objects can be integrated in the single application and can be easily deployed by a single installation obviating the need to deploy, configure and maintain more than one software environment for the single usage and application.

Conclusion

The generation of the base map and attachment of attribute data not only help revenue administration but also the land holder and other government organisations, providing multiple usage of one time effort. Looking at the result of the Pilot Project, State Government is very enthusiastic and made a detailed plan for the digitisation of all the available Cadastral Maps in the state. Time has come, when all the land records information in Madhya Pradesh will be under finger tips (click of mouse). Land records Information Management will be easier and faster.

Centrally Sponsored Scheme of Computerisation of Land Records in West Bengal

- S. Suresh Kumar*

The Beginning

The Government of India in the Ministry of Rural Development had approved the Pilot Project on Computerization of Land Records (CLR) as a first step in the district of Burdwan in the financial year 1990-91. Burdwan is one of the largest districts in W. Bengal and has diversity in agro-climatic zones as well as in the land utilisation pattern not seen elsewhere. The government staff did the initial data entry work, which was a massive problem as it involved overcoming a number of barriers related to technology, training and perception itself. By the time the next three projects were sanctioned in the year 1993-94 in Jalpaiguri, Hughli and Nadia districts, vendor support for data entry could be developed and the progress became more rapid. In 1994-95 sanction was given under CLR for the district of Howrah. In 1995-96 another nine districts were sanctioned namely: Darjeeling, Malda, Birbhum, Bankura, Medinipur, Tamluk, North 24-Parganas, and South 24-Parganas. The remaining four districts, viz. Kochbehar, Uttar Dinajpur, Dakshin Dinajpur and Purulia were sanctioned in the year 1996-97.

Status & Utilization of Fund Placed under CLR Project

The number of mouzas (revenue villages) attested or which are baseline records are 39600 and number of finally published mouzas are 38892 of which data of 39151 mouzas was entered (98.86%), printouts for 38168 mouzas were generated (96.38%), checking of printouts of 35088 mouzas (88.60%) was completed and validation of 31909 mouzas (80.57%) was done. Funds to the tune of Rs. 15.96 crores received till date were expended as per the old guidelines and a further fund of Rs. 5.56 crores was recently received under the revised guidelines which awaits release from the Finance Dept. Initially the work was estimated to be as follows:

---

*IAS, Project Director, WBSPACS & Joint Secretary, Health and Family Welfare, West Bengal.

CENTRALLY SPONSORED SCHEME OF COMPUTERISATION OF LAND RECORDS IN WEST BENGAL

Sl.No	District	No. of Blocks	Total No. of Mouzas	No. of Mouzas Attested	No. of Individual records (Interests) (in lakhs)	No. of Plots (in lakhs)
1	Bankura	22	3847	3842	51.8	43.2
2	Bardhaman	31	2827	2779	64.4	21.9
3	Birbhum	19	2489	2488	44.8	29.9
4	Darjeeling	12	615	610	1.3	4.96
5	Howrah	14	836	827	16.3	8.3
6	Hughli	18	1998	1998	39.9	15.1
7	Jalpaiguri	13	774	698	15.3	5.1
8	Kochbehar	12	1170	1168	27.8	8.8
9	Malda	15	1815	1794	17.4	14.1
10	Medinipur	24	8129	8108	50.9	39.8
11	Tamluk	30	3890	3888	55.9	39.9
12	Murshidabad	26	2289	2279	45.0	23.1
13	Nadia	17	1406	1405	31.9	14.4
14	Purulia	20	2700	943	51.4	13.5
15	N. 24-Pgs.	22	1828	1746	31.5	31.1
16	S. 24-Pgs.	29	2292	2046	40.8	39.8
17	D.Dinajpur	8	1646	1639	21.5	10.3
18	U.Dinajpur	9	1516	1342	13.0	8.1
	TOTAL	**341**	**42067**	**39600**	**367.7**	**624.56**

Reasons For the Success

➢ *Tight administrative set-up:* The Directorate of Land Records & Surveys at the state level and the district land reforms set-up were tightly bound layers which had previously implemented very successful programmes such as Operation Barga and distribution of vested land programme. Hence the direct and single chain of command existed which was outside the normal functions/emergencies of the District Collectorate. Hence they could concentrate on the job at hand in a sustained manner.

➢ *Innovative role of some of the officers:* The leadership displayed at certain crucial junctures by some of the directorate officers and the district level officers played an important role in stabilizing the programme and in giving the right direction to it. To some extent

continuous monitoring and pressure from the Directorate and some of the district level officers went a long way in ensuring the planned progress did not slow down but went ahead steadily.

➢ *Condition of the record-of-rights :* The present record-of-rights were framed in the current settlement operation, which started in the year1974. Hence the ROR s were relatively in good condition and had not suffered any significant damage. This made the job of handling the records by the data entry operator much easy and also decreased the necessity to just a token presence of some government staff at the time of data entry.

➢ *Data entry through private vendors :* Initially for nearly one and a half years the data entry was taken up departmentally but the progress was extremely unsatisfactory. So much so, that the private vendors had to be appointed. This process reduced the involvement of staff to some extent in the programme but there was no other option considering the attitudinal problems prevailing then and due to the acute staff shortage. In fact it took some time to gear up even the data entry operators considering the lack of familiarity in the Bengali keyboard but once this initial hurdle was overcome the next problem was to supply adequate corrected records and fresh records for data entry.

➢ *Thorough checking by the staff :* The checking done was very thorough and meticulous. Initially even if the printouts had more than 2% errors prima facie the data entry operator was made to do fresh entry or to correct the records himself. After the receipt of a printout of a mouza a clerical staff scrutinizes all the individual records, which is followed by 10% sample checking by a Revenue Officer. Printouts of the corrected record-of rights also go through a same cycle after which the record-of rights are validated to the extent of 100%.

➢ *Software development :* The software went through as many as 9 versions of development before a GUI version was developed by the NIC. Throughout, continuous interaction with the NIC and communication of the field necessities for software development to take care of all the intricacies in the record-of-rights had to be made without which there would have been a serious dislocation in the endeavor.

➢ *Technical spin-offs :* The process itself generated some formats, which could be used for checking the errors involved in framing the record-of-rights. The process of framing of r-o-r s is a painstaking process and the process of checking the accuracy also is a very tedious one. The

validated data could be utilised to generate the Plot Index and the Khasra, which was a great boon and reduced the tedium as well as the time taken to finalise the ROR s. Some of standardisation of the classification of lands in different districts had to be evolved perforce. As the computerization of the r-o-r s required some standardisation, some form of uniformity had to be used for easy search facility and a lot of superfluous classes of land were renamed. This exercise also was of great utility for the computerization project of the Registration Department.

➢ *Attitudinal change in the staff :* The prospect of supplying certified copies to the public very quickly brought a lot of pressure on them initially but they became reconciled to it when the computerization process became a part of their routine itself. Work related to the computerization such as checking also became a part of their routine.

Technical Spin-offs from the Data

➢ *Detection of defects in the Survey & Settlement work.*

Computerization has conferred a boon by the quick detection of defects done at the field level. Manual preparation of an index of the land records based on certain key fields is very time consuming and is fraught with errors. Hence, if the data entry is correct, then it is generating an exact plot index which gives us the actual picture of the records. This has given us a list of plots which need to be checked due to changes in ownership, cases where joint property has been declared but individual ownership has not been decided, cases where there is incomplete ownership of plots due to non-reflection of the appropriate tenant's share. Interestingly the print out generated is not at all a time consuming process and it can be used to pin-point the defects unlike the previous manual system.

➢ *Standardisation of land classification in the State.*

Even though prior to every Survey and Settlement Operation a list of classes of land is approved for use. In practice, it has been found that there is no uniformity or one-to-one correspondence between the description of a class of land over all the districts in the State. Hence all redundant and obsolete land classifications were merged with a suitable land class. This has resulted in tremendous benefits as some parity between land classes could now be maintained for assessment of land value, data mining, etc.

➢ *Generation of Registers.*

The ease with which certain crucial survey and settlement registers

could be generated is another great spin-off. The Plot Index which is the plot-wise list of the number allocated to each r-o-r, the Khasra which is the plot-wise list of the individual land owner and the sub-tenancies created and the Register-III which is the demand register for the land revenue and cesses payable by each landowner. All three registers have great utility presently.

➤ *Generation of individual record-of-rights.*

A change had been engineered in the present Settlement Operation where the r-o-r s are prepared individually for a raiyat instead of joint ownership basis. However in the transferred areas of Purulia and Uttar Dinajpur districts where the current Settlement Operation is still continuing a software package was developed by the NIC called Joint 01.exe which is being utilized to great effect. The software package converts the data in joint ownership r-o-r s into individual r-o-r s very easily and quickly which is the first step in revising the r-o-r s. This has a great advantage in that it not only saves time significantly but it also liberates a significant manpower from an otherwise laborious job for other uses which is extremely crucial.

Analysis of the Gaps/Deficiencies in the CLR Scheme

➤ **RELATED TO COMPUTER HARDWARE.**

❖ *High obsolescence rate of Hardware .* The CLR projected had started off with 286 series machines in the early 1990's and has currently reached the Pentium IV series machines. Hardware development has also faithfully followed the Moore's Law whereby a processors capacity would double every eighteen months leading to the necessity of frequent up gradations. Moreover, due to the short product cycles of 3-4 years only, maintenance is well nigh impossible after 3-4 years only due to the non-availability of various components. Wherever components become incompatible, the whole machine has to be junked and a new machine has to be purchased which requires additional investment, which the revised guidelines do not take into consideration. Hence a paradigm change in the configuration is necessary to obviate frequent up-gradations. The best alternative is to work towards the 3-tier architecture based on a server and their clients. The architecture would consist of a thin client with little hard disk space in GUI, an application server in Java Database Connectivity Bridge (JDCB) and a database server. The advantages are many and are easy change management in hardware and software; easy and dynamic load balancing of the network, improved data protection and security, and flexibility in changes in storage strategy etc..

❖ **Use of GIST Cards.** This hardware solution for the conversion of data is prone to defects and needs frequent replacement. Not only GIST cards are unreliable but also slow down the printer's speed by half. Hence, a Graphic's User Interface (GUI) solution is the need of the hour and GIST cards should be phased out. Any investment required for this comprehensive solution would only be possible if the guidelines were to make a provision for the expenditure.

❖ **Machine maintenance.** It is unfortunate but true that the penetration of information technology is rarely beyond the state capital and some major towns due to which the availability of technical manpower for maintenance in the districts is negligible and neither is there the inclination of the hardware manufacturers to undertake service contracts in the rural areas. This has resulted in enormous costs in maintenance after the guarantee period is over and the downtime due to non-operation is also very high. This should be considered in the guidelines.

❖ **Erratic Power Supply.** Power supply disturbances due to fluctuations such as surges/drops and long periods of loan shedding is idling the computer system non-productively and creates a negative impression on the service-taker. A stand by arrangement is very much necessary which ought to be included in the guidelines.

❖ **Higher Hardware Requirements.** Presently only textual database is being delivered to the user. Shortly, after the digitisation of maps and the integration of the textual and graphic data into a Land Information System it would require a more powerful multi-user architecture at the tehsil/block level, than the existing stand-alone computer.

❖ **Unsatisfactory Data Archiving.** Presently there is no reliable method of backing up data when changes to the database are being made on a daily basis. The use of floppy disks is un-reliable and could lead to data loss. What is required is a good solution such as DAT or a CD writer, which can be a trouble free solution.

➢ **RELATED TO SOFTWARE**

❖ *Non-conversion of Existing Software Platform.*

The code for the software package had been written in Fox BASE, a third generation programming language on a DOS platform since the inception of the CLR. The Vision Document has also recognized that the Fox Base platform was a suitable platform (from those available) 8-10 years back but is no longer suitable presently due to the following reasons.

1) The use and access of the files is not particularly user-friendly due to which there is still a lot of resistance to typing out any code by the user. Novice users who have crossed/middle age have particularly found it to be very intimidating and does not relate well with the user unlike a windows based (GUI) software which primarily uses a point and click technique.

2) Training input is much heavier and the retention of the inputs is also not very satisfactory to the say least. Hence, frequently the trainees have relapsed to their original state of ignorance or indifference errors and are proving to   when using the package if they are not in constant touch.

3) There is no data security in the existing Fox BASE based software package. As the data is highly valuable, it should be made tamper proof and free from un-authorised access. Security Packages as an add-on can be developed but a good RDBMS (Relational Database Management System) like Oracle and MS SQL Server can ensure the security as well as manage the data exceedingly well.

4) The amount of data at the block/tehsil level is nearly one GB alone and the proper maintenance of the data integrity from corruption in the present open-database created in a Fox Base platform is becoming extremely necessary. Migration to a standard RDBMS platform would be an effective solution. Not only that, if the conversion to a multi-user RDBMS is made now then the spatial Database would also get organized in a better manner.

❖ Computerization of Land Records per-se is not just sufficient. The entry of textual data and it's generation as a print out is a very limited exercise being undertaken at the moment. There are a host of other activities related to the maintenance of record-of-rights which can be derived out of the existing database created. In addition, other administrative routines can also be computerized to make the utilization of computers more pervasive and widespread.

➢ **NETWORKING .**

The revised guidelines make a brief mention of the concept of networking but have not gone into the details of it with the result that there are no clear cut ways to go about it, such as the connectivity links to be followed by the Blocks/Tehsils to the districts and as to how the districts would in turn be connected to the state. It has also been well recognized that there would be a marked improvement in monitoring system in place.

The work output should in turn be reflected in the web site of the Revenue Department or the state-level organisation maintaining land records.

➢ **PROJECT MANAGEMENT UNDER THE CLR.**

❖ *Training of the officers and the sub-ordinate staff.* This aspect has been repeatedly emphasized but has not got the importance it has deserved. The primary objective being to equip the personnel but equally important is the necessity to bring about an attitudinal change in them to give up an age-old system of following certain procedures and pick up a technological solution. Training of supervising officers has been neglected with the result that most of them are unable to relate properly with the scheme either, in accessing the data or in properly monitoring the scheme itself. Hence, training in the use of the software should be from the topmost rung to the lowest functionary involved in the scheme. Some other incentives and checks should be improved to bring in a proper forms and an attitudinal change on the scheme among the officer cadre. Training of the lower level functionaries has not always been fruitful if they are hostile or it they feel intimidated if they have to recall and type lengthy commands to use the existing software package. Probably the conversion of the software into a GUI based package would result in better receptivity among the trainers.

❖ *Monitoring and Evaluation.* Though it has been emphasized in the CLR Scheme, the fact is that the monitoring and evaluation of CLR activity has become just one component among the gamut of activities involved in the survey and settlement process with the result that it's emphasis has been diluted to some extent. There is a need to a special mechanism to ensure that the milestones are achieved within the time frame fixed lack of trained manpower.

❖ *Lack of Trained Manpower :* The scope of the scheme has increased to such an extent that for the maintenance of infrastructure or for the maintenance of the database itself some specialists are necessary at the district and the state level. Existing recruitment practises in the state are not particularly conducive for the intake of such professionals nor is it advisable to employ such professionals permanently. Hence some form of consultants need to be engaged to fill the gap.

❖ *Exclusion of certain administrative levels:* Some levels of the administrative set up involved in the survey and settlement process have been left out in the CLR Scheme. The Sub-Divisional Officers, Assistant Commissioners of Survey and Assistant Directors of Land Records who are important supervisory officers in the revenue/survey set-up need to

be also involved in the process. At the apex level in the State Headquarter, there has been no provision for the central data warehouse exclusive for the land records data with the result that proper screening of data for data quality and data mining is not possible at the present. Hence a separate set-up at the state level is very much a felt need.

❖ *Involvement of NIC.* The National Informatics Centre had pioneered the process of developing the software for the CLR Scheme in the Indian languages all over India and in specifying the basic hardware specifications too. However, it has been a common complaint that the NIC has not been adequately responsive in to making necessary changes in the software within a reasonable time due to which there is a loss of interest in the user. The NIC could be overburdened due to the demands of other users or due to it's own infra-structural problems and hence it is time that the CLR Scheme is weaned away from the reliance on NIC. In fact a significant fund had been transferred to the NIC for the installation of computer hardware at the district set-up, which is yet to be accounted for.

❖ *Integration of the CLR Scheme with other Computerisation Activities.* The Computerization of land records should develop cross-departmental linkages with the Registration Department regarding the property details or the property changes where the computerization process is going on under the 11th Finance Commission funding, the Irrigation Dept. or the Minor Irrigation Dept. which need to raise a demand for the raiyati-wise water usage rates, the Agriculture Department which needs the statistics for crop survey and agricultural census, the Forest Department, the Municipalities and Panchayat Bodies, etc. Thus the mobilization of the activities of various land related agencies in a co-ordinated manner to collect all the necessary information under their respective jurisdiction is becoming a necessity. This would prevent the development of "islands of computerization" and would provide the cross platform infrastructure for users of land information to get access to data regardless of the location of these distributed databases and not establish separate data collection mechanisms and avoid replication of efforts and expenses. This would go a long way in promoting a state land information system.

❖ *Introduction of e-governance.* The basic Taluka/Tehsil/Block level Revenue Department agency has the maximum number of transactions with the general public other than the Police Station or the Sub-Registry office. Basic information should be made available through the information kiosks for the citizen interface. However, an objective system to assure the basic query of any citizen who would like to know what

action has been taken on the application made by him is yet to be developed and only an IT based e-governance solution can bring about a radical change. This would also ensure that information would be quickly available to take decisions and not depend on the lower level functionaries.

Various Components To Be Included In The Guidelines For CLR

HARDWARE

➢ *Increase in unit cost of tehsil/block/taluk level computerisation :* In every state, the unit cost is highly inadequate to fund the following items: a)UPS b)Furniture c) Wiring & Networking d)Air Conditioners e)Site Preparation f) Software g) Scanners and finger print readers. It is suggested that all states should be allowed to purchase the equipment and the Government of India can fix the unit cost approximately based on the ballpark market rates. The schedule of suggested configuration and unit costs for various levels is given in **Annexure I & Annexure II.**

➢ *Fund for maintenance of hardware:* Once Land Records project is operationalised in taluks/tehsils/blocks it would be necessary that computers be maintained all the time. The down time should certainly not be more than 24 hours. Annual maintenance Contract has to be entered into with competent parties who should be stationed at district and divisional level so as to rectify the computers and the peripherals in less than 24 hours. 10% of the machine's cost should be provided for maintenance of the hardware every year. This maintenance cost shall be payable every second year onwards for atleast five years.

➢ *Generators:* In rural areas the quality of power supply is very bad and erratic. Most of the time exceeding 8 to 10 hours, electricity would not be available. UPS can certainly not work for more than 2 hours. It is therefore necessary that 2 KVA Generators should be provided in every taluk/tehsil/block at the cost of roughly Rs.40,000 per Generator.

➢ *District Office Computerisation:* While the scheme has a provision of Rs.10.20 lakhs for providing computers to district offices, Government of India has not been releasing the above amount. The Government of India should release this amount after deducting the cost of the computers supplied to Deputy Commissioner Offices for Computerisation of Land Records by NIC (if any) .

PROJECT MANAGEMENT

➢ *Monitoring Cell :* As the scheme is now growing in size, there is a need

to monitor the scheme closely from the state level. Funds for the running of the Monitoring Cell should be immediately be provided by Government of India in every state. An earmarked senior officer should be made available by the state for regular visits and close monitoring.

➤ *Training of personnel :* It is very important that the village accountants and lower level revenue functionaries and other officers should be trained comprehensively on the software to be used in the state. There is a need of training them comprehensively in all the states and therefore provision should be made in the scheme for this purpose. The funds to be allotted should be categorized separately to identify their expenditure.

➤ *Provision of computers to Sub-Divisional Officers/Assistant Commissioners/Assistant Director of Land Records:* As on today, the scheme does not provide for providing of computers to the SDO/AC/ADLRs. This effectively leaves them out of better the supervision process. Therefore, it is necessary that the scheme should have provision to supply computers to this middle tiers. The unit cost would approximately be as per the cost of funding a district office.

➤ *Rate fixed for Data Entry :* The rate fixed for data entry has been Rs. 10 lakhs for a district, which is probably a rough estimate. This being a guideline for the whole country it would be best that a more rational guideline based on the data to be entered in bytes/KB as the size of a district in terms of the number of records-of-rights in it or the size of the data in the records-of-rights on an average would vary significantly from state to state and district to district. It is suggested that Rs. 3/- per KB of the data entered if done in the local language medium should be paid.

➤ *Front End Land Records Shop:* In the Computerisation of Land Records scheme, Government of India has not provided for a Front End Land Records Shop, where farmers can buy their land records. These shops provide more transparency in land records administration and empower farmers. The cost of such shop would require 1.5-2 lakhs including the shop preparation and consist of the following:

1. One P.C.

2. One extra 15" color monitor with monitor multiplexer

3. A Wipro 1050+DX Dot Matrix printer

4. A Table top 650 VA UPS

5. Suitable furniture

6. Site preparation

➤ *Touch Screen Kiosk :* To empower citizens such as farmers, touch screen kiosks should be installed in all taluks/tehsil/blocks in a phased manner during 10th Five Year Plan. The cost of the touch screen kiosk may work out to Rs.1.5-2 lakhs.

➤ *Consultants in every district :* The District Informatics Officer, National Informatics Centre is over burdened in every district and therefore to concentrate on Land Records Computerization it is very necessary that a Consultant be engaged from the market for a period of one year at a time. The cost of Consultants so appointed would be Rs.2-3 lakhs per year per district.

➤ *Consultancy services for security design of software :* The Government of India should enable the State Government to hire consultancy services from Microsoft, Wipro, Satyam Computers, CDAC, etc. so as to take care of security and customized software applications. As the land records database is sensitive and large, farmers and other agencies depend upon this database and it is very important that the software designed should have rugged features so as to ensure integrity of the data. After putting the hardware infrastructure in place at great expense and labour the whole effort could be put into jeopardy if a professional approach is not adopted for the application software development. Individual proposals should be taken up by the Land Reforms Division when forwarded by the State Government.

➤ *Amendment of relevant Acts :* Relevant State Acts should have to be amended to make handwritten land records illegal or irrelevant and give necessary evidentiary value to digital records. This is very necessary as in any system in which hand written and computerised records are allowed to co-exist it is bound to make Computerisation of Land Records scheme redundant.

➤ *Constitution of a core group at Government of India level :* A small team should be constituted at the level of Government of India consisting of GOI Officers and State Government Officers who would go around to different states and advise State Government regarding various corrective measures required for Computerisation of Land Records. This will result in experience sharing and maturates people to give better results.

➤ *Annual Inspection report :* The Annual Inspection Reports of Deputy Commissioner/Collectors/Revenue Department should have a separate page on the efforts made by the district administration on land records computerisation.

➢ ***Reporting in Annual Confidential Report :*** The Department of Personnel and Training in Government of India and the Home (Personnel)/(General Administrative Department) may be requested to include a paragraph in the Annual Confidential Report of Deputy Commissioner/Collectors/Sub-Collectors on the efforts made by them for Computerisation of Land Records.

➢ ***Recruitment Rules :*** The recruitment rules of all the states should be amended to ensure that computer knowledge is pre-requisite for new recruitments at the clerical and officer level. The rules should also be amended to ensure minimal knowledge of computer skills for promotion.

➢ ***Study Tour :*** Government of India should arrange for study tours to such states where Computerisation of land records has progressed well so that the staff and officers can learn from those states and also implement land records in an effective manner. The study tours of the state-implementing officers to other countries where land records computerisation is being implemented should be arranged periodically so as to learn important lessons. The Government of India should fund this aspect.

NETWORKING :

➢ ***Connectivity :*** The database needs to be connected at the sub-divisional, district and state level to make a more meaningful use of the database. The guidelines will have to be amended to provide funds for this purpose. A schematic approach is given at **Annexure III**. It has been suggested that the block/tehsil/taluka and the sub-division could be connected through dial-up modems to the district headquarter and the district headquarter would in turn have a 30-channel ISDN (Integrated Services Digital Network) PRI(Primary Rate Interface) connection for interacting with the blocks as well as providing it with the band-width for connecting with the State. The State web-site would also be posting all the necessary information which would not be maintained centrally but through on-line updation. The State level server would be having two ISDN PRI connections one for interacting with the districts and the other for connecting with the internet and the Land Reforms Division. This would provide for a state-wide network for data transmission which in turn is linked right up to the Land Reforms Division in Delhi.

CENTRALLY SPONSORED SCHEME OF COMPUTERISATION OF LAND RECORDS IN WEST BENGAL

ANNEXURE -I

Items of Approved Expenditure	For the Tehsils /Blocks/ Talukas	For the District Level	For the State Level
	Rs. in Lakhs	Rs. in Lakhs	Rs. in Lakhs
1 Hardware Server & Clients	Server - 2.0 5 Clients - 2.0	Server - 3.5 Clients - 4.0	Server - 8.0 Clients - 4.0 Server Connectivity -7.0
2 Software (Operating System & RDBMS)	OS - 0.3 Oracle - 1.3 MS Office - 0.3	OS - 0.6 Oracle - 1.3 MS Office - 0.3	OS - 0.6 Oracle - 1.3 MS Office - 0.3
3 Power Management (UPS, Servo Stabilizers etc.)	0.60	1.00	1.25
4 Networking (Local Area Network etc.)	0.50	0.80	1.0
5 Connectivity (Charges to be paid to BSNL for local / ISDN connection, Network Cards, etc.)	0.05	2.8	5.6
6 Maintenance Cost of the Hardware & Software for 5 years (@ 10% of M/C Cost.)	2.0	3.80	6.0
7 Peripherals (Printers, fingerprint scanners, Scanners, touch screen kiosks, etc.)	3.0	5.3	4.65
8 Site Preparation (including air conditioning etc.)	1.00	1.00	1.00
9 Furniture	0.50	0.50	1.00
10 Documentation costs	0.15	0.25	0.50
11 Miscellaneous expenditure including stationary, office costing every, training of staff etc.	0.25	0.25	0.50
12 Data Entry cost @ Rs. 3/- Per KB	13.35	24.9	42.85

ANNEXURE - II

SUGGESTED CONFIGURATION FOR COMPUTER HARDWARE, PERIPHERALS

Block / Tehsil / Taluka / Sub-Division / Others

➢ **HARDWARE**

❖ **BACK-TO-BACK SERVERS - 1 Nos.**
(i.e. 2 servers in one for backup)
Intel Pentium III based machine
Dual Processor Server motherboard
128 MB ECC   SDRAM
1.44 MB   FDA
52 x CD   ROM
8 x EIDE CD Writer or 4/8 GB SCSI DAT
1x 18 GB Ultra 160 SCSI HDD (1000 RPM)
14" Colour Monitor flat screen non-inter laced 0.20 micro metre do pitch
SVGA Keyboards / Mouse.
Modem 56 KBPS
P4 AT x Cabinet
1Parallel, 2 serial and 2USB ports.

❖ **Client Machines. - 5 Nos.**
Intel Pentium - III 933 MHZ.
Intel 815 chipset motherboard
128 MB SDRAM
20 GB Hard Disk Drive
1.44 MB FDD, 5 x CDROM
2 Serial, 1 Parallel, 2 USB Ports.
14" Colour Monitor
Bilingual Keyboard
Mouse
10/100 MBPS E-net Card Intel / 3 com

❖ **Local Area Network Items.**
Switches 8 port unmanaged 10/100 HBPS desktop Switch
Patch chord - 2 per client / server
Info" outlet each client / server
Label as required

❖ **Power Management**
UPS = 7 x 500-600 VA @ Rs. 8,000/- each
At least 1 hour backup

❖ **Peripherals**
   7K Scanner A4 Scanner - USB @ Rs. 7,000/-
   70 Duplex A4 Laser Printer (optional) HPLJ 2200DN @ Rs. 70,000-
   16-17K 24 Pin High Speed 136 Col. DMP @ Rs. 20,000/-
   30K Biometric finger print reader @ Rs. 30,000/-
   5KVA Generator @ Rs. 20,000/-

❖ **Software**
   Oracle 9 5 user
   MS Office 2002 5 User @ Rs. 30,000/-
   Win 2K Professional (OEM) 5 Nos. @ Rs. 6,000/- each

DISTRICT LEVEL

➢ **HARDWARE**

❖ **Server - 1 no.**
   Dual Intel P-III processor
   3x18 GB, 1000 RPM, Ultra 160 Hard Disk with Hot swap capability,
   in RA 105.
   64 bit PCI RAID controller with 128 MB ECC SDRAM
   2 nos. of Power Supply (Hot Swappable)
   1Keyboard and 1PS2 mouse port.
   12/24 GB internal DAT Drive on SCSI
   52x IDE CD ROM drive
   128 bit sound card and speakers.
   2x10/100 Ethernet controller with load balancing and link aggregated
   support
   17" Color monitor
   1.44Mb Floppy drive.
   Windows Keyboard.
   VGA Controller with 4 MB video memory
   Tower Cabinet with locking facility on front and back. On
   motherboard.

❖ **Client - 10 Nos.**
    (Same configuration as in the Block machines.)

❖ **Power Management**
   10X525VA UPS for clients @ Rs. 8,000/- each
   2X525VA UPS for Server @ Rs. 8,000/- each

❖ **Peripherals**
   24 Pin High Speed 136 Col. Line Printer @ Rs. 1,10,000/-
   Duplex Network Laser Printer.(Optional) @ Rs. 70,000/-

24 Pin High Speed 136 Col DMP. @ Rs. 25,000/-
A4 Scanner USB Port @ Rs. 7,000/-
Iomega Print Reader - @ Rs. 30,000/- - Rs. 60,000/-
Touch Screen Kiosk - 1 no. @ Rs. 1,50,000/-
5KVA GENERATOR @ Rs. 30,000/-

❖ **Networking Hardware**

LAN-PRI interface adapter card on PCI - Rs. 200,000/-
      16 Port 10/100 Mbps switch - Rs. 20,000/-
      13 I/0
      26 Patch Cards
      18 port patch panel   Rs. 40,000/-
      9 U Rack
      Cable as required

❖ **PRI Charges to be paid to BSNL**
1) Application Fee   Rs. 2,000/-
2) Registration Fee   Rs. 45,000/-
3) Installation Charges   Rs. 4,000/-
4) Wiring Charges   Rs. 4,000/-
5) Initial Deposit   Rs. 15,000/-
6) ISDN Internet Access   Rs. 8,000/-
Total ::   **Rs. 78,000/-**

❖ **SOFTWARE**
Oracle 9   10 user @ Rs. 1,30,000/-
Ms Office X P 10 user @ Rs. 30,000/-
Wins 2K Professional (OEM) 10 Nos. @ Rs. 6,000/- each

➢ **STATE LEVEL**

❖ **HARDWARE**

✦ **Cluster Server - 4 nos.** (Server would be in a cluster and a fault in any of them would not bring down the whole system)

EACH SERVER

1U high Rack mounted server.
Intel Pentium III dual processor 256 MB ECC SDRAM
Slim line CD Rom /FDD Combo Drive 2x18 GB ultra 160 SCSI HDD (1000 RPM) (Hot swap)
Dual Ethernet adapters integrated on board
Dual Channel Ultra 160 SCSI Controller
RAID Controller
200 W Power supply

Integrated video controller with 4 MB RAM Provisions for atleast on free full length PCI slot for PRI ISDN Sound Card.
Approx Cost = Rs. 2,00,000/-

- **Inter-connectivity of Servers.**
  10U Rack 800 mm deep with adequate cooling.
  Layer - 4 switch (12 ports)
  Approx. Cost = Rs. 7,00,000/-

- **Clients** - 10 Nos. @ Rs. 40,000/- each
  Same configuration as in Block Machines.

- **Local Networking**
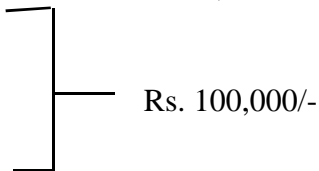 16 Port 10/150Mbps Switch = Rs. 20,000/-
  13 I/O
  26 Patch Cords
  18 Port patch panel   Rs. 100,000/-
  9 U Rack
  Cable as required

- **Peripherals**
  24 Pin High Speed 136 Col Line Printer @ Rs. 1,80,000/-
  Duplex Network Laser Printer (Optional) @ Rs. 70,000/-
  24 Pin High Speed 136 Col DMP @ Rs. 25,000/-
  A3 Scanner USB Port @ Rs. 1,50,000/-
  Finger print Reader - 2 nos. @ Rs. 30,000/- each = Rs. 60,000/-

- **Power Conditioning**
  10x525 VA UPS for clients @ Rs. 8,000/- each
  4x252 VA UPS for server

- **Networking**
  ISDN PRI Cards - 2 nos. @ Rs. 2,00,000/- each
  ISDN PRI Charges 2Nos. @ Rs. 80,000/- each

- **Software**
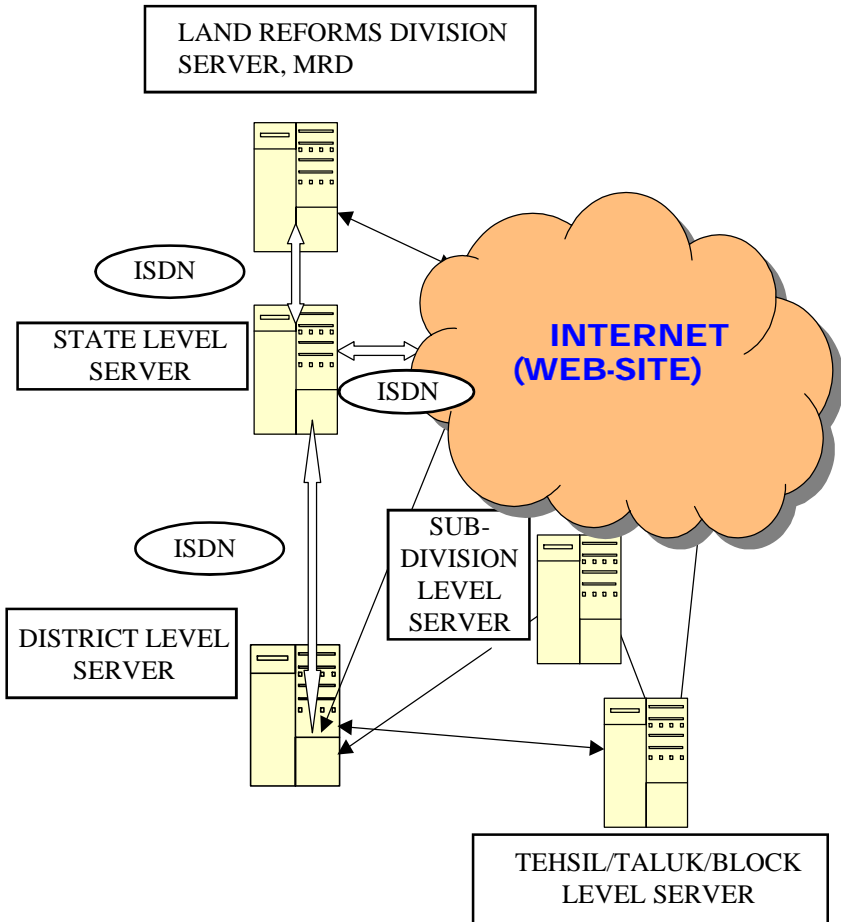 Oracle 9 10 user @ Rs. 1,30,000/-
  MS Office X P 10 user @ Rs. 30,000/-
  Windows Small Business Server @ Rs. 60,000/-

ANNEXURE - III
NETWORKING PLAN FOR CONSIDERATION

LAND REFORMS DIVISION
SERVER, MRD

ISDN

STATE LEVEL
SERVER

ISDN

INTERNET
(WEB-SITE)

ISDN

SUB-
DIVISION
LEVEL
SERVER

DISTRICT LEVEL
SERVER

TEHSIL/TALUK/BLOCK
LEVEL SERVER

DIAL-UP TCP/IP THRO' MODEM

ISDN CONNECTION

E-Harland - An Experience of Application of IT in Land Records Management

- Sunil Kumar*

ABSTRACT

Information Technology [IT] is everywhere now but IT has been there in Land Records Maintenance since last 13 years when Government of India introduced centrally sponsored scheme for Computerization of Land Records in 1987-88. Haryana also experienced at Rewari first with technical assistance of NIC. The scope of the project was to automate Jamabandies (Records-of-Right), Mutations, Khasra Girdawari (Crop Inspection), Shajra Nasab (Pedigree Table) and their integration. Since all the documents are maintained by Patwari in a bag therefore the software was named as Patwari Information System [PATIS]. The major objective was to facilitate public by giving them updated copy of Land Records through computer in time & in hassle-free manner. With considerable success of the pilot, the project was replicated in all districts of Haryana in phased manner. Now, 98% data entry is complete for record of right & Nakal Services to public have started. Technology, which is changing at very fast rate, also played a crucial role (Unix to Windows, FoxBASE+ to SQL, maturing of Hindi Solutions). State Government initiated another project on computerization of Registration of deeds with technical support of NIC. Haryana Registration Information System [HARIS] has been in place in all the 67 tehsils of Haryana. Since both the projects are to be implemented at Tehsil level and inter-related also, the integration of PATIS & HARIS becomes the obvious choice. Haryana also took lead in execution of "Digitization of Cadastral Map (Musavis)" in 6 tehsils covering two districts of Haryana. Progress of the said project is considerable technically but matching of area calculated automatically & one available in books and matching of digital boundaries with ground realities still remain the issues to be resolved. Efforts are going on to make it success on the ground. Success on integration of Spatial data (Digital Maps) with Non-spatial (Record-of-right) has also been achieved. NIC-Haryana has always been with Revenue Department as Technical Consultant, Developer, and Implement Supporter at State, District & Tehsil level. We have clear vision to achieve the objective of Online Land Records Management System [E-HARLAND]. It will facilitate the public to have the access to the land record of Haryana anytime, anywhere.

KEYWORDS

Information Technology, Land Records, Jamabandi (Records-of-Right),

* The author is currently working as Technical Director with NIC-Haryana State Unit, Chandigarh. He is involved in Land Records computerization Project since 1990. Apart from this, he is involved in computerization of Treasuries & Accounts, Rural Development, Cooperatives Sectors.

Mutations, Khasra Girdawari (Crop Inspection), Shajra Nasab (Pedigree Table, Registration of Deeds, Musavi (Cadastral Map)

BACKGROUND

Patwari Information System [PATIS]

Importance of Land is increasing day-by-day so is the case with Information Technology [IT]. There are litigations w.r.t. Land and getting the information to solve the cases is another area of problem. Patwaris, which are lowest but most important functionary of Revenue Department of the state government, are overloaded with different kinds of jobs. General public cries whenever copy or updation of any land records is required.

Government of India looked at Information Technology [IT] as a solution way back in 1987-88 and introduced a 100% centrally sponsored scheme of **Land Records Computerization.** Following objectives were set:

➢   To facilitate easy maintenance and updating of the changes which occur in the land database such as changes due to availability of irrigation, natural calamities, consolidation or on account of legal changes like transfer of ownership, partition, land acquisition, lease etc.

➢   To provide for comprehensive scrutiny to make the land record tamper proof, which indirectly is expected to reduce the menace of litigation and social conflicts associated with land disputes.

➢   To provide required support for implementation of development programme for which data about distribution of land holding is vital.

➢   To facilitate detailed planning in the area of infrastructure development as well as environmental development.

➢   To facilitate preparation of annual set of records in the mechanized process and thereby producing accurate documents for recording details such as collection of land revenue, cropping pattern etc.

➢   To facilitate collection/compilation/supply of all information in reply to variety of standards and ad hoc queries on land data.

➢   To provide database for Agriculture Census.

➢   Issue of updated copy of Record-of-Right (ROR) to Land Holders quickly and at a cheaper rate.

At Rewari in Haryana, Land Records Computerization was taken up on pilot basis in 1990-91. NIC-Haryana was assigned the responsibility of conducting system study, design and development of application software. The scope set for the pilot project was Jamabandi [Record-of-Right] only

initially. Detailed discussions were held with revenue staff and software was developed for data entry, editing and Jamabandi Printing. The platform was UnixWare as Operating System, FoxBASE+ as Data Base Management System [DBMS], Graphical Intelligent Script Terminal [GIST] terminals were used for data entry in Hindi. Following were the initial problems:

➢ The complete cases were not explained during study/development phase. It led to software patches from time to time.

➢ Each Patwari has his/her own way of writing Jamabandi, which conveys the same meaning. It led to difficulty in data entry. Involvement of Patwari in data entry was essential.

➢ Data was very huge; its management was a challenge during pilot project.

➢ Non-availability of Hindi data entry operators that too on GIST Keyboard was one of the constraints.

➢ Errors in totals, especially in area, were found between computerized and manual Jamabandies.

Problems were taken care of. Government of India reviewed the progress and was satisfied with the progress and basic objectives of the project like Nakal Generation, database for planning. The software so developed was able to generate Nakal (Copy) of the Jamabandi. The scope was extended to Intkal [Mutation], Khasra Girdawari [Crop Inspection] and Shajra Nasab [Pedigree Table]. During the pilot, it was felt that codification of every Land Owner and Cultivators is must. There could be two or three persons with same name. When there is land transaction is there, it would be very difficult for the computer to identify the person uniquely whereas it was possible with unique codification to every Land Owner and Cultivator in the village first, followed by in Tehsil, district and in the state. Software for Shajra Nasab was developed and implemented in some districts. It was found that data for the same is not available so it was dropped. Software for Mutation and Khasra Girdawari was developed and implemented in couple of districts. Based on considerable success of the pilot project, the project was sanctioned for Sirsa, Rohtak and Ambala. More cases emerged and software became stronger and was replicated in other districts after incorporating the necessary changes. PATIS, as a product, was bundled in the form of Jamabandi, Mutation & Khasra Girdawari. Now user demanded the New Jamabandi Creation Software. Study was carried out and it was felt that without codification of Land Owners and Cultivators, it was not possible to have Fully Automatic Jamabandi Creation Software. When analysis was done, it was found that there are 10%-30% changes during the five years when process of New Jamabandi takes place. It was also felt that new ownership numbers

are created or merged or remain the same. This led to the concept of Semi-automatic Jamabandi Creation. This software has facility of copying the data from previous database to new database in selective way, re-organizing the khewat or khatoni numbers per the requirements of New Jamabandi. This way manual preparation of Jamabandies has been reduced to minimum. In the mean time, Project was sanctioned for remaining districts of Haryana. Older districts started giving Nakal to the public. Now 98% data entry is complete in Haryana. Few years back technology also took turn and everybody started shifting to Windows platform so happened with Land Records Computerization also. NIC-Haryana also started converting Software from Unix Platform to Windows Platform. Data Porting posed a challenge and it was achieved it and software to generate Nakal at Tehsil Level was developed on windows. The same is being implemented at Tehsil level. Following are the Modules of PATIS

- Jamabandi Data Entry & Editing Module
- Jamabandi Nakal Generation Module
- Mutation Data Entry & Printing Module
- Khasra Girdawari Data Entry & Printing Module
- Statistical Data Reports generation Module
- Land Records Query Module

Haryana Registration Information System [HARIS]

In March 2000, Haryana Government decided to take up computerization of Registration of Deeds with the technical support of NIC-Haryana. The objective was to facilitate the public fast registration services and correct calculation of Stamp duty and Registration Fee. Considering above objectives, software for major deeds like sale, mortgage, lease and conveyance was implemented. The software so developed was stand-alone using Windows Platform. The software was implemented at six tehsils on pilot basis. Following were the observations:

➢ The software should be there for all the deeds if manual system is to be dispensed with.

➢ Stand-alone system can server the tehsils where number of transactions are less than 35.

➢ The project should be modeled as Self Financing so that it can become sustainable in long run.

➢ Training & Involvement of Staff can make the project more successful.

➢ Generator & Operator became important components of the project.

Haryana Government decided to replicate the Haryana Registration Information System [HARIS] in all tehsils & sub-tehsils of Haryana. District Red Cross was named as financing agency and NIC-Haryana as Technical Agency for execution of the project. Deeds Based Service Charges were fixed and District Red Cross is maintaining amount collected. District Red Cross has recovered the initial investment. Recurring expenditure in terms of Printer Cartridges, CD for Backup, Diesel/Petrol for generator and Annual Maintenance is being met by Red Cross.

Software was enhanced to Multi-user [Client/Server based], which covers all the 65 types of deeds. The software was based more secure by means of Role based operations & Password on SQL Server-2000.

Digitization of Cadastral Maps [Digital Musavis]

Musavi is an important document of Record-of-right. It depicts the physical location of a plot in a village. In Haryana, unit of land measurement for mapping purposes is KARAM, which is equivalent to 5.5 feet. After consolidation, the total land of a village is divided into a chunk called MURABBA. One MURABBA is divided in to 25 KILLS and each KILAA is equal to 40X36 KARAM. One Musavi contains map of 16 MURABBAS meaning thereby covering area of 800X720 KARAM. See sample Musavi below for reference purposes:

1	2	3	4	5	MURABBA#		
10	9	8	7	6	2		
11	12	13	14	15	200X180	3	4
20	19	18	17	16	KARAM		
21	22	23	24	25			
	8				7	6	5
	9				10	11	12
	16				15	14	13

A Sample MUSAVI

➢ **The Objectives**

Following are the objectives of the project:

- To preserve the old record of the settlement time.

- To update the record in fast mode in future.

- To provide land map related services to the public.

- To bring transparency in the land records maintenance.

- To bring accuracy & quality in the land records maintenance.

➢ **Utility of Project**

➢ **From Public point of view**

- Availability of maps without any delay.

- Quality of maps will be better.

- More information availability in time.

➢ **From Financial Point of view**

- This project will be more economical in long run.

- Recurring cost can be met out of recovery charges from public.

- Cost of map updation will also be low.

➢ **From Legal Point of view**

- Security of maps through passwords is being ensured.

- Editing of maps is being recorded through audit trails.

- Physical copying of data is to be restricted by Tehsil office.

➢ **From Administrative point of view**

- Duplicate of records can be maintained at different sites for data protection.

- Data analysis will be possible, which otherwise was not possible.

- Database linkage with other documents of Record-of-right can be maintained.

➢ **From Operational Point of view**

- The Application Software with easy user interface is being developed.

- Operations will be much faster and easy as compared to manual one.

- Lowest Revenue functionaries are involved right from the day one in the project development & implementation.

Land Records Updation Process Overview
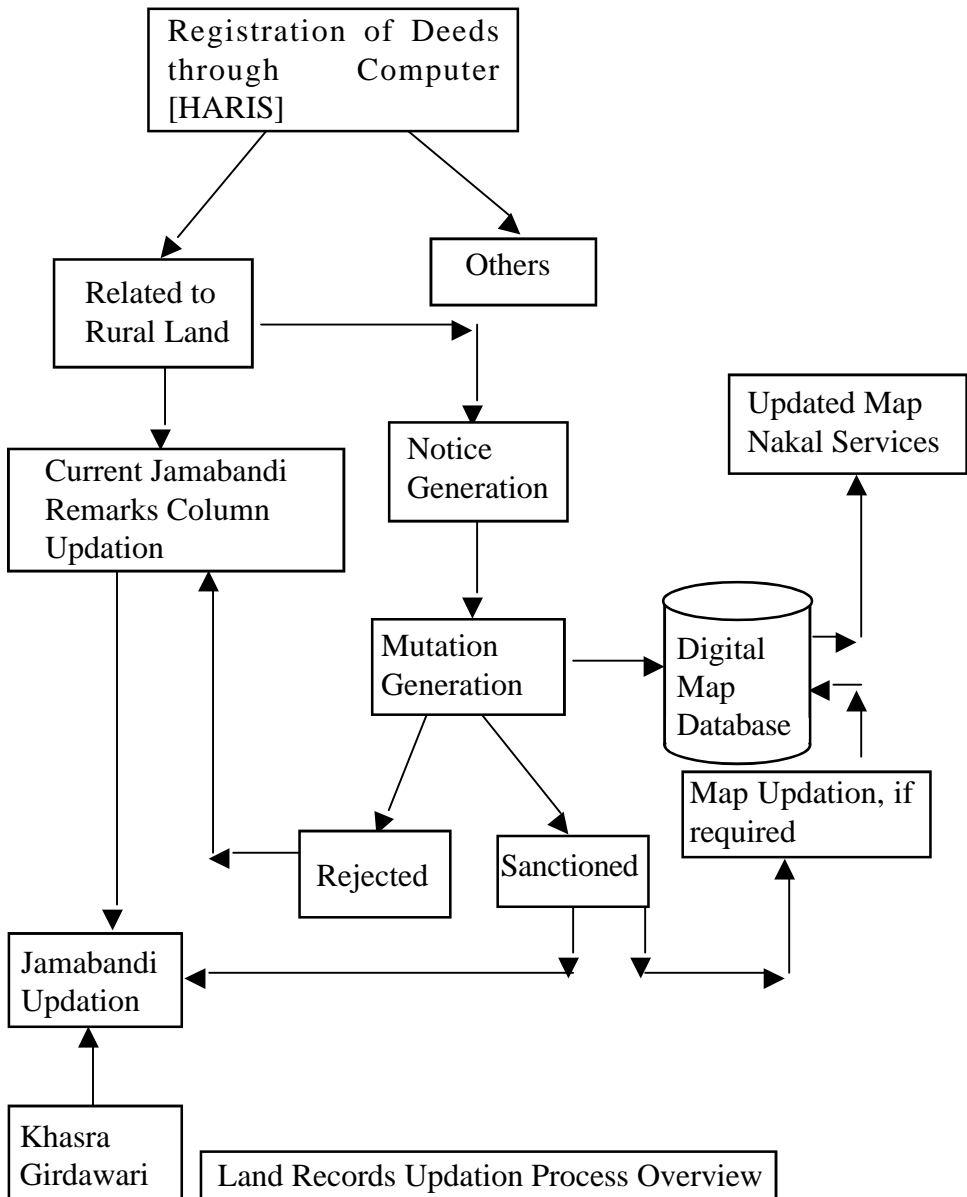
IMPLEMENTATION ISSUES

Patwari Information System [PATIS]

1. Village Directory

This is the base of PATIS software. Without finalization of Revenue Village Directory, it is not possible to implement this project. Village's type [habitat, non-habitat], the overview of the village, the attributes of the village like Land Tax Criteria etc need to be defined. Issues like re-organization of District, tehsils and village boundary and their effect on the databases need to be taken care of. Unique code to every village in the state and its backward linkages with other boundaries like tehsil, district etc need is the solution in this direction.

2. Availability of Land Records

Data Volume is very high. Data is available in Hindi. Terminology is complex to understand. Making it available for data entry is another problem. Data is available at tehsil level [Parat Sarkar] and at Patwari level [Parat Patwar]. Parat Patwar is updated copy of record of right. In case of non-availability of Parat Patwar, data entry is done from Parat Sarkar leading to data inconsistency. In case of non-availability of record leads to other problems like under utilization of data entry staff etc.

3. Deputing Revenue Staff

Involvement of Revenue Staff from beginning brings higher success factor. Since readability of document is not good therefore availability of revenue official, preferably concerned, is required. Supervision is also required at Revenue Department Level.

4. Data Entry

For data entry in Hindi, availability of Hindi Data Entry Operators is required. Once they are available they should be retained meaning thereby timely availability of record. Payment to the operators can be linked to the performance. Rates per Khewat Number/Khatoni Number need to be fixed rather than fixed monthly rates. Data Entry need to be done in-house due to security reasons of the Land Records. Availability of sufficient number of GIST Terminals is also to be ensured.

5. Printing

Since Data Volumes are very high and in Hindi therefore its printing is also an issue. Initially, printing was done on normal Dot Matrix Printers but lot of printing backlog accumulated at district level. High Speed Bilingual Printer is the solution implemented in Haryana. Every District of Haryana has such printers now.

6. Data Checking

Once initial data entry is done and print out is generated. It needs to be checked for 100% accuracy of data. This exercise is carried out by Revenue Officials. Normal error found is mismatch of totals and non-standard way of writing Jamabandi.

7. Data Editing

Errors reporting during the data checking are made effective in computers. There are 12 columns in the Jamabandi. Errors are reported in any of the column. A separate piece of software supporting columnar editing has been developed for the same.

8. Data Finalization

Final printouts are taken. Jamabandi is finalized once it is verified, validated and duly signed by concerned Revenue Official. The data for the same is made read-only once it is finally accepted.

9. Data Management

Data is huge and need to be managed for easy retrieval. Data Backup and their management need to be ensured. Now, data availability from computer has become necessity, as it is the source of final data for Revenue officials also.

10. Nakal Services

Once data is finalized and in read-only mode except Remarks column where updations are done as & when mutations are there. Items like date of mutation, type of mutation, mutation number and remarks are recorded, Nakal Services to the public have been started.

11. Monitoring

Monitoring starts from District Revenue Officer [DRO] level and reach up to Financial Commissioner, Revenue level. DRO is responsible for day-to-day operations. Deputy Commissioner reviews the progress on monthly basis and Director, Land Records and Financial Commissioner, Revenue reviews it as & when it is required. For regular reviews at State Level, Technical Committee has been there.

12. Training

Training is very important component of the project. General Awareness Training to all the revenue staff at district & state level need to be there. Application Training has been imparted to concerned Revenue Staff at District & State level.

13. Public Awareness

Public is to be made aware about the facility of computerized nakal services. Leaflet in local language distributed in the villages. Modes like Cinema Slides, Seminars, Boards, Publication etc need to be adopted for wide publicity.

14. Process Re-engineering

The software has been developed without changing the procedures and rule. System is ages old and need to be simplified. Re-engineering of processes need to be carried out. Some efforts in Haryana have already been initiated in this regard.

15. Change Management

Software implementation in 19 Districts and 67 Tehsils is a tough task.

Requirements differ from one place to another. Standardization is the key here and Software is also to be changed as per the requirements of the user. Here changes need to be recorded and versioning has to be done. Controlling changes at multiple location need a sense of management.

16. Documentation

Transfers and resignation are in the field of IT. Therefore, Documentation is must. At least User Manual, Technical Manual and Software Requirement Specification need to be there. It facilitates the change management also.

17. Data Security

Land Records data is very important. It needs to be secure from unwanted changes. Biometrics and other security tools need to be applied for recording of personal information of the officials responsible for Updation of record. Information Auditing Services need to be enabled for recording the facilities to be availed using software.

18. Change of Technology

Earlier, we worked in Unix/FoxBASE+, now Windows is there. We have to go with the technology. We need to manage technology also. Funds need to be arranged for the same also. Software Development resources are also to be arranged.

19. Data Porting

Porting of data from FoxBASE+ to SQL Server was a mammoth exercise. Apart from technological issues, managerial issues become more important while implementation of New Technology.

20. Information Architecture

Global picture of the project with clarity of integration in the form of Information Architecture need to be there. Standardization need to be done in terms of software, operations & procedures and its implementation throughout the state need to be ensured. It facilitates controlling of overall project technically and managerially also.

Haryana Registration Information System [HARIS]

1. Application Software

Such an Application Software, which is simple, easy to use, facilitate every feature using software like photo session, back up etc was developed by NIC-Haryana free-of-cost. Its testing and implementation need management at all levels.

2. Financing Agency

Red Cross Agency as Financing Agency was finalized in Haryana. They invested initially for Hardware, System Software, Generator and UPS etc.

The investment was recovered by taking service charges from public.

3. Hardware Procurement

Deputy Commissioners, who are chairpersons of District Red Cross Societies, were given freedom for hardware procurement at their level so it picked up very fast.

4. Consumable Availability

Consumables like CDs for backup, Paper for Printing, Toner Cartridges for Printers, Diesel/Petrol for Generator required for day-to-day functioning of project. Hardware Maintenance is also required for proper functioning of project. District Red Cross Agency was made responsible for procurement of these items from service charges collected.

5. Operator Availability

Even if Registration Clerk has been trained, Operator for execution of this project is required. He is being paid per deed basis from the Service Charges collected by Red Cross.

6. Handling Large Sites

Using Single PC, up to 35 Transactions per day can be handled easily. Since HARIS is Multi-user software, therefore it supports multiple operators to work on simultaneously. Photo session & data entry has been separated out to manage the public. In Haryana, we have about five such sites where transactions from 100 to 200 per day takes place.

7. Training

General Awareness Training to the staff Sub-Registrar Office has been imparted. Application Training has been imparted to concerned Staff at Tehsil level.

8. Changes in Act/Rules

Steps in this direction have already been initiated. Changes have been sent to Government for approval. Government of India also has approved the bill in this regard.

9. Data Security

Photos of seller, buyer and witness are being recorded in the computer as permanent record. Data security becomes the issue. Photos are being kept in database, which is secure one.

10. Data Management

Data backups are being maintained and serialization of CDs have been advised at lowest level for future retrievals. Daily, weekly and Monthly backups have been planned.

Digitization of Cadastral Maps [Digital Musavis]

1. Availability of Maps

One of the objectives was to retain the Musavis prepared at the time of consolidation. Then carrying out the changes in the digital maps for making it updated. State of Haryana has well retained these maps in most of the cases. Their complete availability for digitization needs to be ensured.

2. The process

Manual maps are scanned and then convert it into vector form using software so that it can be updated at a latter stage.

3. Digital Maps Verification

Criteria for acceptance of digital maps need to be finalized. Continuous involvement of revenue staff is crucial for manual verification and modification in computer.

4. Application Software

Application Software for Map retrieval at different levels [Plot/Musavi/ Village] and its Updation for splitting & merging need to be done.

5. Data Integration

First data consistency among maps and record-of-right need to be established then its integration with record-of-right is to be ensured. Khasra Number is the key for both the databases.

6. Training

Since it is a new area and different from the normal computerization, therefore operational and technical training is essential.

7. Verification of Digital data with ground reality

Once data is in digital form, it is to be verified with ground realities and necessary Updation in the data to be carried out.

8. Nakal Services

One data is fully updated and matching the ground realities, Nakal services can be initiated and data can be used for administrative purposes also.

9. Data Updation

Whenever there is mutation with changes in plot dimensions, this module will be activated for making updations in the digital map database.

10. Data Security & Management

Data changes are carried out by right person need to be ensured for which application software should have the Information Auditing Services

enabled. It should record the activities carried out with time stamp and person's identification.

What Next?

Top in the Agenda

❑ **Integration of HARIS & PATIS**

Software is being developed for integration of HARIS & PATIS. It will lead to automatic generation of notices and mutation and their incorporation in the Jamabandies.

❑ **Integration of PATIS & Digital Musavis**

Software on experimental basis has been tested and found to be successful. Now linkages need to be established at mass level for 6 tehsils.

❑ **Online Land Records Services to Public**

The complete processes of the Jamabandi creation need to be made automatic. Only those activities where process cannot be automated, data will be captured manually. Software needs to be developed for the same.

❑ **Web-HARIS**

Stamp Act, Registration Act, Registration Fee, Collector rates for all locations of Haryana will be placed on Web so that more transparency can be brought in the system.

❑ **E-Learning for the Revenue Staff**

Without involvement of staff, any project cannot be a success. 100% training of the Revenue Staff is to be ensured so that IT Projects can be made a success.

Agenda in Queue

❑ **Connecting Tehsils**

Data transfer between tehsils and district is required. At least Dialup connectivity is required. Haryana Government has planned HARNET; last mile connectivity will be there within 7 years.

❑ **Digital Deeds**

Deed Writing Software has been developed and Digital Signature solution has been in place to maintain the consistency of deed contents. It is in testing stage and will be launched after successful testing.

❏ **Processes Re-engineering**

Many processes need re-engineering for effective service providing and simple interface with the public. Extra efforts are being planned for the same.

❏ **Land related Information on Web**

Land Records Manual, Land Records Administration Manual, Settlement Manual and other related notifications, rules and acts will be placed on the web for bring more transparency in the system.

❏ **Land Records on Web**

Any person will be able to see the contents of his/her land records once it is available on web.

❏ **Integrated Query System**

Once all the databases are integrated, a powerful integrated query system need to be developed for administrators and planners.

Last Words

Based on the experience on working with e-HARLAND Project, following are the words from heart:

❏ Let us re-engineer our thinking process before implementing IT project.

❏ Let us build trust in the e-systems.

❏ Let Administrators own the IT projects.

❏ Let continuous efforts be there till we get the complete success.

❏ Let us join hands to make India a real IT destination.

E-Governance in Taluk Offices - Experience of Pilot District

- C. Umashankar*

E-Governance in Taluk Offices largely signifies automating the administration of land records. The key factor in Taluk e-governance is the user acceptance of the technology. The Revenue officials, from the Village Administrative Officer to the Taluk Tahsildar should have an aptitude for electronic workflow pattern of administration. A different kind of marketing expertise is required in such a situation. Today, the entire Revenue staff, right from the VAOs to the Taluk Tahsildars in Tiruvarur district are tuned to electronic workflow pattern of administration. The Revenue staff of Tiruvarur district have been provided with an acceptable application software having features such as high-end security, professional database and native language interface. With in-house training facility, the district could accomplish online *Jamabanthi* of all the village accounts barring 9 municipal villages during the current (1999-2000) fasli. What is surprising in the whole process is the full-fledged involvement shown by the Village Administrative Officers in learning computer skills and their enthusiasm in doing the data entry work for *Jamabanthi*.

Jamabanthi is a month long exercise in Taluks. Every year, during February to May, the entire Revenue Department at the District, Division and Taluk level is sized of *Jamabanthi* work. The reason is that VAOs have to write large number of accounts involving hundreds of computations. Difficulty arises because of writing of many accounts almost in a repetitive manner when many of the VAOs have never understood the process of writing the accounts. As a result, there is always tension between the lower rank of Revenue machinery and the higher levels in the field. A glance at the accounts written by the VAOs would reveal that if a VAO has to do justice in writing the *Jamabanthi* accounts, he not only has to have expertise in accounting, but also should show utmost concentration in writing the accounts. Usually, the majorities who do not know how to write the accounts or who do not wish to write the accounts, seek the assistance of retired Karnams to write their accounts. The price for the services of the retired Karnams goes up

---

* IAS, District Collector, Tiruvarur.

during this period every year. Today, the VAOs need not seek the services of the retired Karnams as the software itself generates the accounts, from 1, 1A to 10 Part-II. The much sought after Account No.14 and 16 are also automatically generated. The online Jamabanthi experience shows that the VAOs have to enter the data for the following accounts only.

1. Cultivation

2. Harvest

3. Patta transfer

4. Land revenue collection and

5. B-Memo

With the above data input, it was found that the Taluks could generate final demand accounts within 3 minutes for each and every village. Seeing is believing is the proverb. After seeing the village accounts getting generated in a magical way, the fence sitters among the VAOs also joined the race. The result is that the VAOs of Tiruvarur District have become possessive of the Taluk computerisation process. They even want a copy of the package for their personal custody for use in future in the event of any discontinuity of the package at the Taluk level. It is also found that age of the Revenue officials did not make any difference when it came to working on computers. Those who are at the verge of retirement have been showing more interest in the Taluk computerisation process than the younger ones and they act as teachers to the younger generation. The interest shown by the VAOs facilitated constant upgradation of the package almost on a day today basis.

Assistants, Typists and Junior Assistants have been assigned data entry rights and Revenue Inspectors, Deputy Tahsildars and Tahsildars have been assigned approval rights. This system works on checks and balances, which enables them to do the data entry with total accuracy.

The entire package is developed with Tamil-English interface. A click at the icon could convert the appearance of the screen into English and vice-versa. Similarly, data entry could be toggled between English and Tamil using a hotkey. Searches were made easy, while keeping the security features absolutely tight. Provision has been made in all the modules to identify the person entering the data and approving the data. There is also a provision to reverse the process. Every such activity has a transparent transaction log.

The entire Revenue machinery has accepted online Patta transfer procedure for simple transfer items, which constitutes a majority of the Patta transfer applications. Simple Patta transfer is done across the counter with

reference to the computer database. Where the computer database does not match with the sub-registrar's office data, a provision is made available to refer such cases for enquiry by field level officials. Suitable provision has been made for generating an automated printout seeking such enquiry.

The Tahsildar has special tools for auditing the work turned out by the VAOs, Assistants/ Junior Assistants, Revenue Inspectors, Deputy Tahsildars and his own work. He can find out the quantum of pending work at any point of time. This enables the Tahsildars and the higher officials to constantly review the progress of Jamabanthi. This is a key tool for the success of the online Jamabanthi process.

The Taluk offices have other high-end packages such as Office Manager which enables administration of all establishment related matters including disbursement of salary online, Old Age Pension Scheme, issue of Community Certificates and issue of Birth and Death certificates. It appears that 75 percent e-governance in all the Taluk offices in Tiruvarur district by 31st December, 2000 may not be a difficult target to achieve. (This was indeed achieved as on 31st December, 2000)

Human Development - A Supplementary Nutrition Scheme for Reducing the Infant Mortality Rate in Gujarat

- Mukesh Puri*

The concept of Human Development is increasingly occupying the centre stage in evaluating the progress of any nation. The focus has shifted from merely looking at the increase in the per capita income to evaluating the changes in the more exhaustive Human Development Index (HDI). Apart from the per capita income, HDI places equal emphasis on Knowledge (Education) and Longevity. It thus is a holistic concept encompassing both social and economic aspects progress.

There is a two-way relation between economic and social progress. Economic progress increases the resource base for investing in social sectors and social progress creates the conducive environment for economic activity and promotes better manpower resources, which in turn boosts economic progress. The spectacular progress in the post World War - II era in East and South-East Asia is largely due to increased labor productivity that is attributed to the huge investments in social sectors in these countries. Closer home the significant achievements in the Information Technology (IT) sector is linked to the investments in Institutions of higher education. The synergies between social and economic sectors are thus mutually reinforcing and it is essential to focus on a broader concept like HDI. Human Development is also desirable in itself as it provides people with equal opportunity to participate in the growth process.

The **"Vision 2010: Social Sector"** Project of The Government of Gujarat is a step in the right direction. Gujarat is a highly industrialized State with a high per capita income (4th among Indian States). However it is lagging behind in many aspects of human development. By focusing on these issues and thereby making them a priority in policy and planning, an important beginning has been made to correct the imbalance in social and economic progress. The need now is to plan time bound result oriented programmes and schemes in each of the social sectors and implement them vigorously. The task is gigantic and needs full-hearted contribution of policy makers and implementation agencies. In this huge task, I am making a small effort

---

* Deputy Director (Sr.) LBSNAA, Mussoorie.

by suggesting a scheme for reducing the Infant Mortality Rate from 64 in 1998 to the proposed target of 16 in 2010.

Infant Mortality Rate (IMR)

It is a measure of the number of the children who die before attaining the age of 1 per 1000 population. Apart from being a desirable goal in itself, it is important to bring down IMR because it has a major impact on fertility rate and the success of the family planning programme. As long as IMR is high people want more children to ensure that at least some of them survive.

As is obvious from the following Table, though IMR has shown a declining trend, it still is very high at 64 in 1998. It is higher than IMR in states like Tamil Nadu, Kerala and Karnataka that have a lower per capita income. What is particularly worrisome is that it is not declining fast enough since 1990 and has been virtually at a plateau since 1995. If the trend since 1990 continues, IMR in 2010 will be close to 50. Even the target of 16, ambitious as it sounds is rather modest by international standards. As per Human Development Report 2001, IMR in the year 1999 for high-income countries was 6. This shows that there is tremendous scope for improvement.

IMR in Selected States in India

State	1973	1975	1980	1985	1990	1995	1998
Gujarat	161	136	113	98	72	62	64
Maharashtra	116	88	75	68	58	55	49
Tamil Nadu	108	109	93	81	59	54	53
Karnataka	90	85	71	69	70	62	58
Kerala	54	54	40	31	17	15	16
India	134	132	114	97	80	74	72

Source: Human Development Vision 2010, Government of Gujarat.

To achieve the target of 16 in 2010, a major initiative is required to attack the root causes. High IMR is attributed mainly to the following reasons:

1. **Malnourished mothers -** As per a recent survey by Sav Shakti organization, in the tribal areas of Sabarkantha district as high as 96% of the women were found to be anemic. In Gujarat in 1998, 60% of the pregnant women were found to be suffering from iron deficiency. Naturally such women cannot be expected to deliver healthy babies.

2.   **Poor Prenatal care -** Despite the extensive rural health network and prasuti sahay scheme (Monetary assistance given to mothers at the time of childbirth), the prenatal care is far from satisfactory. Apart from the lack of effort on part of the para-medical staff, an important reason is that pregnant women themselves do not approach the Primary Health Centre (PHC). This is due to ignorance, continuing faith in traditional dais and lack of any incentive. Only 46% of the deliveries in 1998 in Gujarat were institutional deliveries.

3.   **Poor Nutrition during Lactation -** In the poorer sections of the society, the mothers are malnourished to begin with and lack the resources to improve their diets during the lactation period. There is an existing scheme - The Integrated Child Development Scheme (ICDS) under which Pregnant women and Lactating mothers are given 50 grams snacks on working days. This is inadequate and in any case the beneficiary has to go to the aaganwadi centre every day. In tribal areas where settlements are spread over a large area, going to the ICDS centre for such a meager ration is not worthwhile.

To address the twin issues of proper nutrition for pregnant mothers and to encourage them to avail of the pre-natal health facilities, an Incentive scheme which aims at increasing the nutrition levels of pregnant women is proposed. The contours of the proposed scheme are as follows :

1.   **Target -** Pregnant women of families living Below the Poverty Line (BPL) and all women living in 56 backward talukas of the State of Gujarat are to be covered under this scheme. The identification can be done on the basis of the BPL cards issued by the Civil Supplies Department.

2.   **Scheme -** Each pregnant woman will be provided 30 kg of wheat/maize, 10 kg of rice and 10 kg of gram/soybean every trimester for one year. (3 trimesters of pregnancy and one trimester of lactation). This will be sanctioned only after medical/paramedical staff has conducted the health check up each time. The price of wheat/maize, rice and gram/soybean should be fixed at Rs. 2, 3 and 5 respectively. At present wheat and rice is being provided to BPL families at this price through the Public Distribution System. The scheme can be restricted to 2 live births.

3.   **Incentive -** The subsidized grain will act as an incentive for the pregnant woman and infact for the entire family. The incentive is quite substantial in monetary terms. By giving the incentive in terms of foodgrains, the nutritional needs of pregnant women will be taken care of. At a time when the government's godowns are overflowing with foodgrains, such

a targeted scheme will help Government in utilizing the food stock in a socially productive manner.

4. Objective

i) *Prompt Registration and Better health care* - This incentive will encourage pregnant women to promptly register pregnancy with the PHC. Prompt registration will help in para-medical staff extending health services to pregnant women in the initial stage of pregnancy. The ratio of institutional deliveries is also likely to increase.

ii) *Reduction in the incidence of low birth weight* - In 1998 the incidence of low birth weight in Gujarat was 33% and this is sought to be brought down to 15% by 2010. Subsidized food that is rich in both vitamins and protein will definitely lead to better nourishment and good development of the fetus. This will have a direct impact on the health of the baby.

iii) *Better Lactation* - By continuing the scheme during the first trimester of lactation, the benefits on the health of the baby and the mother will be manifold. Moreover the family will necessarily stay in touch with the medical staff.

iv) *Empowerment* - By providing foodgrains directly to the women will help raising their status within their family and in the society as a whole.

v) *Secondary benefits* - It will have a positive impact in increasing Life expectancy, decreasing maternal mortality rate and in the long run decreasing the crude birth rate.

5. *Implementation* - The scheme should be implemented through the Chief District Health Officer of the District Panchayat. The responsibility of providing the foodgrains should be entrusted to the Civil Supplies Department.

6. *Financial Implication* - In this era of huge and mounting foodgrains surplus when Government is looking at ways of providing these grains at heavily subsidized prices to the poor and the needy, the financial implications are unlikely to be a hindrance to this scheme. The subsidy on gram has to be worked out though. Even if it is high it needs to be retained in the scheme, as gram is a rich source of protein.

To sum up, this scheme and many other similar schemes should be quickly implemented to achieve the very laudable objective of reducing IMR to 16 by 2010.

References

Human Development Vision 2010. Gujarat Social Infrastructure Development Board, Government of Gujarat, 2000. Gandhinagar.

Haq, Mahbubl Ul (1995). Reflections on Human Development. Oxford University Press.

Jean Dreze and Amartya Sen (1998). India-Economic Development and Social Opportunity. Oxford University Press.

Human Development Report (2001). UNDP.

Caste and Class in the Emergence of Dalit Identity and Movement

- K. L. Sharma

In this paper, the author argues that though the concept of Dalit is in the making it symbolises "knowledge" and "power" of the oppressed people, particularly those belonging to untouchable castes/communities. Dalits are not just a constellation of Untouchable castes, they are also seen as actually exploited workers, peasants and agricultural labourers. In the first part of the paper theoretical issues related to equality and inequality are examined. Within this framework, the concept of Dalit as it was conceived by Dr. Ambedkar and as it emerged in the course of time in the caste-class and political contexts has been analyzed.

Introduction

Asymmetry with regard to the distributive process implies a scarcity of social goods and services. Inequality emanating from the legitimisation of the distribution of scarce goods and services causes social unrests, upheavals and even overthrow of such a system. Social movements all over the world, notwithstanding their varying forms, aim in essence at the deligitimisation of inequable distributive processes and the establishment of a desired type of society which can ensure an egalitarian and humanitarian social order. Thus, all social movements strike for a new 'social language', in fact, new parameters for sustaining the altered social relations. A threat to the persisting 'social stock of knowledge' through an advocacy of new cognitive categories and orientations is seen by the forces of status quo as well as by the harbingers of new ideological moorings. Ultimately, the objective of a new social language is to produce new forms of power and dominance by altering and rejecting the persisting polity and society.

A new social language equips the aspiring groups of people with new beliefs, values and norms. A powerful conceptual tool is thus created for examining dominance in everyday life in all aspects. A social movement is successful if its ideological/cognitive apparatus is powerful enough to bring about commensurate structural changes in society. A hiatus between cognitive and structural processes of change would mean both the power of the status quo forces to persist and to resist the new ideologues, and the limitations of

the latter to challenge effectively the entrenched power wielders.

Persisting Inequality and Emerging Equality

Byran S. Turner writes about the contemporary situation in South Africa as follows: "The forms of equality we enjoy in modern democracy are to some extent the consequences of violent or radical reaction on the part of subordinate groups to achieve a more equitable distribution of wealth and power."[1] Quintessentially, this may be true about the movements launched by the weaker sections and the Other Backward Classes in India. But the change has not simply come about due to the movements and struggles energised by these sections of society. India's national movement and its leadership, and the Indian state and legislation enacted by it after Independence have significantly contributed to undermining the established socio-cultural, economic and political hierarchies in India. Contemporary efforts towards "equality" can be seen mainly in terms of "social consciousness" which is produced historically and nationally.

No debate on inequality can ignore the element of equality as an important component of all human societies and social movements therein. Legal derecognition of power and privileges based on birth and caste rank, a major step forward, had a history of 150 years of struggle against the British raj. The Indian nation state placed checks on traditionally privileged groups on the one hand and encouraged sections aspiring for equality to demand their share in national resources on the other --- salient features of the post-Independence era. So long as the institutions of private property and family inheritance remain and recognition to social honour accorded, inequality will continue despite constitutional safeguards and provisions for the betterment of weaker sections. A new vocabulary, a language of equity, has to evolve which places value on equality[2], so that the achievement of equality becomes desirable and feasible for the future of Indian state and society.

However, the debate about equality is not a recent one. "Equal exchange" or "just exchange" were in a way part of the traditional arrangement of socio-economic patron-client of jajman --- kamin relations, ties were "contra-priests"[3], who signified the role of the lowercaste functionaries and the value of their relative equality and power of bargaining.

Despite there the question was: How they were treated by their patrons? If the expected treatment was not meted out towards them, what steps they could take to safeguard their social honour. Thus, despite the rigidity of caste-based inequality, there were some inbuilt mechanisms for grievance redressal in the system. All anti-caste movements during the last one hundred years or so have sought the destruction of established hierarchies and

hegemony of the erstwhile privileged sections of society. Replacement of the persisting social order is being sought by a new distributive process. Depressed Castes and Communities being empowered by alienating the entrenched groups from positions of power and privilege. Can this be done? How it can be done? What has been our experience since 1950? What are the stumbling blocks in the creation of a desired type of society?

Let us understand the meaning of inequality. Jean-Jacques Rousseau in his magnus opus. The Social Contract and Discourse on the Origin of Inequality observes that "freedom" is an instrumental value, and it ensures man's happiness.[4] "The independence of natural man assured his freedom and his happy existence. The imposition of society on this natural man created a situation of conflict, inequality, distorted values, and misery".[5] The "natural man" of Rousseau is considerably similar to Sigmund Freud's "libido", the innate energy in man which can prosper if "culture" keeps itself away from him in the form of an alien control. Such spontaneity is seen as a virtue in man's reflections towards his objects. Articulation on innate consciousness for achieving equality can be realised against for oppressive collectivises and individuals.

Rousseau discusses the origin and the foundation of inequality among men. He writes, "I conceive two species of inequality among men; one which I call natural, or physical inequality, because it is established by nature, and consists in the difference of age, health, bodily strength, and the qualities of the mind, or the soul, the other which may be termed moral or political inequality, because it depends on a kind of convention, and is established, or at least authorised by the common consent of mankind. This species of inequality consists in the different privileges, which some men enjoy, to the prejudice of others, such as that of being richer, more honoured, more powerful and even that of exacting obedience from them.[6] For Rousseau morals and politics are inseparable. Both become politics, and every phenomenon has a political significance. Nothing is neutral or indifferent.[7] Thus Rousseau emphasises 'social contract' as a way out of conflict and misery created by political inequality.

R.H. Tawney's observation about inequality seems to be relevant to our understanding of the position of the underdog in Indian society. He writes: "There are certain gross and crushing disabilities-condition of life injurious to health, inferior education, economic insecurity…. which place the classes experiencing them at a permanent disadvantage with those not similarly afficted.[8]" Certain services can mitigate crucial disabilities to a considerable extent to bring about equality. Turner identifies four types of equality. These are: (a) ontological equality, or the fundamental equality of persons

(b) equality of opportunity to achieve desirable ends, (c) equality of conditions of life equal for relevant social groups, and (d) equality of outcome or equality of result.[9] All these forms of equality imply totality of equality in social life. However, the last one refers to the practice of the first three prescriptive formulations, namely, equality of all men, equality of opportunity, and of conditions. The last refers to the outcome of all the preceding three postulates. What is tangible or measurable in some way is the equality of outcome/results.

Defining Dalit

If Dalit is to be seen in a Marian sense, it has to be a class emerging from the dissolution of all classes, a class in civil society and not a class of civil society. Such a class has a universal character because its sufferings are universal, the wrong done to it is general and not a particular wrong. Such a class has no traditional status but only a human status. It is a class which seeks a total emancipation from the chains of domination and control. This particular class is the class of proletariat[10]. Although consciousness is determined by existence and not vice versa, consciousness becomes a means of uniting and mobilizing the proletariat. Is such collective consciousness commensurate with the existential conditions of the proletariat? Lukacs puts this point as follows:

•   For a class to be ripe for hegemony means that its interests and consciousness enable it or organize the whole of society in accordance with those interests. The crucial question in every class struggle is this: which class possesses this capacity and this consciousness at the decisive moment? This does not preclude the use of force. It does not mean that the class-interests destined to prevail and thus to uphold the interests of society as a whole can be guaranteed an automatic victory. On the contrary, such a transfer to power can often only be brought about by the most ruthless use of force. But if often turns out that questions of class consciousness prove to be decisive in just those situations where force is unavoidable and where classes are locked in a life-and-death-struggle[11].

•   Can one perceive Dalits and caste Hindus in such a situation of class struggle? In recent years the question of "social justice" and "empowerment" of the weaker sections and the OBC's by providing reservations in jobs has been made a central concern of power politics in India. Social divides and tensions arising out of the articulation and the opposition towards these questions have tormented the Indian political scene. Social and cultural deprivation of the backward sections

of society has prevented them from having access to their rightful share in national resources and heritage.

• Can Dalits be treated as a thing one of the categories of Indian society? Gandhiji gave the name "Harijan" to the "Untouchables". A sense of compassion and empathy is reflected through the use of the word "Harijan" which mean is God's gift, like other human beings. Though compassion and sympathy have not been taken to kindly by the leadership of Harijans, the categories helped them immensely by way of the policy of "protective discrimination" and special provisions for their advancement. Thus Gandhiji's Harijans, a human entity, became a legal entity - namely, the Scheduled Castes. A new class of beneficiaries "creamy layer" emerged from among them. The articulate leadership of the Scheduled Castes thought it necessary to create ideological and political militancy, hence Dalitism. The word "Dalit" thus refers to the ideological transformation of the Scheduled Castes. It indicates their heightened protest against uppercaste domination by way of rejection of uppercaste cognitive paradigms and creation of their own cultural idioms, literature and ethnic harmony.

• Though it is quite unclear whether Dalits can be referred to as a class, if they are understood as such, what E.P. Thompson observes about "class" seems to be relevant for anlaysing the emergence of Dalits. He writes: "By class I understand an historical phenomenon, unifying a number of disparate and seemingly unconnected events, both in the raw material of experience and in consciousness. I emphasize that it is an historical phenomenon. I do not see class as a 'structure', or even as a 'category', but as something which in fact happens (and can be shown to have happened) in human relationship[12]". Dalit imply a notion of a class (social) in terms of historical relationships. Thompson observes: "This relationship must always be embodied in real people and in a real context[13]". He further writes:

• Class happens when some men, as a result of common experiences (inherited or shared), feel and articulate the identity of their interests as between themselves, and as against other men whose interests are different from (and usually opposed to) theirs. The class experience is largely determined by the productive relations into which men are born or enter involuntarily. Class-consciousness is the way in which these experiences are handled in cultural terms, embodied in traditions, value-systems, ideas, and institutional forms[14]".

• In the case of Dalits, their relationship with the upper castes/classes,

who have socio-economic and political dominance, determines their interests and consciousness. However, interests and consciousness are not the same phenomena, nor do they have a one-to-one relationship. At different times and places, consciousness may differ despite interests remaining the same. In the context of Dalits, consciousness is different from what one can see in the case of Scheduled Castes and Harijans. Consciousness is now being projected as a main instrument of assertion of the rights of oppressed people through cultural objects and activities. The question is not simply of bread and butter for the Scheduled Castes, izzat (social honour), "lifestyle" or "social standing", and "life chances[15]". have become serious concerns of the Dalit. Dalits may be referred to as a consciousness community[16]. While Mahahars, Mangs and Chamars, for example, have never enjoyed the same status before or after Independence, nor they have been benefited in an equal measure. Since they constitute the class of Dalit, Dalit as a class is not a monolith. However, it does not imply that class and status are unrelated phenomena either conceptually or substantively. What is important to note is that a new "field of cultural production", Bourdieu calls "symbolic power", "symbolic capital" and "cultural capital[17]", is being created by Dalits to enhance their economic and political empowerment.

Caste-Class and Dalit

The question of "social status", at least apparently, has been central with regard to Untouchables though their economic standing and political power continue to remain substantive issues in determining their position in Indian society. According to Lotus Dumont and several other scholars, the principle of purity impurity is a scalar yardstick, and it operates to keep different castes separate from one another[18]. Differences in the degree of pollution thus creates closed segment in terms of inclusion of some and exclusion of other members[19]. All interactions and ties, commensal and connubial, are guided by the principle of pollution-purity. Anti-caste movements were launched initially against such pollution purity-based hierarchisation of caste groups. Violation of cultural restrictions imposed upon various lower castes resulted in the imitation of styles of life of upper castes by lower castes, and this process of imitation is characterised as Sanskritisation[20]. What norms could be violated and to what extent? Who from among the "Untouchables" came forward to imitate and thereby threaten the dominance of the upper castes? What was the reaction of the upper castes to such moves by the lower "Untouchable" castes? What were the structural, manifest as well as latent, implications of such symbolic acts for both the upper and lower castes? These and some other questions still remain to be analysed adequately.

A study of two villages by Jan Breman in South Gujarat highlights the

caste-class nexus and patterns of social mobility among the landowning and the landless communities[21]. Traditionally, there were ideal patron-client relations between the landowning Anavil Brahmins and the landless Dublas, a tribal caste also know as halpati. Since the disintegration of halpatipratha, the Dublas have been mostly employed as farm servants. Anavil Brahmins have also diversified their occupational base. Dublas have changed much less then their masters. Depersonalisation and departronisation have occurred with the Anavils being lured by urban occupations and salaried jobs. The traditional right of the Dublas to remain attached to their Anavil landlords is no more considered legitimate. The social security guaranteed by the landlords has disappeared. The Dublas have been changed from subjects to objects[22]. But dependence and subordination of the Dublas vis-à-vis the Anavil landlords persist. Breman writes: The Dublas are increasingly aware of the fact that their subjection is one of the main causes of their low social status. Economic disadvantages aside, weakness and dependence are looked upon as dishonorable and deplorable[23]". They resist the inhuman treatment meted to them and their womenfolk, and yet they feel constrained to remain under the control of dominant landlords. Subjection of the lower castes has become the main object of contention in recent Dalit movements. Today, untouchability and economic exploitation are not the main issues as they used to be before and around the time of Independence. What is being demanded is empowerment and social justice as a right for Dalits and other backward sections of society.

Discourse on Untouchability

Untouchables account for about 16 per cent of India's population. The disabilities imposed on them in the past included residential segregation, confinement to polluting and menial occupations, and denial of access to temples, wells and other civic amenities[24]. The Constitution of India under Article 46 promotes the educational and economic interests of the weaker sections of society. Article 17 abolishes the practice of untouchability[25]. Beteille mentions three principal rights to equality. These are (a) equality before the law; (b) prohibition of discrimination on grounds of religion, race, caste, sex or place of birth; and (c) equality of opportunity in matters of public employment[26]. The most important of the three is equality of opportunity. This right is valued where a premium is placed on the individual[27]. But this has not been the case historically in Indian society. Hence, quotas in education and employment for underprivileged groups. Equality is therefore viewed more as a matter of a policy formulation than as a right. Equality as a policy requires special effort for its implementation with regard to the depressed sections of society. It is this policy which finds expression in the constitutional provisions for the welfare of Scheduled Castes

and Scheduled Tribes.

None of the untouchabled castes are willing to accept their lower status in the caste hierarchy, but all of them have accepted special favours for their upliftment. In fact, movements have been launched for securing more quotas in education and employment by the Scheduled Castes and the Scheduled Tribes[28]. The same provisions are now being made for the Other Backward Caste as per the recommendations of the Mandal Commission Report[29]. Mare Galanter considers the compensatory discrimination policies as systematic departure from norms of secular equality, a departure from formal equality[30]. The preferences have been extended on a "communal basis". What Beteille considers equality as policy and not as a right had found preference in post-independent India. Galanter refers to three basic types of preferences: (a) reservations, (b) programmes or provision of services, and (c) special protections[31]. Certain such preferences and provisions for the depressed sections frontally attack the causes of the persisting system of social stratification[32]. Is all this enough? If not, what more is needed? Why has this pattern emerged and come to stay? These questions compel us to delve deep into the debate on India's ex-Untouchables.

On the one hand, the discourse on untouchability, Harijans, Scheduled Castes and Dalits brings in centrally Gandhiji and Dr. B. R. Ambedkar. Gandhi was charged with subverting the Hindu social order by patronising Harijans; on the other, he was accused by Dr. Ambedkar for making only token concessions to Untouchables[33]. Gandhi is blamed for advising Harijans to find solutions to their problems by remaining within the fold of Hinduism. Opposition to a separate electorate for Untouchables was vehemently critised by Ambedkar. Lack of earnestness and sincerity, encouragement to the Hindu hegemony, and hypocrisy are attributed to Gandhiji with regard to his treatment of Harijans. B. R. Ambedkar, himself an "Untouchable", talented lawyer, the father of India's constitution, and India's first Law Minister had serious differences with Gandhiji on the question of Harijans and strategies for their upliftment. Ambedkar died on 5 December 1956. Before his death, he embraced Buddhism on 15 October 1956 along with hundreds of thousands of Untouchables, particularly form the state of Maharashtra. The Buddhist movement and neo-Buddhism are mainly offshoots of Ambedkar's disenchantment with Hinduism in general and Gandhiji's perception of India's Untouchabled[34] in-particular.

Untouchability was essentially perceived by Gandhiji as a moral problem, and hence it could be mitigated by changing the hearts and minds of caste Hindus. Gandhiji thought of untouchability as a matter of "shame", "guilt" and "sin" for the upper castes rather than simply an ordinary evil. The struggle

against untouchability was more than just securing equal rights and economic betterment; it was moral and spiritual struggle[35]. Gandhiji asked caste Hindus to undertake activities for the upliftment of Untouchables to minimise this guilt/sin. Thus, Gandhiji was not so much in favour of legislation for the upliftment of Untouchables as he was for regeneration of the value of equality. The organisations and newspapers founded by Gandhiji are testimony to this effect[36]. Bhikhu Parekh writes: "Gandhi's contribution was greater than that of any other Indian leader. No one before him had mounted a frontal attack on untouchability and launched a vigorous national campaign[37]". He combined moral, religious and political appeals and his own personal example in creating an anti-untouchability ambience. But Gandhiji failed to shake the social economic and political roots of untouchability[38]. One can infer that Gandhiji was injecting militancy in to the anti-untouchability movement. In fact, he preferred moral and social programmes rather than legislative enactments for the upliftment of Harijans. However, in post-Independence India, the policy of protective discrimination has become a cornerstone of India's Constitution[39].

The emphasis on the moral and spiritual explanation of untouchability given by Gandhiji is seen in the constitutional safeguards and subsequent amendments therein and other legislative enactments. The discourse has acquired a cultural and political character. Competing claims for furtherance of 'Ambedkarism' by different political parties for extracting political mileage have surfaced during last one decade or so. The nearly forgotten Ambedkar has suddenly become politically alive and vibrant. He is now everywhere in Parliament, political parties, central secretariat, universities, research institutes and NGOs. Statutes of Dr. Ambedkar have mushroomed both in small and big towns. Political parties and groups are trying to out do each other in their efforts to monopolise Ambedkar. Distortions in the discourse have throttled creativity and reflection with regard to a thinker, ideologue and reformer activist. The hypocritical showering of praises on him has done great harm to him and the cause for which he fought during his lifetime. Humiliating observations about Gandhiji have been equated with the promotion of Ambedkarism. Kanshi Ram, the supremo of the Bahujan Samaj Party once observed:

What has Gandhi done? He fought tooth and nail against the interests of the downtrodden people. In September 1932, he went on fast against reservations. Later it was propagated that Gandhi was responsible for reservations. He was a great hypocrite, to my mind. He lived in a sweepers' colony and he told them: "Your job is very good job, you are doing a very good job. If I am to be born again I would like to be born as a sweeper, you

can fulfill your desire in this life. Come on." But he never came. He was a hypocrite just fooling innocent people[40].

Similar rather more harsh observation was made a couple of weeks ago by Ms. Mayawati, a member of Rajya Sabha and National General Secretary of Bahujan Samaj Party (BSP). Lasting out against Gandhism, she described Gandhiji as the biggest enemy of Dalits. According to her, by coining the name "Harijan" for the oppressed class, he inflicted the maximum damage on them. If the word "Harijan" meant the "children of God", then why did Mahatma Gandhi, Nehru and Pant not add this term to their names? She asked in a raised voice. Mayawati gave a call for finishing Gandhism and demanded the introduction of Ambedkarvad[41].

Though the BSP has not been an effective political party until recent the assembly elections in Uttar Pradesh, its militant anti-upper caste articulations and expressions, particularly against Brahmins, Rajputs, Vaishyas and Kayasthas, lured the lower castes towards it in these elections. In Maharashtra, however, the Dalits still comprise of the ex-untouchables castes. The non-Dalit lower castes are, however, getting attracted towards the BSP. Dr. Ambedkar's efforts to transform the Untouchables' were less reactive and more constructive, whereas the above two assertions by Kanshi Ram and Mayawati are merely reactive. In fact, Ambedkar in essence agreed with Gandhi. He said, "Rights are protected not by law but by the social and moral conscience of society[42]". Ambedkar also said, "if social conscience is such that it is prepared to reconginse the rights which law chooses to enact, rights will be safe and secure[43]". Further he mentioned that if the "rights are opposed by the community, no law, no parliament, no judiciary can guarantee them in the real sense of the word[44]".

Dalit Movement and Identity

Dalit movements are, in fact, Harijan/Scheduled Castes movements. The word "oppressed" is closest to the word "Dalit". As noted earlier, from "Harijan" to "Scheduled Castes" to "Dalit" mark the process of emergence of this word. Thus, Dalits are SCs, constituting nearly 16 per cent of India's population. Most of them are manual and agricultural workers. While many of them are engaged in their traditional occupations, some are in white-collar government and public sector jobs[45]. In Maharashtra Dr. Ambedkar mobilised the Mahars and other 'Untouchables' for launching a socio-political movement against their persisting depressed status. Some scholars have compared the Dalits of India with the blacks of USA[46]. Barring some studies such as by Bharat Patankar and Gail Omvedt[47] and Ghanshyam Shah[48], most of the research has, emphasised the process of Sanskritisation among SCs.

Ghanshyam Shah has classified Dalit movements as (a) reformative, and (b) alternative. Reformative movements focus mainly on the study of changes in the caste system and the institution of untouchability. Issues relating to conversion to other religions (for example, Buddhism, Islam, Christianity), education, economic status and political power are taken up in the study of alternative movements[49]. However, Patankar and Omvedt mention that Dalit movements are (a) caste-based, and (b) class-based[50]. In essence all Dalit movements are anti-Brahmin, anti-upper castes, and anti-caste. Movements such as Satyashodhak Samaj, selfrespect, Adi-Dharma, Adi-Andhra, Adi-Hindu, Namashudra, Nadar, neo-Buddhist, etc. Placed emphasis on discarding the Brahminical ways of life and the practice of untouchability. In the process of mobilisations, 'Untouchables' discarded their traditional occupations too for claiming an equal social status to the "clean castes". In fact, Sanskritisation has been found to be the main consequences able it not clearly intended of most Dalit movements.

The most significant outcome of Dalit movements has been the formation of various voluntary organisations for the welfare of the poorest of the poor from among Dalits. Some of these are: Rural Community Development Association, Harijans Labourers' Association, Agricultural Workers' Movement, Rural Harijan Agricultural Development Association, Association of Rural Poor, etc. The main objective of these organisations is to mobilise the agricultural poor from among Dalits to make them conscious of their socio-economic oppression and cultural subjugation. For Peter Robb, all movements of labourers, both tribal and non-tribal including SCs, are Dalit movements[51]. These organisations have so far remained active in the states of Andhra Pradesh and Tamil Nadu.

The message which Ambedkar gave to the Bhikhus was of becoming models of "self-culture and self-service". The supporters of Ambedkar, Buddhism and the Dalit movement consider Ambedkar's writings on Buddhism as a "religion of the oppressed", or a form of "liberation theology[52]". Ambedkar's contribution is seen as a shift in the debates from religious to secular discourse, having the emancipator exercise at its core. The "Ambedkar cult" is perhaps is the making. A sense of liberation and freedom through the act of conversion to neo-Buddhism has captured the attention of Dalits more than any other idea. Such was the impact of Kabirpanth and Jyotirao Phule on Ambedkar that it created a sense of repulsion and hatred in him against Hinduism and the traditional caste-hierarchy. He distanced himself from Gandhi and became drawn to Marxism[53].

Since the early 1970s, the word "Dalit" has become "a positive, assertive expression of pride in untouchable heritage and a rejection of oppression[54]".

"Dalit" refers to all forms of social and economic oppression, it also applies to other oppressed groups like tribals, religious minorities, women and the economically oppressed of all castes[55]. Many scholars, however, prefer to use the term "Untouchable" rather than "Dalit"[56.] Ambedkar's message for the downtrodden was; be a lion, "be your own light"[57.]   He attacked the established Indian order by giving a call for destroying culturally defined inequality and persisting economic inequality. The creation of a counter-culture a culture of protest was his goal[58]. Ambedkar's strong advocacy was for a cultural revolution and a radical social democracy[59]. Labour must control government and not people inspired by self-serving individualism. He asked for protection against exploitation as a fundamental right[60]. Even Gandhian moral reform, orthodox Marxism, Western economic developmentalism both the capitalist and the socialist varieties put together would not equal an indigenous Dalit tradition. It represents a "community of communication within which individuals and organisations argue and evolve[61]".

Approaches for the Study of Dalits

Two distinct approaches are found towards Dr. Ambedkar's basic formulations about Indian society. As illustrations of these approaches we propose to highlight briefly the views of M.S. Gore,[62] and Gail Omvedt[63]. Gore analyses Dr. Ambedkar's thought system from the functionalist standpoint of knowledge, whereas Omvedt examines the Dalit revolt from the historical materialist viewpoint. Gore and Omvedt have published more or less at the same time, in 1993 and 1994, respectively. Let us sum up the salient points of their perspectives on Ambedkar.

     Gore considers Ambedkar's thought and action as an "ideology of protest". According to Gore, Ambedkar clearly considered the outcaste Untouchables to be distinct from the intermediate castes of Marathas and Kunbis, and the Backward Castes of Telis, Tambolis, barbers and artisans[64]. Be declared before the Simon Commission that the "depressed classes" referred to Untouchable caste groups as well as tribal communities, but he preferred to plead on behalf of Untouchables only. He was also aware of the fact the Untouchables comprised several sub-castes as unequal status groups within Maharashtra and elsewhere. Despite intra-Untouchable distinctions based on language, cultural context and economic standing, Ambedkar tried to create a sense of common identity among the Untouchables of India. Ambedkar identified Brahmins as the real adversaries of Untouchables as they were not only priests, but also the most important elite group in society who controlled public life by holding positions in education, administration and professions. A counter-protest from Brahmins in defence of the established social order would be a natural consequence[65].

Ambedkar hinted at the "graded" inequality in Indian society as the root cause of the persisting oppression of lower sections. Gore applies the Metronism paradigm of sociology of knowledge to the understanding of Ambedkar ideology and its social context[66]. The "communication paradigm" is also found useful by Gore in addressing questions like who protests against whom for what reasons with what objectives and with which means. The nationalist/larger political context inspired mobilisation, but the internal division and stratification among Untouchables created obstacles for the movement[67].

The main aim of Ambedkar was to evolve a definite perspective on the problems faced by the Untouchables of India. To register their protest and ensure their effective participation in the power structure of Indian society were his main concerns. The Untouchables of India were seen by Ambedkar to be different from underdogs elsewhere in the world. To elevate Untouchables from the underdog position, Ambedkar emphasised the role of both "law" and "moral order"[68].

Gail Omvedt focuses on the Dalit movement as a part of a broader anti-caste movement in the colonial period. The Dalit and non-Brahmin anti-caste movements can be classified as "anti-systemic movement", or as "value-oriented movements as opposed to "horm-oriented" movements[69]. Omvedt writes: That is they (movements) challenged and sought to transform the basic structure of the Indian social system, replacing caste and the accompanying social oppression, economic exploitation and political domination by an equalitarian society[70]. There were also reformist trends in the anti-caste movements particularly represented by Gandhi, Jagjivan Ram, etc. The anti-caste Dalit movement imparts a revolutionary message, a will to act against exploitation, a rise from oppression, from death to life, from darkness to light[71]. Thus, the spirit of militant Marxism and Naxalism is close to the ethos of the Dalit movement. The Dalits for steering such a movement must have a power of thought to challenge and destroy Brahminic hegemony and Hindu nationalism. Anti-caste radicals are thus distinguished from the reformers[72].

According to Ambedkar the Indian National Congress was controlled by upper castes and capitalists ("Brahman" and bourgeois). Public gave them the name "Irani Arya-Bhats", and later on others called them "Shetji-Bhatji" and referred to there clout as "Brahmanbania" raj[73]. Only a left - Dalit unity having workers and peasants as its core base can bring about the empowerment of exploited sections of society. Dalit Panthers mention in their manifesto: "We don't want a little place in Brahman alley. We want the rule of the whole country[74]". The Dalit movement is seen by Omvedt as

"diversionary", and not simply in "class" terms or as playing second fiddle to the Congress-dominated national movement[75]. Omvedt suggests formulating "a revised historical materialist understanding not only of the linkage between the 'economic base' and the 'superstructure', but economic processes themselves."[76] Alongwith "economic subordination", Omvedt discusses the role played by cultural/community forms and force and violence in the agenda she sets for our understanding of the anit-caste and Dalit movements[77].

Gail Omvedt's study provides a "systematic" socio-historical account of Dalits and their movements in the states of Maharasthra, Andhra Pradesh and Karnataka from a well-knit neo-Marxist viewpoint. With regard to the patterns of Dalit mobilisation and Ambedkar, the following points may be mentioned:

1.   As a result of Ambedkar's leadership the Dalit movement emerged in all regions with similar trends, though of varying degrees of strength.

2.   The movement was genuinely anti-caste, and not merely a caste-reform movement.

3.   Dalits as exploited workers, peasants and agricultural workers were involved with economic or "class" issues everywhere, in all regions[78].

According to Omvedt, "the Dalit movement emerged as a political force at the same time as the non-Brahman movement and about the same time as the working class and peasantry were creating their organisational forms."[79] With all this, "Ambedkarism" is considered by Omvedt as "the theory of Dalit liberation".[80] Ambedkarism outlines the following:

1.   An uncompromising dedication to the needs of Dalits, which required the total annihilation of the system and the Brahminic superiority it embodies.

2.   An almost equally strong dedication to the reality of India-denial of the imposition of a "Hindu" identity.

3.   A conviction that the eradication of caste required a repudiation of "Hinduism" as a religion, and adoption of Buddhism as an alternative religion.

4.   A broad economic radicalism interpreted as "socialism", mixed with and growing out of Ambedkar's democratic liberalism and liberal dedication to individual rights.

5.   A fierce rationalism.

6. A firmly autonomous Dalit movement having the socially and economically exploited sections (Dalits and Shudras, workers and peasants in class terms) as an alternative political front to the Congress Party which he saw as the unique platform of "Brahmanism" and capitalism."[81]

In 1949, Ambedkar hinted in the Constituent Assembly that the country was entering a life of contradictions. "In politics we will have equality and in social and economic life we will have inequality"[82]. Ambedkar was so disgusted with the situation that he once said, "I, myself will burn the constitution."[83] In the 1970s the followers of Ambedkar threatened to desecrate the national flag, burn the Constitution as well as Manusmriti. Ambedkar once declared Nehru to be "just another Brahmin"[84.] He referred to the Dalit movement is a "class-caste struggle"[85]. He viewed it as a movement for establishing an alternative identity which is explosive and revolutionary[86]. The creation of a new Dalit consciousness is the ultimate goal of Dalit movements. Dalit literature and Dalit writers have been at the centre stage in creating a sense of self-respect and dignity. The recent controversy and ensuring conflicts (including killings and suicides) over the issue of renaming the Marathawada University as Dr. B. R. Ambedkar University can be seen as an example of the ongoing power struggle between upper castes and Dalits[87].

Conclusion

The notion of Dalit is not the same as that of Harijan and "Scheduled Castes". The terms "Harijan" and "Scheduled Castes" have a Socio-Cultural" and "legal" connotation respectively. The word "Dalit" symbolises "knowledge" and "power" of the oppressed people, particularly phase belonging to Untouchable castes/communities. It refers to the genesis and expression of their consciousness. "Identity" as the "oppressed people", is central to the term "Dalit". Thus, the emergence of the identity of the Dalit struggle, of deconstruction and reconstruction of meanings of social situations, contexts and status parameters. It is an "oppositional" side in the creation of new cognitive structures. Dalitism sets a new agenda for an egalitarian social order, for just distributive processes. "Equality of outcome/result" is the most concrete and measurable yardstick of the envisaged new social order.

Dalitism is a historical phenomenon. Dalits as a class can be seen only in terms of human relationships, and not as a category, a thing, or as a fixed "structure" at a given point of time. Dalitism implies the ideological and political militancy of the oppressed. They can be referred to as a consciousness community. Acquisition and control of knowledge and power

is treated as the most potent resource by Dalits. Thus, the Ambedkarian discourse on Dalits and untouchability is said to be an alternative perspective to the Gandhian view about Harijans.

The Dalit movement may be seen in terms of (a) the sociology of knowledge and communication paradigms, and (b) the neo-Marxist view emphasising the class-caste approach. In the first case, the social context of Ambedkarism is highlighted, whereas the second approach places emphasis on an understanding of the broad situation of the underdog mainly in class terms without loosing the sight of the specific caste situation in India. As such, the Dalit movement is an anti-systemic movement. Both the manifest and latent consequences of the Dalit movement are observable in socio-cultural, political and economic spheres of life. Dalitism implies an "ideology of protest", but of varying degrees and intensities.

Finally, caste is the central phenomenon in the discourse on Dalitism, but class is also inherently present in it. Caste is used as an idiom for waging a class war against the established and entrenched hierarchies of power and domination. However, Dalits are not just a constellation of Untouchable castes, they are seen also as actually exploited workers, peasants and agricultural labourers in all parts of India. Emphasis is laid on their emancipation from economic bondage by ushering in "economic radicalism" (socialism). Despite all these elements, the notion of "Dalit" is a new arrival: it is an ad hoc concept, a cultural-bound construction, a reactive and not a generative concept. Incorporation of both squeezing caste and class reduces its "atomistic" existence as a concept. It has more emotional and affectual appeal than a rational and logical message. Lastly, it is a concept in making

Notes

1. Turner, Bryan S., Equality, New York: Tavistock Publications and Ellis Howood Ltd., p. 11.

2. Ibid., p. 18.

3. Gould, Harold A., 1967, "Priest and Contra-priest: A Structural Analysis of Jajmani Relations in the Hindu Plains in Nilgiri Hills", Contribution to Indian Sociology, new series, no. 1.

4. Rousseau, Jean-Jacques, 1967, The social Contract and discourse on the Origin of Inequality, edited and with an introduction by Lester G. Grocker, Washington Square Press, New York Washington, p. 14.

5. Ibid., "Introduction".

6. Ibid., p. 175.

7. Crocker "Introduction" to Rousseau, p. 21.

8. Tawney, R.H., 1931, Equality, London Allen Unwin: Cited from Turner, Equality, Chapter 2.

9. Turner, Equality, p. 35.

10. An intensely argued debate on this in Gail Omvedt, Dalits and Democratic Revolution: Dr. Ambedkar and the Dalit Movement in Colonial India, New Delhi: Sage Publications, 1994, chapter I, pp.21-58.

11. Luckacs, George, 1971, History and Class Consciousness London: Merlin Press, pp. 52-53.

12. Thompson, E.P., 1984, "Class Consciousness" in R.S. Neale (ed.), History and Class Oxford: Basil Blackwell, p. 114.

13. Ibid., p.114.

14. Ibid., p. 115.

15. Max Weber, 1970, "Class, Status Party" in From Max Weber: Essays in Sociology, edited with an Introduction by H.H. Gerth and C. Wright Mills, London: 1970, Routledge & Kegan Paul Ltd., pp. 180-95.

16. Max Weber discusses how common class interests can a way of communal community consciousness and action.

17. Pierre Bourdieu, 1993, The Field of Culture Production, edited and with an introduction by Randal Johnson, Cambridge: Polity Press, chapters 1-3.

18. Louis Dumont's, 1972, Well-known work, Homo Hierachicus, London: Paladin.

19. Kolenda, Pauline, 1984, Caste in Contemporary India, Rawat Publications; Jaipur, pp. 66-67.

20. M.N. Srinivas, 1966, Social Change in Modern India, University of California Press, Berkeley.

21. Berman, 1979, Patronage and Exploitation, Changing Agrarian Relations in South India, New Delhi: Manohar.

22. Ibid., p. 221.

23. Ibid., p. 226.

24. Beteille, Andre, 1992, Society and Politics in India: Essays in a Comparative Perspective, Delhi: Oxford University Press, p. 198.

25. Beteille, Society and Politics, p. 199.

26. Durga Das Basu, 1990, Introduction to the Constitution of India (13th edition), New Delhi: Prentice Hall of India.

27. Beteille Society and Politics, p. 199.

28. Ibid., p. 202.

29. Freeman, James M., 1986, "The Consciousness of Freedom Among India's Untouchables", in Dilip K. Basu and Richard Sission (eds.), *Social and Economic Development in India*, New Delhi: Sage Publications, pp. 153-71.

30. Government of India, 1981, *Report of Backward Classes Commission* (B.P. Mandal Commission).

31. Galanter, Marc, 1984, "Pursuing Equality. An Assessment of India's Policy of Compensatory Discrimination of Disadvanced Groups", in Basu and Sission (eds.), Social and Economic Development, p. 130. See also Marc Galanter, Competing Equalities, *Law and the Backward Classes in India,* New Delhi: Oxford University Press.

32. Ibid., pp. 130-31.

33. Gerhard Lenski, 1966, Power and Privilege a *Theory of Social Stratification*, Mc Graw-Hill Book Company: New York, Chapters 3 &4.

34. Parekh, Bhikhu, 1989, *Colonialism, Tradition and Reform: An Analysis of Gandhiji's Political Discourse,* New Delhi: Sage Publications, pp. 207.

35. Ibid., pp. 207-46.

36. Parekh, Bhikhu, *Colonialism, Tradition and Reforms*, and Gore, op.cit.

37. Gandhiji founded several organisations and newspapers such as *Harijan Sevak Sangh and Harijan*, etc.

38. Parekh, Bhikhu, *Colonialism, Tradition and Reforms*, p. 241.

39. Ibid., p. 241.

40. Initially reservation policy was implemented for a period of ten years. After the expiry of the initial term, it has been extended continually till

date. All political parties have extended support to the reservation policy for SCs and STs. After a great deal of controversy support to the recommendations of the B.P. Mandal Commission for 27 per cent reservation in jobs for OBC has now been extended by all the major political parties. In case, total reservation exceeds 50 per cent, an amendment in the Constitution may be brought about in the near future.

41. Kanshi Ram and Parekh, Bhikhu, *Colonialism, Tradition and Reforms*, p. 209.

42. Hindustan Times, 1994, 10 March for Mayawati's statement on Gandhi issued at a press conference at Lucknow. The statement shocked many political leaders, and was condemned in Parliament.

43. Radhakrishnan, P., 1991, "Ambedkar Legacy to Dalits, Has the Nation Reneged on its Promises?", *Economic and Political Weekly,* Vol. 26, No. 33, p. 1920.

44. Ibid., p. 1920.

45. Ibid., p. 1920.

46. Shah, Ghanshyam, 1990, *Social Movements in India*, New Delhi: Sage Publications, pp. 107-20.

47. Sidney Verba, B. Ahmad and Anil Bhatt, 1971, Caste, Race and Politics, Berkeley: Sage Publications.

48. Patankar, Bharat and Omvedt, Gail, 1979, "The Dalit Liberation Movement in Colonial Period", *Economic and Political Weekly*, Annual Number, Vol. 14, nos. 7 & 8. See also Omvedt, *Dalits and Democratic Revolution.*

49. Shah, Ghanshyam, 1980, "Anti-Untouchability Movements", in Vimal Shah (ed.), *Removal of Untouchability*, Ahmedabad: Gujarat University. See also M.S. Gore, 1993, The *Social Context of an Ideology, Ambedkar's Political and Social Thought*, New Delhi: Sage Publications, 1993.

50. Shah, "Anti-Untouchability Movements" in Shah (ed.), *Removal of Untouchability*, pp. 108-13.

51. Patankar, Bharat and Omvedt, Gail, "*Dalit Liberation Movement*" in *Economic and Political Weekly.*

52. Peter, Robb (ed.), 1993, *Dalit Movements and the Meanings of Labour in India,* Delhi: Oxford University Press.

53. Rodrigues, Valerian, "*Making a Tradition Critical: Ambedkar's Reading*

of Buddhism", in Robb (ed.), Dalit Movements and Meaning of Labour, p. 301.

54. Ibid., pp. 299-338.

55. Joshi, Barbara R, 1986, *Untouchable*: *Voice of the Dalit Liberation Movement*, New Delhi: Select Book Service Syndicate, p.3.

56. Ibid., pp. 3-4.

57. Ibid., Joshi herself prefers the word "*Harijan*".

58. Ibid.

59. Ibid., p. 26-28.

60. Ibid.

61. Ibid., p. 140.

62. Ibid., p. 140.

63. Gore, 1993, *Social Context of an Ideology.*

64. Omvedt, 1994, *Dalits and Democratic Revolution.*

65. Ibid., p. 52.

66. Ibid., p. 55.

67. Ibid., pp. 65-66.

68. Ibid.

69. Ibid.

70. Omvedt, 1994, *"Dalits and Democratic Revolution"*, pp. 9-10.

71. Ibid., p. 10.

72. Ibid., p. 11.

73. Ibid.

74. Ibid.

75. See Dalit Panther Manifesto (Bombay, 1973); Lata Murugkar, 1991, *Movements in Maharashtra*, Bombay: Popular Prakashan, pp. 232-37.

76. Omvedt, "*Dalits and Democratic Revolu*tion", p. 14.

77. Ibid., p. 17.

78. Ibid., pp. 9-20.

79. Ibid., 1.2.67.

80. Ibid., p. 165.

81. Ibid., pp. 223-59.

82. Ibid., pp. 224-25. See also Dr. Ambedkar's writing such as *The Buddha and His Dharma,* 1974; *What Congress and Gandhi have done to the Untouchables, 1945; Annihilation of Castes, 1979; Became Untouchables" 1948.*

83. Cited from Omvedt, "*Dalits and Democratic Revolution*", p. 324.

84. Ibid., p. 325.

85. Ibid.

86. Ibid.

87. Ibid., p. 340. See for details, Murugkar "*Movements in Maharashtra*".

Dalit Status and Agenda for State Intervention

- Harsh Mander*

This paper argues that for Scheduled Castes, the "pollution line" and "poverty line" overlap. Most of them are agricultural labourers and/or small and marginal farmers. In urban areas they are in unorganized sector. They are still victims of the practice of untouchability. The paper examines the political assertion by Dalits. The author pleads that the state must intervene in a determined activist fashion. Through a wide range of measures such as legal aid guarantee, reorientation of the law and order machinery, legal literacy and mass mobilization for legal action, it can systematically ensure that the minimum needs in Dalit settlements are met, that there is a genuine outreach of health and literacy programmes and finally that the bond between traditional 'unclean' occupations and caste is broken.

Status of Dalits

Dalits in contemporary India bear the anguished burden of a long, unbroken legacy of the deepest social degradation. Whereas they usually fall at the bottom of almost any parameter relating to economic wellbeing or quality of life, the distinct burden that only they bear among all underprivileged groups in India is the degradation of centuries' old tradition of untouchability. Unlike tribals, who have lived until recently in almost complete (bat never total) isolation from mainstream civilization, society and economy, Dalits have always been an integral part of these, but placed determinedly right at the bottom, below the ritually sanctioned "line" of pollution.

The word "Dalit" literally means poor and oppressed persons. But it has acquired a new cultural context of imply "those who have been broken, ground down by those above them in deliberate and active way[1]. The term has been used chiefly to refer to ex-Untouchables, although more recently it has also been sometimes extended to include other oppressed groups, such as tribals, women, bonded labour, minorities and so on. But for the purpose of this paper, we will confine our usage to the popular interpretation of term, only that is, ex-untouchables or the Scheduled Castes.

Pollution Line vs. Poverty Line

It is important at the outset to understand that the central problem and

---

* Country Director, Action-Aid India, S-385, Greater Kailash-II, New Delhi.

paramount aspiration of the Dalit is not only economic emancipation and improvement in conventional quality-for-life indices, although these are extremely critical, but also equality and dignity within the traditional social order which has denied them justice and self-respect for centuries.

This is by no means to deny that the "pollution line" and the "poverty line" do very substantially overlap. The 1981 census[2] indicated that 84 per cent of SCs reside in rural areas, against the all-India figure of 76.3 per cent. As many as 48.2 per cent of those employed are agricultural workers, as against an all-India average of 25.2 per cent. In fact, 33 per cent of all agricultural workers are SCs. The next largest category among SCs is that of sharecroppers and small peasants 28.2 percent against an all-India share of 41.5 percent. SCs from only 11.3 per-ha cent of all farming households. Of these, 68.8 per cent have land below 1 and 85 per cent below 2 ha.

The picture is no different in the case of urban areas. Eighty-four per cent of urban SCs would be as unskilled labour in the unorganized service sector, e.g., as loaders, porters, cycle rickshaw pullers, sanitary workers, brick klin, quarry workers, etc.

The situation is equally dismal with regard to literacy levels, as may be seen from table 5.1.

Table 5.1

Literacy Rates among Scheduled Castes and Rest of the Population

Year	Rest of the Population	Scheduled Castes
1961	27.86 (16.59)	10.27 (3.29)
1971	33.80 (17.11)	14.67 (6.44)
1981	41.22 (29.51)	21.38 (10.93)

Note: Figures in brackets represent female literacy percentages.
Source : VII Plan Document. Government of India Press, Delhi. 1954.

It is clear from the above table that SC literacy in 1981 had not even reached the position of the rest of the population in 1961. Even more regrettable is the fact that the disparity between the literacy of SCs and the rest of the population instead of diminishing from one Five Year Plan to another, has in fact been increasing. The gap between female literacy among SCs and in the general population is greater, and the increase in literacy among female SCs is particularly slow.

Thus poverty and lack of economic resources and literacy, both in rural and urban contexts, remain central to the Dalit existential reality. Therefore

state intervention for poverty alleviation rural development, wage employment schemes, food security, implementation of laws relating to minimum wages, bondage etc., must consciously focus most significantly on Dalits.

But in addition to this, special intervention exclusively for Dalits related to the practice to untouchability is required. To what extent is untouchability still a major element dimension of the life of Dalits in contemporary India is a question to which will devote our attention the following discussion is devoted.

Status of Practice of Untouchability

By the practice of untouchability, we mean the avoidance of physical contact with persons and thing because of beliefs relating to pollution.

There are many empirical studies, which indicate that untouchability continues to be an important component of the experience of dalithood in contemporary India, especially the countryside, but that this is a complex and dynamic situation, of flux and transition.

We shall summarize the findings of only three studies in this regard. The first is the report of the National Commission for Scheduled Castes and Scheduled Tribes, April 1990. The Commission undertook a sample study in seven states of Bihar, Madhya Pradesh, Maharashtra, Rajasthan, Andhra Pradesh, Tamil Nadu, Karnataka and Kerala and found that untouchability was prevalent in the following forms:

1.   Scheduled Castes did not have access to temples and other places of public worship to a large extent in UP, Tamil Nadu, Kerala, Rajasthan and Karnataka.

2.   A sizeable section of Scheduled Castes in Tamil Nadu did not have access to drinking water resources. A similar situation existed in UP, Rajasthan and Kerala.

3.   Untouchability in the form of non-access to tea stalls and hotels was found in UP, Tamil Nadu, Rajasthan and Kerala.

4.   Barber services were not available to a section of Scheduled Castes in Tamil Nadu and to a lesser degree in UP, Rajasthan, Maharashtra, Karnataka and Kerala.

5.   Washermen service were not found to be available to a section of Scheduled Castes in Tamil Nadu. To some extent this disability existed in UP also as well.

6.   In Tamil Nadu, Bihar, UP, Kerala and Karnataka, Scheduled Castes were found to be discriminated against in the matter of participation in social ceremonies.

7. Discrimination in matter of participation in sittings at village "chaupals" and "gram sabhas" existed in Tamil Nadu and UP and to a lesser extent in Rajasthan.

8. In Rajasthan a section of Scheduled Castes were discriminated against in educational institutions, public health centres, etc.

9. Discrimination in respect of use of utensils meant for the general public existed in UP, Tamil Nadu, Rajasthan and Maharashtra.

10. Forced practice of occupations like removal of carcasses, etc. by Scheduled Castes was prevalent in Tamil Nadu and to a lesser extent in UP.

11. Scheduled Castes were discriminated against in the use of public cremation/burial grounds, public passages, etc., in Tamil Nadu and to a lesser extent in Maharashtra and UP.

12. Scheduled Castes were at a disadvantage in the matter of construction/acquiring occupational/residential premises in Tamil Nadu and to a lesser extent in UP. This includes access to dharmshalas/sarais[3.]

The second is a study of untouchability in rural Gujarat by Desai[4]. The summary of their findings is given in Table 5.2.

Table 5.2
Practice of Untouchability in Rural Gujarat

Sl. No.	Untouchability in regard to	Practised (%)	Not Practised (%)	Nebulous State (%)	Total (%)
1.	Water facility	74	7	19	100
2.	Temple entry	89	8	3	100
3.	House entry	90	10	-	100
4.	Shop entry	82	14	4	100
5.	Giving and receiving things in shops	60	30	10	100
6.	Paying wages	59	26	15	100
7.	Agricultural work situation in fields	35	48	17	100
8.	Barber services	94	6	-	100
9.	Potter services	17	27	3	100
10.	Tailor services	31	64	5	100
11.	Sitting arrangement in panchayat	47	53	-	100
12.	Sitting Arrangement in school	2	96	2	100
13.	Delivering post	17	83	-	100
14.	Buying stamps in postoffice	4	96	-	100
15.	Boarding buses	4	96	-	100

Note: Percentages are of total number of sample villages (69).

The table confirms/shows significant differences in the practice of untouchability in what the study describes as the "private" and "public" spheres of behaviour.

Barring untouchability in the village Panchayat, in all other matters in the public sphere untouchability in the sense of (avoidance of) physical contact is no longer a problem. It is nearly the established practice that the untouchables are not discriminated against in the public sphere.

In what we have called the private sphere, there is not that uniformity either in regard to observance or non-observances of untouchability. We made a suggestion that if we further divided the private sphere into religious or cultural, domestic and occupational we might be able to discern a pattern. While it is true that in private sphere untouchability is a widely prevalent and in almost all matters, there are differences between certain groups of matters.

For example, untouchability is very widely prevalent in regard to cultural matters such as temple entry. It is equally widely prevalent in regard to what we have temporarily termed as domestic sphere and in which we have also included the shop of a Savarna Hindu along with his house.

The third sphere could be distinguished as the occupational sphere. It can be observed that significant breaches are occurring in this sphere.

In regard to the public sphere our observation is that except in the Panchayat, untouchability is no longer a problem. In the primary school it can be said that it does not exist. However, the status of literate and qualified primary school teachers is still that of an untouchable in the village community.

So far as the Panchayat is concerned the status acquired by the untouchable member due to the political position is nullified largely by his illiteracy, economic dependence and by numerical weakness. However, in 53 per cent of villages these weakness are not effective as far as untouchability to [sic] physical contact is concerned.

The upshot of the inquiry is that untouchability is strong in the religious and domestic sphere. It is less strong and is weakening in the occupational sphere and it is not a problem in the public sphere[5].

Similarly, in 1990, the Ambedkar Centenary Celebration Committee of Chittoor District of Andhra Pradesh conducted an elaborate door-to-door survey over 4 padayatras to 249 villages to assess the prevalence of untouchability [6]. The following are some of their findings:

Throughout the district, as a rule, members of SC communities are not

allowed into the houses of non SCs. Even major towns like Chittoor, Tirupathi etc. are exceptions to the extent that the rule does not apply to unknown persons. If a person belongs to an SC community from the same (or nearby) village as the resident of the house he is visiting then he cannot enter the house.

It is also not at all easy for members of Scheduled Castes to get accommodation in areas where non-SCs live either in the town or the village.

The Padayatra team came across 122 tea shops in 249 villages including 3 mandal headquarters where tea is served in separate glasses for SCs and in most cases members of SC communities have to wash the tumblers themselves both before and after drinking tea and hold the glass when the tea shop owner pours tea from a height.

Members of SC communities are not allowed entry in as many as 80 temples in 249 villages. This does not mean there is free entry into temples in the rest of the villages. In most cases the temples are not enclosed by a wall. The deity is either placed on a raised platform or kept inside a small temple with space not sufficient to allow anyone inside. So there is no scope for either entry or preventing people from worshipping.

Barbershops are found not serving SCs. As a rule no barber in any village cuts the hair or shaves an SC. The SCs shave and cut their hair themselves or some of them turn barbers to serve the rest.

What came as a shock to the Padyatra team was the fact that in at least 16 of the 249 villages visited till date SCs are not allowed to walk through the streets with any type of footwear.

It is clear then that untouchability continues to be practised in many part of rural India, but the situation is far from undifferentiated. There is widest prevalence of untouchability in the cultural and domestic spheres. It is partial in the occupational sphere. But in the public sphere, barring in panchayats and occasional restrictions on dress and footwear, it is largely absent.

The situation is no doubt vastly different in urban areas. There is in towns and cities for greater anonymity and occupational mobility, which enables blurring of caste identities. It has been documented that urban migration by Dalits is often impelled not only by economic compulsions, but also to escape the social degradation untouchability.

But untouchability continues to be practiced widely in cities in the domestic sphere (marriage, interdining, and social intercourse). As M.N. Srinivas puts it, when the urban Indian puts on his shirt, he takes off his caste, but when he takes off his shirt, he puts on his caste. The study of

Chittoor district referred to above notes that even in major cities like Chittoor and Tirupati, a person known to belong to the SC community is not permitted entry into the houses of non-SCs.

The situation is most acute for those Dalits in cities still engaged in traditional occupations such as scavenging. This author found in city after city of Madhya Pradesh that urban scavengers continued to be victims of untouchability, precisely because as a result of their continued adherence to their traditional "unclean" occupations they were denied caste anonymity.

Atrocities against Dalits

A related issue to the practice of untouchability is that of atrocities against Dalits. The National Commission for Scheduled Caste and Scheduled Tribes (April 1990) made a detailed study of atrocities such as murder, grievous hurt, rape, arson and crimes involving substantial loss of property of Dalits, for the period 1983 to 1987, in five states: Bihar, Rajasthan, Madhya Pradesh, Andhra Pradesh and Tamil Nadu.

The commission found an alarming increase in crimes against SCs (an 8 per cent rise between 1981 and 1986), especially murder and rape. It observed a link between atrocities, both of caste prejudice and untouchability, and political and economic issues regarding land, wages, indebtedness, bondage, etc. Disputes related to land we are identified as the single most important cause, including disputes regarding implementation of land reforms and allotment of cultivable land and house sites other conflicts centred on envy of a good crop raised by Dalits, use of community land, etc. Likewise, any attempt by Dalit agricultural labourers to agitate for reasonable wages were usually mets with violence at the hands of the landowning classes.

Special Vulnerability of Dalits in Traditional "Unclean" Occupations

The relative dissonance between economic and social parameters of deprivation is most acutely visible in relation to the status of Dalits engaged in traditionally "unclean" occupations, such as scavenging, disposal of human and animal carcasses, flaying and tanning, and prostitution. We have already noted that such adherence to traditional 'unclean' occupations remains the primary reason for the survival of the practice of untouchability in the public sphere in urban areas.

Even more critically, these socially most disadvantaged Dalits are confronted continuously with a most tragic dilemma. Because of their continued adherence to occupations such as scavenging, which are indispensable for society but which no other group is willing to perform, their monopoly status ensures that they are economically more secure than

almost any other underprivileged, underresourced category. But this economic security is at the brutal price of the greatest social degradation, including being victims of untouchability even an environment of anonymity and economic mobility in cities. Yet if they seek to escape this social degradation to achieve dignity, they have to abandon the economic security of their traditional occupations and join the vast ranks of the proletariat. This then is the core of their dilemma: If they seek economic security, they must accept the lowest depths of social degradation; but if they aspire for social dignity, they must accept the price of economic insecurity and deprivation.

Caste in Non-Hindu Religions

The strength of the institution of caste in Indian tradition can also be understood by the manner that it has permeated even egalitarian religions such as Christianity and Islam, when these have been transplanted in Indian soil.

Traditional scavenging communities which sought social dignity through conversion to Islam, for instance the Helas of the Malva and Nimar regions of Madhya Pradesh, have achieved no change in status except the right to read namaaz in the mosques alongside their co-religionists. Otherwise, nothing has changed - they remain scavengers, other Muslims deny them all forms of social intercourse except community prayers, and there are no interdinning or marital bonds between them. In fact, along with untouchability they also carry the newer burden of communal, battering, because it is usually their basti that the Hindu mobs attack first and most brutally during the outbreak of any communal violence. The experience of the Pulaya Christians of Kerala, formerly untouchable Hindus, is no different. Even after more than seventy years of conversion to Christianity, they continue to be treated as Untouchables even by the Syrian Christians, who enjoy high social and economic status.

Dalit Cultural and Political Assertion

A brief overview of Dalit status would be incomplete without a reference to the process of Dalit cultural and political assertion. This is reflected during the present century in the evolution of the designation by which Dalits have described themselves. From the "achhut" (untouchable) and "ati-shudra" at the turn of the century, the large majority in the community initially accepted with gratitude Gandhiji's new coinage "Harijan" (children of god) to escape the indignity of their earlier appellations. However, in the decades after Independence, to many within the community there appeared to be a flavour of patronizing condescension in the term, and they preferred the neutral usage of Scheduled Castes found in the Indian Constitution. But after the seventies,

the term "Dalit" has become increasing popular, with its connotations of active anger, assertion and pride. "There is in the word itself an inherent denial of pollution, karma and justified caste hierarchy"[7]. And more recently, the ambit of the term "Dalit" has been widened to embrace other oppressed categories, possibly as part of a growing consciousness to build a larger alliance of all disenfranchised and exploited groups.

However, Dalit assertion is not a phenomenon of the present century. The Bhakti movement, between the tenth and the thirteenth centuries, was at its core a revolt against caste identities, untouchability, and especially restrictions on worship. It asserted equality before God[8]. Such revolts against restrictions on worship continued sporadically through the centuries. More recently, the Arya Samaj, as also Gandhiji, sought to reinforce the traditional identify of Dalits as Hindus, but without the stigma of untouchability. Gandhiji during the freedom movement rallied public opinion against untouchability and sought to restore their dignity by gestures such as living in scavenger bastis, adopting a Harijan girl, and cleaning his own toilet.

Baba Saheb Ambedkar was far more radical in his opposition to the caste system. He was convinced that untouchability was an integral element of the caste system and the former could not be overcome without destroying the latter. In his seminal address during the agitation by Dalits to draw water from Chavandar Lake at Mahad, access to which they had always been denied, he said, "It is not as if drinking the water of Chavandar Lake will make us immortal well enough all three days without drinking it. We are going to the Lake to assert that we too are human beings like others." Towards the end of his life, Ambedkar was totally disenchanted with Hinduism and felt that the path of dignity of Dalits lay in abandoning their Hindu identity. Along with many of his followers, he chose to convert to an alternate "indigenous" faith, of Buddhism.

In independent India, the left parties have neglected, even opposed caste as a legitimate basis for forging the identity of and organizing the oppressed. It was in 1972 that a radical group in Maharashtra constituted the Dalit Panthers, patterned after radical Black groups in America. The emphasis was on cultural assertion, pride and self-respect, with a central role for protest Dalit literature.

Organized political assertion by Dalits as a separate power group in North India is a comparatively recent phenomenon, symbolised most dramatically in the catapulting to power of the Bahujan Samaj Party in the winter elections of 1993 to the Uttar Pradesh assembly. Coming as it did less than a year after the demolition of the Babri Masjid in Ayodhya, these

results seem to suggest a new consciousness imbibed by Dalits. They have come to understand that so far they have been used by major parties of the centre and the right, mainly the Congress and the BJP, to attain political power; the real agendas of both the parties are perceived to have had no real relationship with the problems and welfare of Dalits. The new assertion by Dalits is as a separate self-conscious political entity, based on a shared perception of caste discrimination and oppression. This new-found militant and aggressive caste consciousness is in some ways parallel to classical Marxist "class consciousness" because it signifies an awareness of oppression and the consequent need for organized mass action to fight it. But it simultaneously runs fundamentally counter to Marxian class consciousness because the basis of a shared identity is not one's position in the mode of production but in the ritual caste hierarchy.

These are, of course, preliminary observations which need to be empirically examined. What also remains to be seen is the extent to which this new Dalit political assertion will in practice articulate and address the problem of the "lower depths" among Dalits -- the scavengers and others in traditional "unclean" occupations, Dalit women, landless labourers, bonded labourers, unorganized unskilled workers in urban slums, etc. This experience will have important implications not only for future modes of political organization and assertion by Dalits, but also for the nature of effective state intervention to be adopted for Dalits in future.

Strategies for State Intervention

The state has intervened in favour of Dalits in a variety of ways since Independence. These included (a) an array of constitutional and legal provisions; (b) positive discrimination in government employment as well as in elected representative bodies through reservations; (c) budgetary support through the special component plan (SCP) approach; (d) special programmes of health and education; (e) priority to SCs in all rural development, slum improvement and anti-poverty programmes; and (f) technological changes such as conversion of dry latrines to flush latrines for release of persons engaged in traditional occupations.

These wide ranging measures have succeeded to some extent in restoring the balance of social, economic and political power in favour of Dalits. Yet, as we have seen in the earlier sections, not only does the poverty line substantially overlap with the pollution line, but Dalits continue to suffer from caste prejudice, untouchability and atrocities in large parts of the country. In the following sections some existing strategies, as well new measures which can make state intervention in support of Dalits more effective, have

been examined. No claim is made that the measures suggested below are either comprehensive and conclusive. The attempt is only to indicate some possible directions for state action and initiate a debate on these issues.

Let us first look at the existing constitutional and legal provisions. The Constitution of India contains a number of provisions for the removal of disabilities and discrimination against SCs. These relate to prohibition of restriction of any access to public places (Article 15.2); reservation of appointments or posts in favour of any backward classes of citizens not adequately represented in the services under the state (Article 16.4); abolition of untouchability (Article 17); restriction of traffic in human beings and forced labour (Article 23); protection of right to admission to educational institutions (Article 29.2); special care for promotion of educational and economic interest of Scheduled Castes (Article 46), reservation in seats and special representation in Parliament and state legislatures (Article 3.34); reservation in services (Article 3.35); and appointment of a Special Officer for Scheduled Castes and Scheduled Tribes (Article 3.38).

The Prevention of Civil Rights Act 1955 prohibits and provides penalties for enforcement of any religious disability in any religious place like a temple; social disability in public places like shops/restaurants, hospitals etc.' refusal to sell goods or render services because of considerations of untouchability; and demand of compulsory labour relating to untouchability like scavenging, sweeping, removal of carcasses, flaying animals, etc. It contains provisions for all offenses to be cognisable, for minimum punishment and summary trials. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 specifies the atrocities which are liable to attract penalties under the Act. These are forcing the eating of noxious substances, dumping waste matter on land, denudation, wrongful occupation of land, dispossession, bonded labour, intimidation during voting, mischievous litigation, false information, public humiliation, outrage of modesty, sexual exploitation, fouling of water source, obstruction of entry to a public resort, eviction from habitation, mischief with explosives, destruction of buildings, and suppression of evidence. These offenses under the Prevention of Atrocious Act carry heavier penalties than similar offences under the Indian Penal Code. The Act also provides for forfeiture of property, externment and collective fine.

In addition to these special enactments, there are other protective measures of special relevance to SCs because they, along with the STs, constitute a substantial proportion of the disadvantaged persons whom these enactments are meant to benefit. These are the Bonded Labour System (Abolition) Act 1976, the Minimum Wages Act 1984, and the Child Labour (Prohibition and Regulation) Act 1986.

Despite this impressive range of protective legislation, the record of implementation of these measures has been dismal. Social, economic, administrative and judicial arrangements are heavily weighted against the poor with regard to the response of the law and order machinery to atrocities against Dalits. Both the National Commission for SCs and STs and the National Police Commission documents reveal recurring pathologies, such as delays in reporting, refusal to register complaints, delayed arrival on scene, half-hearted investigation, failure to cite relevant provisions of the law, brutality in dealing with accused persons of the weaker sections, soft treatment of accused persons from influential sections, and failing to make arrest on consideration of mollification. Poor quality of prosecution, protracted pendency and procedural delays before courts, and high percentage of acquittals were some of the other common maladies documented by these studies.

Among specific examples the National Commission for SCs and STs found that investigating officers visited the place of crime after a lapse of more than 12 hours in a very large number of cases, even when the crimes were murder, rape, grievous hurt, and arson. Such delays would naturally result in the destruction and suppression of evidence. The Commission also found an abnormal delay (beyond 60 days) in the filling of charge sheets in as many as 72 per cent of cases involving SCs in Bihar and 50 per cent in AP. The percentages for MP, Rajasthan and Tamil Nadu were 27 per cent and 42 per cent respectively. The study has shown that even in cases where the provisions of other enactments like the Bonded Labour System Abolition Act, 1976, are get attracted, police officers at the station house level continue to cite only the IPC provisions in the charge sheets.

These various pathologies are also reflected in the high rate of acquittals in atrocities cases, against SCs. In Tamil Nadu, acquittals were as high as 88 per cent of the cases disposed of. The percentages in Andhra Pradesh and Rajasthan were 62 per cent and 71 per cent respectively. In cases of atrocities against Scheduled Tribes, the corresponding figures for Tamil Nadu, Andhra Pradesh and Rajasthan are 75 per cent, 74 per cent and 42 per cent, respectively.

In several states, special police stations for SCs and STs have been set up, but unwieldy jurisdiction and demotivated staff have caused only further hardships to the victims of untouchability and atrocities. The same tokenism is also reflected in the setting up of special courts for speedy trial of atrocity cases for which there is provision in the Atrocities Act 1989. Most states have resorted to designating the existing district sessions courts as special courts, which in practice will obviously contribute nothing to the speedy implementation of these cases.

The situation is further complicated because the uncomfortable reality which is usually not confronted is that in a large number of cases involving SCs and STs, the opposite party is actually the state. Thus the Dalit litigant does not only have to cope with the extreme inequity of the legal system and the economic strength of his opponents, but also with the power and majesty of the state itself as adversary.

What are the measures that can be adopted to remedy the intrinsic imbalance of our legal system, which is weighted in favour if immeasurably more powerful opponents, including the state? A few suggestions are outlined below:

Legal Aid Guarantee Programme

One of the most important measures proposed is the enforcement of a legal aid guarantee programme in every case -- criminal, civil, forest, excise, etc. where one party belongs to the SC/ST community and the other is a non-SC/ST, even if the opposite party is the state itself. In fact, it is proposed that the law be suitably amended to ensure that the presiding officer of any court is legally debarred from processing any case of such a nature until satisfactory legal aid has been provided to the Dalit litigant.

It may be argued that since in most states a legal aid programme is in place such measures would be superfluous. However, legal aid is at present implemented in a highly token form, with low paid, briefless, demotivated lawyers who are offered cases in only a few of the wide range of suits involving the weaker sections. Barring the local patronage they enjoy, they are at a distinct disadvantage.

What is being proposed here is a guarantee programme. Legal aid should no longer remain a matter of discretion in a small proportion of cases involving weaker sections. It should be recognized as the obligation of the state to provide adequate and effective legal aid to every case where a Dalit is confronted with an unequal adversary, including the state.

Secondly, the lawyers must be paid at the prevailing market rate and should be freely selected by the Dalit litigant himself or herself. This will ensure that Dalit litigants are not given the services of rejects; instead they can avail of the best locally available legal talent. The involvement of the legal aid lawyer should further be reinforced by an incentive scheme of additional payment to the lawyer in all such cases in which the judgment in the concerned court goes in favour of Dalits.

In atrocity cases, it is often the experience that because of overwork and lack of social orientation, public prosecutors often do not ensure a high and

rigorous quality of prosecution. Here again, what is proposed is the setting up of an extensive panel of senior and experienced lawyers, and the selection of special public prosecutors in each atrocity case with the consent of the concerned victims of atrocities.

It is believed that only such a legal aid guarantee programme, in which the operational words are guarantee and consent of the litigants, will ensure that Dalit litigants have any real access to the legal system to redress the many injustices heaped upon them.

Other Legal Support

Such a legal aid guarantee programme should also cover, in all cases in which a Dalit is pitted against a non-Dalit or the state, travel expenses and daily allowance for the litigant and witnesses for journeys to the police stations and courts, photo copying fees, etc.

Support to Public Interest Litigation and Voluntary Organizations

In the highly unequal fight between Dalits and their adversaries, activist voluntary organizations, wherever they exist, have been found to provide valuable legal and moral support to the victims. They give legal guidance, ensure that cases are registered, the victims and witnesses are not pressurised, investigations are not deliberately delayed, and so on. The state should provide financial and administrative support to such NGO groups, and may even take the initiative for motivating such NGOs to come up where they do not exist, especially in atrocity-prone areas.

Side by side, it is now a well-established principle that persons who are disadvantaged because of social or economic disabilities may not themselves seek redress against injustices. This has been evocatively brought out by the social activist Nandita Haksar, who has said in the context of bonded labourers:

It is hardly likely that a bonded labourers working in a stone quarry will even think of moving the Supreme Court. Bonded labourers are non beings, exiles of civilization. The bonded labourer has no hope. A human being without hope cannot dream of going to the Supreme Court. It is only a socially committed individual or a politically aware organizations that can speak on his behalf[9].

Therefore the law now recognizes the right of any public-spirited individual or social action group to move through a writ petition for enforcement of the legal rights of a disadvantaged group. In consonance with this our legal aid programmes should also now broaden the ambit of their agenda to support such public interest litigation.

Measures for Improving Response of Law and Order Machinery

We have already noted how a highly demotivated, overburdened, and often deeply prejudiced law and order machinery, results in difficulties in registration of complaints, poor quality of investigation, and high rate of acquittal in atrocity cases. A series of measures are proposed to make some dent into this problem.

The police administration already has a well-developed system of monetary rewards and medals as tokens of recognition for good work done. It is necessary to only consciously extend this reward system to accord high priority to and encourage prompt, impartial and effective investigations in atrocity cases. For instance, for investigations in such atrocities cases which end in conviction, attractive rewards may be instituted for the investigation officer. Medals may be also awarded for consistently high quality of investigation in cases involving the weaker sections.

Postings to special police stations for weaker sections, as also to Scheduled Castes cells, etc., are normally considered a matter of punishment at all levels. It is suggested that a substantial special allowance be given for postings to these police stations and cells, and that at least one year's posting in Scheduled Caste sections be made mandatory for qualifying for every level of promotion.

It is also necessary to consciously reduce the mechanical reliance on crime statistics. A higher rate of registration of cases of atrocities, for instance, may reflect not a declining security environment for Dalits as it may superficially appear, but on the contrary a more responsive police administration now registering atrocity complaints, where earlier they were simply not being registered.

In the manner that gender sensitisation programmes are being organised for government officials in all levels, a similar package of training programmes should be regularly organised at all levels of the regulatory, police and development state machinery, as also the judiciary in an effect to sensitise them and influence their attitudes towards the weaker sections.

Vigilance committees should also be established at thana and district levels, comprising on the one hand members of the executive and judicial magistracy and the police, and on the other elected and NGO representatives, and representatives of educated local youth and weaker sections to oversee registration of complaints, investigation, and progress of cases. For instance, if a Dalit is unable to register an atrocity complaint in the police station, he or she should have access to appeal to the committee, which in turn should be suitably empowered to make necessary recommendations to the station house officer.

Other Recommendations to Fight Atrocities

The National Commission for SCs and STs made a number of other recommendations in relation to atrocities, which need to be followed up. These include:

1. Revocation and suspension of gun licences in places where atrocities have occurred.

2. Liberal invocation of provisions of Bonded Labour System (Abolition) Act 1976 and other such measures, vesting of powers with executive magistrates wherever such provisions exist, and resort to summary trials.

3. Review of debt relief legislation on an All-India basis and guidelines incorporating salutary features of various state enactments issued.

4. Instead of opening special police stations for SCs/STs, special police officers of ASI or head constables be posted in all police stations for such cases.

5. Establishing special courts exclusively for atrocity cases.

Mass Legal Literacy and Mobilization for Legal Action

Strong protective laws for weaker sections, even when backed by a legal aid guarantee programme of the kind proposed above, are necessary but not sufficient to ensure that the weaker sections actually resort to these legislative measures to secure protection and justice. These are enabling conditions, but there is no substitute for mass legal literacy and mobilization for legal action.

In the absence of adequate public action, it is necessary for a humane state committed to social justice to intervene effectively to ensure such legal literacy and mobilization. This is relatively unmapped territory, and such strategies require imagination, creativity and social sensitivity.

For instance, texts may be prepared in simple local languages, elaborating all the relevant provisions and laws, as well as practical details such as rights, legal aid facilities, who should apply in what circumstances and in what format, etc. Volunteer resource persons in government run SC and ST hostels, both from within and outsider the governments may be first educated in depth with regard to the relevant legal provisions and procedures. These young persons, equipped with their new found legal literacy and texts, may be encouraged in their holidays to educate in turn their own communities, as well as to initiate legal action in the event of atrocities, untouchability, bondage, and injustice in issues relating to land, wages, etc. It should be clear that such mobilization for legal action would be fragile in the absence of our legal aid guarantee programme.

Alternately, wherever total literacy campaigns are in progress or have been successfully completed, legal literacy and mobilization for legal action can be effectively integrated into both the learning and postliteracy phase.

Restructuring of SCP Strategy

The device of the special component plan (SCP) was introduced in the budgetary mechanism to ensure the earmarking of separate plan outlays for the development of SCs. Whereas this has ensured the allotment of substantial plan funds for SCs, the share of SCP in the total plan budget is still well below the percentage of SCs in the total population of most states.

However, what is far more serious is the grave distortions in the implementation of the SCP strategy. One common pathology is the widespread tendency to lapse SCP funds. Even more problematic is the propensity of the large majority of departments to mechanically book under SCP, programmes which are not even remotely connected with the welfare of SCs. Such diversions can be achieved with even greater impunity than in the case of TSP, because Dalits do not live in geographically contiguous areas. Instead, their settlements are highly dispersed in most regions. Therefore, it is possible to portray almost any general infrastructural programme as one whose benefits accrue to SCs. This ensures only a mechanical adherence to form, with a complete subversion of content.

The state has been somewhat more successful in ensuring the targeting of a significant share of poverty alleviation programmes to SCs. A review by the Department of Rural Development, Government of India, during 1988-89 found that 28 per cent of beneficiaries belonged to SCs in IRDP, 38 per cent in NREP, and 40 per cent in RLEGP. A mid-term appraisal of the Seventh Plan recommended a greater share for SCs. It must also be recognized that government statistics in these programmes often distort and hide the real impact of these programmes on beneficiaries. The limitations of self-employment strategies such as IDDP apply even more acutely to the most economically and socially deprived categories, but the significance of wage employment programmes, especially with a food-for-work component, for these groups cannot be underrated.

However, there is no doubt that the SCP strategy needs fundamental restructuring. The SCP component of the plan budget, in proportion to the SC population in the state, should be separated at the outset from the general budgetary mechanism and taken out of the purview of various government departments. The SCP should instead be almost completely delegated to the districts in proportion to their respective SC populations. Here these large consolidated funds should be used exclusively for programmes which meet

and felt needs of the genuing, direct, of SCs. In particular, the highest priority needs to be accorded to identifying SC settlements, both in villages and towns, and ensuring that their minimum needs are met and basic facilities are systematically provided. As we saw in an earlier section, Dalits continue to be victims of untouchability as well as abject poverty in large regions of the Indian countryside. They continue to reside mostly in hamlets separated from caste Hindu settlements. These SC settlements frequently continue to be denied access to water, primary schools, health facilities, approach roads, internal drainage, electrification, etc., although many of these may be created out of SCP funds. Therefore after careful identification of predominantly SC bastis (taking not revenue villages but actual settlements as our basic unit) SCP funds should be utilised exclusively for time-bound projects aimed at meeting the basic needs of these settlements by the turn of the century. The same approach needs to be extended to urban slums, which usually have a high proportion of Dalits, but which are totally deprived of even minimal human facilities.

Health and Education Strategies

As we saw at the outset, literacy levels among Dalits, especially the women, are abysmally low. A major component of state intervention strategies for Dalits has therefore been for raising literacy and educational standards among SCs. The principal strategies have been providing incentives like scholarships, freeships, midday meals, uniforms, books, stationery, establishing SC hostels, reservation of seats and relaxation of standards for admission to institutes of higher learning, remedial coaching and special coaching for competitive examinations, etc.

Whereas one endorses almost all these strategies with the provision that far greater stress has to be placed on quality and also on the magnitude of effort required, there is one specific strategy with which there is fundamental disagreement. This is the establishment of separate SC hostels. Whereas separate hostels make enormous sense for tribals, because of the remoteness and extreme dispersal of their settlements as well as their distinct cultural identity, a mindless and mechanical duplication of this strategy for SCs can be counter-productive. As we saw at the beginning, the central aspiration of the Dalit is reintegration into the social order on the basis of social equality and dignity. Separate hostels only provide state sanction to their segregation. Instead, the state should sponsor general hostels are indigent and meritorious students, with substantial reservation of seats for SC boys and girls.

Existing educational and literacy programmes also need to be restructured in line with the new approaches in this sector for all sections of the rural poor, with stress on mass mobilization and participation, voluntary support, flexibility and innovation. These will not be elaborated upon because of the

limitations of space, and because the same principles would apply here as for the non-Dalit indigent populations.

This applies also to public health delivery systems, except that it can be assumed that SC settlements have even less access to whatever minimal health infrastructure is available than the general population. By and large, the same remedial measures would apply as for in the case of the general rural and slum populations, except that even more careful targeting of these services would naturally be required for specially disadvantaged categories. The strategies would include reduced reliance on Western curative techniques, greater stress on prevention, health education and indigenous systems, upgradation of skills of traditional health workers like dais, and development of the basic health skills of village workers.

Liberation from Traditional "Unclean" Occupations

As we have already seen, the anguish of the socially oppressed Dalit is most acutely centred in those still trapped in traditional "unclean" occupations, such as sweeping, scavenging, tanning and flaying, disposal of carcasses, prostitution, etc. Because of the "unclean" nature of occupations in which they are engaged, they have been assigned the lowest position in the caste hierarchy and are subjected to extreme forms of untouchability. We have noted that the practice of untouchability in the public sphere in cities continues mainly because specific communities continue to be engaged in scavenging of dry latrines, carrying of night-soil on their heads, cleaning of drains and streets, etc.

There is no doubt that the beginning of the end of untouchability is possible only when specific castes traditionally engaged in "unclean" occupations are liberated from there professions. It is unfortunate that this problem has not received sufficient attention in the past. In so far as some action has been taken, the reliance has mainly been on conversion of dry latrines into flush latrines, and supplying scavengers with wheelbarrows, handcarts and implements such as gumboots, gloves, buckets, etc. The progress even in these measures has been halting and tardy, and these anyway do not go in to the heart of the problem. Only recently in 1991, a centrally sponsored scheme has been launched to systematically survey and release scavengers from their traditional occupations.

We have already noted the tragic trap in which the scavengers are caught: If they seek social dignity they have to accept economic insecurity by abandoning a profession over which they have monopoly rights. Whereas, if they cling to economic security, they remain victims of untouchability even in the otherwise anonymous and mobile socio-economic environment

of cities.

Therefore it is simplistic to suggest that routine loans for alternative economic activities will be adequate intervention for liberating scavengers. The cruel trap in which they are caught can be broken only by a major programme of mobilization of scavengers to motivate them to accept the risks of breaking free from their traditional occupations. The next step would be a careful selection of alternatives, and ensuring that these are completely caste neutral and dignified, economically secure and viable, and preferably part of the modern economy. In every other kind of self-employment programmes, an unemployed impoverished family is being assisted to improve its economic status by entering the informal sector. Here a person, already securely entrenched in the formal sector is being motivated and assisted to enter the informal sector. Therefore the state has a special responsibility to carefully nurture these new ventures and ensure that they do not fail.

Given the will, this is not an unsurmountable task because the number of persons engaged in "unclean" occupations is not large. According to the report of the Commissioner for SCs and STs (1979-81). India had a scavenger fleet of about 6.5 lakhs, distributed over 3,119 towns. There is also a widespread belief, even among policy-makers, that traditional scavengers do not want to be released. The experience of this author, based on extensive action fieldwork in scavenger bastis throughout the state of Madhya Pradesh, has been quite the contrary: Especially the younger generation, including women (who even within scavenger families alone actually handle night-soil) are eager to take the plunge to liberate themselves from their traditional occupations, provided they are convinced about the credibility of alternatives and of the implementing machinery. They were eager to labour to acquire dignified new skills and willing to accept some risk and even lower remuneration. Educated scavenger youth have developed skills in computers and electronics, and women have been trained in handicrafts such as hand printing and dyeing for which the state handicrafts corporation guaranteed marketing support. The extraordinary pride and speed with which they acquired these alternative skills should set at rest all misgivings about their motivation, or of the feasibility of the paramount task of liberation.

Summary

In summary, then, despite growing social and political mobilization of Dalits and extensive state intervention, they continue to subsist in conditions of abject poverty and illiteracy and are victims of untouchability and atrocities in large parts of the country. The state must intervene in a determined activist fashion. Through a wide range of measures such as legal aid guarantee,

reorientation of the law and order machinery, legal literacy and mass mobilization for legal action, it can systematically ensure that minimum needs in Dalit settlements are met, that there is a genuine outreach of health and literacy programmes, and finally that the bond between traditional "unclean" occupations and caste is broke the problem, the likelihood of scavenging as a profession disappearing is remote. The prospect of changing social attitudes to scavenging, which is seen as "unclean and pollution", also appears distant. It appears that the only way in which scavengers can be brought forward from the margins of Indian society is by providing them with the skills to take advantage of government reservations in education and employment. This is something that the state can do. But unfortunately, scavengers do not have the necessary political representation or support from the non-government sector to be able to apply enough pressure to ensure that such reservations are implemented. Therefore, it has to be concluded that the best hope that scavengers have of lessening their marginalization resides with the slowly increasing political awareness of the younger members of their communities.

End Notes:

1. Zelliot, E. "Dalit (1978) New Cultural Context for an old Marathi Word", *Contributions to Asian and African Studies,* XY 1.2.1.

2. Link, "*The Condition of Scheduled Castes in Present Day India*", 10 January 1983.

3. *Report of the National Commission for Scheduled Castes and Scheduled Tribes*, April 1990.

4. Desai, I.P. (1976) *Untouchability in Rural Gujarat. Bombay:* Popular Prakashan.

5. Desai, "*Untouchability in Rural Gujarat".*

6. "*Untouchable Still*", (1991). Frontier Vol. 23. No. 47, 6 July.

7. Zelliot, "*Dalit: New Cultural Context*", *Contributions to Asian and African Studies.*

8. Shah, Ghanshyam (1990). "*Dalit Movements and the Search for Identity*", Social Action, October-December.

9. Report of the National Commission for SCs and STs.

Splitting the "Splittism": Conflict Resolution and Internal Security Management in Xinjiang, China [1]

-Sundeep K. Nayak [2]

Key Words

Abstract

Xinjiang poses a big challenge to the unity of the Chinese state. Separatist movement in the Xinjiang region has a long history behind it. China has adopted a multilayered approach over a period of time to deal with separatism in Xinjiang. The paper traces the origin of the conflict and explores the possibility of its resolution in the current context.

1.0 Introduction

"Xinjiang has the potential of becoming China's Northern Ireland,''warns Barry Sautman, Social Science Professor at the Hong Kong University of Science and Technology.[3] The Uighur nationals of Xinjiang have repeatedly exhibited their intention to form their own nation state and remain outside the purview of the central rule from Beijing. An account of their history in different oases of Xinjiang stands witness to this. Their pan-Turkic ambitions fueled by the fire supplied from the Taliban in Afghanistan had posed one of the greatest challenges to the Chinese Communist Party and the State in maintenance of stability in the country. Ethnic disturbances have the potential to spread from Xinjiang and Tibet to other areas. The activities of the Uighurs may influence Huis who constitute the largest Muslim minority group in China. Rumblings among the Uighurs acquired prominence after the reported crackdown on its demonstrators in February 1997 in the Yili district, not far from Xinjiang's Central Asian border with Kazakhstan. High strategic stakes are driving China to aggressively counter "splittist tendencies" in this area. Given Xinjiang's unique strategic location because it borders eight other countries, any advance in separatism can threaten to de-link China from Central Asia and large parts of South Asia. China, therefore can hardly be expected to sit back and accept the unlikely possibility of Xinjiang's emergence as a buffer State between itself and Central Asia in the future. Calls for stability at the last year's National People's Congress meeting in Beijing may indicate the worries of the leadership that the Communist Party's rule may itself be vulnerable.

---

[2] Presently working as Deputy Director (Senior) and Coordinator of the Faculty of National Security Affairs, LBS National Academy of Administration, Mussoorie-248179, India. The views expressed by the author are his own and do not reflect the views of his employers.

[3] *Business Week*, March 31, 2001.

There have been reports that there is a strong view prevalent in national security circles in Beijing that unless the PRC takes strong preventive measures, Xinjiang will become a major second front in the future confrontation, and even war, between the PRC and the United States.[4] The emergence of a viable strategic threat to Xinjiang, they contend, might have a detrimental impact on the PRC's strategic aspirations. Losing Xinjiang would not only deprive the PRC of the oil, gas, coal and other natural resources, but would effectively close China's access to Central Asia and its ability to further consolidate and strategically use the trans-Asian Axis both politically and economically.

A worried leadership in Beijing has approached the issue of conflict resolution in Xinjiang in different ways. This paper examines the internal security management policies adopted since the 1990s towards Xinjiang ethno-nationalistic conflict. The next section deals with the historical aspects of the conflict and traces the conflict to the 1990s while mentioning the broad parameters of domestic and international policy initiatives. Thereafter I discuss the policy measures and ponder over their appropriateness to treat or cure the disease of ethno nationalism in Xinjiang.

2.0 Historical Aspects of Ethnic Conflict in Xinjiang

Ethno-nationalist movements in Xinjiang Uighur Autonomous Region (XUAR)[5] have a long history. Chinese authorities term such movements "splittism" as it is aimed at splitting the motherland. Though I concentrate on the movement since the 1990s, it would be appropriate to consider the historic roots.
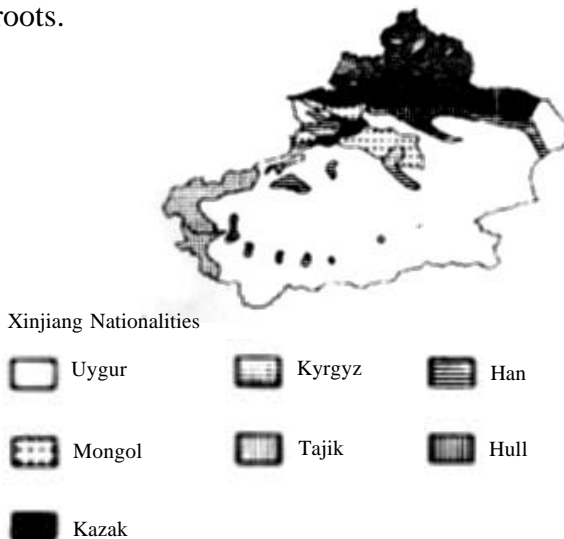

Xinjiang Nationalities

Uygur   Kyrgyz   Han

Mongol   Tajik   Hull

Kazak

Fig. Ethnic groups in Xinjiang. (Source: Justin Jon Rudelson,1997)

---

[4] Bodansky, Yossef. *Beijing Prepares for a New War Front in Xinjiang.* Defense & Foreign Affairs' Strategic Policy September, 2000. The first front is Taiwan.
[5] I use both the terms XUAR and Xinjiang interchangeably, and they mean the same territorial entity.

Xinjiang (a Chinese name meaning "New Frontier") has long been inhabited by a diverse mixture of Muslim peoples, including Kazakhs, Kyrgyz, and Tajiks as well as the majority Uighurs. The region enjoyed independent statehood until 1759, when the imperial armies of China's Manchu dynasty conquered it. It has traditionally been politically sensitive. It was at the heart of competition for influence among the great powers in the past. In fact, the empires of Russia, Britain and China had fought for Xinjiang. The reason for this rivalry related to the fact that parts of Xinjiang provided access to routes towards India. Control over passes close to Kashgar (a Xinjiang terrritory) was crucial in Britain's strategic calculations on continued and unrivalled hold over India, the challengers being the Russian expeditionary forces. The resulting struggle for influence in the region saw both Russia and Britain maneuvering for influence in Xinjiang, an area that traditionally belonged to China and where Peking was unwilling to be marginalized despite the physical challenges posed by the difficult terrain, in hospitable weather and tribal groups organized along oases lines. The competition to deny Russia a corridor, especially through undivided Kashmir, became one of the major elements of the great game played out by Moscow, Calcutta and Peking close to the dizzying heights of the Pamirs and the Himalayas.

In 1931 one of the largest Uighur rebellions against the Nationalist Chinese broke out in Xinjiang and culminated in the establishment of an Islamic republic in Khotan. The revolt, which resulted in the near collapse of Chinese control in Xinjiang, began in the Hami oasis (Qomul) in eastern Xinjiang and spread south, ending in the establishment of the Turkish Islamic Republic of East Turkestan (TIRET) with its capital in Khotan. TIRET attempted to obtain recognition from the Soviet Union, Britain, and even the Nazis in Germany, all to no avail. TIRET lasted for one year (1933-1934) and was crushed by Tungan forces who set up their own independent short-lived country, known as Tunganistan. The events made the Chinese government to begin a program of redefining the modern Uighur identity so as to place this minority firmly under control.[6]

On the eve of Birth of PRC

When the Chinese Communist Party (CCP) assumed power in Xinjiang in 1949 it faced several obstacles, many of them unique, to the region's pacification and integration with the new Chinese state. The long tradition of ethnic and religious animosity among the native groups, which was especially strong between these groups and the Han people from "China

---

[6] Rudelson, Justin Jon. *Oasis Identities: Uyghur Nationalism along China's Silk Roa*d, New York: Columbia University Press, 1997. p.28.

Proper", continued. This animosity, combined with Xinjiang's location and distance from the center of declining authority in national politics, had resulted in a *de facto* autonomous state within the Chinese state. The Chinese administrators who were sent to govern the region, were primarily dependent on non-Han and Muslim religious leaders. These leaders accepted Han over lordship as long as Chinese power and prestige were sufficiently strong. With the demise of central authority earlier this century Russia was able to "fish in troubled waters" in China's far west without fear of intervention from national government. Local Chinese warlords such as Sheng Shicai in the early 1940s set up virtual independent kingdoms there, often supported by Moscow. The tilt towards the Soviet Union became particularly pronounced in the strategically-located and resource-rich Yili border area, which in the late 1940s was the center of the separatist "Eastern Turkestan People's Republic" headed by anti-Kuomintang (and anti-Han) minority nationals trained and backed by Moscow. Just before the establishment of the PRC, the central leaders of the Eastern Turkestan People's Republic perished in a plane-crash in 1949 on their way to meet with the Chinese Communist leaders. The independent republic was then taken over by the PRC. Many Uighurs believe that the crash was a conspiracy between Mao and Stalin, both of whom would have wanted to topple the Yili threat.[7]

Policies of the PRC towards Xinjiang

Initially, CCP policies in Xinjiang were generally moderate, being based upon the goals of stabilization, consolidation and gradual development, though communist ideology had no place for ethnic diversity. They were governed by Beijing's desire to reorient the region to the east while slowly building up CCP power in an area where it previously had no real base. In addition, the Party refrained from pursuing policies that might have upset its then comradely relations with Moscow. Party power was consolidated under a leadership dominated by Wang Zhen and Wang Enmao and their Han colleagues from the First Field Army Group of the PLA. De facto political authority remained in the hands of this group, despite the granting of regional autonomy in 1955 under the nominal leadership of such minority cadres as Seypidin Azizov and Burhan Shahidi. A basically Han organization of demobilized PLA men, former (and now "reformed") Kuomintang soldiers of the Xinjiang Garrison, and resettled Han people (including educated urban youths), called the Xinjiang Production and Construction Corps (PCC, or Corps), played a crucial role in the region's post-liberation political and socio-economic development. It served both as a useful "coercive reserve" to the nascent CCP authority and as a model (and manpower base) for technological and collectivist transformation.[8]

---

[7] Ibid. p.30.

[8] McMillen., Donald H. *Xinjiang and Wang Enmao: New Directions in Power, Policy and Integration?* The China Quarterly, 99, September 1984. pp.569-70.

From 1957 to 1961 policies shifted towards a more radical and strictly Chinese (Maoist) approach to communism with less consideration being given to conditions peculiar to Xinjiang. The period, which coincided with deteriorating Sino-Soviet relations, was characterized by an "anti-local nationalist" campaign which saw the purge of many minority and some Han cadres who avowedly had retained pro-Soviet (or anti-CCP) sympathies or connections. At the same time, the CCP abolished the minority language written scripts based upon Cyrillic that had been launched in Xinjiang with Soviet advice in 1956 and replaced them with now Latinized versions. The univeraslist Great Leap Forward policies that followed, including the launching of the communes, abolition of material incentives, curtailment of private plots, virtual closure of rural markets and bazaars, attacks on religion (Islam), and emphasis on more assimilationist ("fusionist") nationality policies proved to be even more premature and destabilizing there than in the more "advanced" Han areas of China. The exodus of over 60,000 minority nationals from Yili Kazak Autonomous Prefecture to Kazakhstan in 1962 reflected discontent among the minorities.

During the most radical phases of the Cultural Revolution from 1966 to 1971 conditions became so chaotic in Xinjiang that the central authorities were compelled officially to suspend the movement there and place the turbulent PCC under direct military control. Some Beijing leaders feared that in the virtual anarchy Xinjiang would be ripe for internal secessionist movements and Soviet meddling[9]. There was even concern over threats to the nuclear test center at Lop Nur located in the province.

From 1972 there was a halting return to moderate policies. Thus the center was compelled to accept that it could not always implement policies that it wanted in Xinjiang, nor could it easily impose unity upon the contending groups. A regional CCP work conference held in early August 1978 was said to have been the occasion for "an acute inner Party struggle" against persons trying to obstruct or reverse the growing emphasis on economic production and modernization and decreased attention to class struggle.[10]

By 1980 there were only a few signs of improvement in Xinjiang's overall situation. Early that year there were reports of serious economic dislocation and "impoverishment' in southern Xinjiang amid deteriorating Han-minority and civilian-military relations. That all was not well in the social sphere was traceable to the Cultural Revolution when the minorities were treated harshly: many non-Han cadres were demoted or dismissed, mosques were ransacked and closed and the Muslim faithful intimidated;

[9] Ibid. p.570.
[10] Urmuqi Radio, 4 February 1979, in FBIS-PRC, 5 February 1979, p. M6. Quoted in McMillen. "Xinjiang and Wang Enmao: New Directions in Power, Policy and Integration?"

restrictions were placed upon the use of minority languages and scripts; privately-owned plots and animals were disallowed and free markets (bazaars) curtailed; the number of Han cadres and settlers were enormously increased; and "revolutionary Han models" were set up for universal emulation. The number of Han Chinese as a proportion of Xinjiang's population increased dramatically from 6 percent in 1949 to over 43 percent in 1990[11,12]. Besides arousing ethnic sensitivities, these events had the effect of driving many economic and religious activities even further underground.

Serious discontent also rose among Han youths who earlier had been "rusticated" to the region, primarily to the Xinjiang PCC, from Shanghai and other urban centers. Many wanted better jobs, improved living conditions and educational or training opportunities within the region, but a significant number also demanded permission to return home. Within Xinjiang itself, thousands of resettled Shanghai youths in Aksu reportedly staged a demonstration that led to violence during November 1980 over the lack of jobs in their home municipality and their dissatisfaction with conditions in the region. These events undeniably contributed to souring relations between the regional military and state farm (Corps) personnel and the local non-Han population. In addition to the Han youth's unhappiness about being settled in areas they considered not only remote and harsh but alien as well, there had long been minority resentment about having to compete, from a position of relative disadvantage, for jobs and profits against the region's large, heavily subsidized, and technologically more advanced state farms and enterprises which were predominantly Han in composition[13].

Undeniably, these various incidents greatly alarmed the regional and central authorities. They could hardly remain insensitive to the unsettling effects such events might have as the country passed through a period of transition in leadership as Deng took over and economic difficulties. Several policy initiatives were taken[14].

First, concerted efforts were begun to wipe out ill feelings resulting from attempts made during the Cultural Revolution to destroy Islam. Mosques were reopened (27 major ones were repaired or refurbished by special government financial allocations), the Imams again performed elaborate and extravagant Islamic weddings, and the *Quran* and other religious texts were once more available in local bookshops. When the Urmuqi authorities rejuvenated the Xinjiang Islamic Association in June 1980 it was instructed to organize and support Islamic forms of academic studies, enhance unity

---

[11] China Statistical Yearbook, 1994. State Statistical Bureau of the PRC. Beijing : China Statistical Information and Consultancy Service Center.
[12] See Annex-A.
[13] Dreyer, June Teufel. *The Potential for Instability in Minority Regions* in David Shambaugh ed. *Is China Unstable?* Ch. 10. New York: East Gate Book, ME Sharp, 2000.
[14] McMillen. *Xinjiang and Wang Enmao: New Directions in Power, Policy and Integration?* p.576.

between believers and non-believers, develop friendly contacts with Muslims abroad in line with China's overall foreign policy, and work hard for China's socialist modernization. However, religious elements were told to be patriotic and support the leadership of the CCP, and not to use religion to spread rumors, sow dissension or undermine nationalities' unity. In the following two years more than 1800 people of seven non-Han groups from local religious circles were elected as deputies and committee members of the People's Political Consultative Conferences at various levels in Xinjiang.

Secondly, and complementary to the above-mentioned efforts, in a highly significant move in terms of potential impact on overall integration, the Party leadership decided officially to reinstate the Arabic script for Uighur and Kazak languages.

Thirdly, the regional authorities began to emphasize the rehabilitation and training of minority nationality cadres.

Fourthly, particular attention was focused on rectifying the urgent socio-economic problems of southern Xinjiang.

Finally, considerable efforts were made to normalize relations within the troops of the Urmuqi Military Region (UMR), and between them and the civilian population.

However, analysts were of divided opinion in mid 1980s when such policies were being implemented.[15] They were of the view that the danger in this strategy of selected toleration and guarded liberalization was that once set in motion it could spark a floodtide of demands for further freedoms and greater autonomy by the local population whose feelings of ethno nationalism have long been frustrated by central Chinese regimes and the regime could find itself beset with serious difficulties. There were some in Urmuqi, particularly security-conscious Han cadres and their loyal Party converts from the non-Han groups, who viewed with alarm, as a step backward rather than forward in the context of both ideology and integration. There were fears that the return of the Arabic-based scripts would allow more stress on the development of non-Han cultures and on religious dogma than merely on religious ritual- all at the expense of any unifying political culture for China. The implication was that the selected toleration of these nationality and religious customs should be continued only as long as the local peoples were content with being culturally but not politically distinct. In my view

---

[15] Ibid. p.576.

this was a basic flaw in the mind of the decision makers when they failed to realize that in Islam, State and Politics are not separate but highly integrated unlike Daoism or Confucianism.

The Eventful 1990s

With the onset of Deng Xiaoping's economic reforms in the 1980s (focused on the East coast and the West regions asked to wait), migration and settlement into Xinjiang increased again. Although absolute numbers of Han continued to grow, 1990 population estimates showed a slight drop in the proportion of Han Chinese in the region's population, a development likely due to Turkic-Muslim/Uighur birthrates being higher than those of Han Chinese. The signification of Xinjiang was again perceived as a threat by the Turkic-Muslims. Moreover, the success of *mujahideen* in Afghanistan and the breakup of Soviet Union and formation of independent Muslim states across the border from Xinjiang coupled with increasing realization that the XUAR can be self-sufficient given the reserves of natural resources, which had been geologically proven (conclusively established) by then, provided fodder to the nationalist sentiments of establishing a self-sustaining and independent Eastern Turkestan again.

In 1992, there were widespread reports that 100,000 inhabitants of the Three Gorges area of Sichuan and Hubei provinces would be resettled in Xinjiang as part of the massive population transfer program necessitated by construction of the Three Gorges Dam. Following opposition from those likely to be resettled in the region, and from the PCC itself, Beijing delayed implementation of the proposal for several years. A revised plan to relocate Three Gorges residents to areas near Kashgar in southwestern Xinjiang has been taken up. The PCC will receive a substantial payment, as the development agent, for each relocated resident. Ethnic nationalities in Xinjiang interpret this rehabilitation as another surge of "swamp the Muslims policy" of Hans.

Another bone of contention is the central government's policy of allowing increasing numbers of migrant workers from China proper to take up seasonal employment in the PCC without obtaining the usual temporary residency and work permits; reports indicate that large numbers of these Han migrant workers remain in the PCC farm colonies as permanent settlers. It is notable that a mid-1990s State Council study advocated property rights for settlers.[16]

---

[16] Human Rights Watch, World Report 2000. Press Backgrounder. http://www.hrw.org/press/2000/11/xinjiang1113-bck.htm.

According to most independent accounts, there is substantial resentment among Uighurs toward the steadily growing Han immigrant population. While some senior government posts are allocated to Uighurs, the real administrative and political power resides in the parallel organizational hierarchy of the Chinese Communist Party, whose leading officials at all levels (except at the grassroots level in certain areas) are overwhelmingly Han Chinese.

The Human Rights Watch alleges that institutionalized discrimination against Uighurs and other Muslim groups is present in the educational system, where ethnic minority children attend their own schools and colleges, the language of instruction at higher levels being Chinese automatically excludes the Uighurs to a large extent.

Discrimination is also present in the administrative and business employment sector, in which the "distinctive" religious, dietary, and linguistic characteristics of Muslims are used as a pretext to deny them access to positions of responsibility on the grounds that the employing unit is "inadequately equipped" to meet their special needs.[17]

The Economist quotes a young Uighur in Urmuqi, "Look, I am a strong man, and well-educated. But Chinese firms won't give me a job. Yet go down to the railway station and you can see all the Chinese who've just arrived. They'll get jobs. It's a policy, to swamp us."[18] Such feelings are indicative of a mood that has seen eruption of violence in Xinjiang since the mid 1990s.

In 1997 anti-Chinese riots erupted in Yining city, leaving nine dead and more than 200 injured sparking a government crackdown. In June 2000 five Uighur separatists were executed in Urmuqi, Xinjiang's capital, for "attempting to divide the country, trafficking arms, murder and theft," reports *Newsweek*. Thousands of Uighurs have been detained, and more than 200 executed, over the last four years. The same newsmagazine quotes a Chinese official, "Separatists, international terrorists and religious extremists are running rampant in central Asia." Though armed, Uighur extremists inside Xinjiang are few - and kept on the run - but nonviolent resentment of the communist regime's economic and religious policies is pervasive.[19]

On the face of it, Beijing's attempt to neutralize its ethno nationalism problem has been four-phased since the 1990s. First came the brutal military tactics. Diplomats in Beijing say that the militancy's back was more or less

---

[17] Ibid.
[18] The Economist. *Go West, Young Han.* December 23, 2000, U.S. Edition.
[19] Newsweek International. *Trouble In 'Turkestan': Beijing's Crackdown On The Uighurs Of Xinjiang.* July 10, 2000.

broken by 1998[20]. Western intelligence agencies suggest half a million People's Liberation Army troops, including the PCC, quelled the rebels. On his part Ablet Adudureshit, governor of Xinjiang- an Uighur (the real power center, the local Communist Party secretary, is always a Han) refuses to deny these numbers posed by *the India Today* reporter.[21]

Phase two required frenetic diplomacy considering China's interests with the Islamic states and its dependence on Middle East oil. Beijing spoke to Islamabad in view of Pakistan's role in influencing Kabul for stopping the training of Uighur separatists by the Taliban of Afghanistan. China follows a policy of engaging the Taliban (it abstained from the last UN Security Council resolution that imposed sanctions on Afghanistan) to address problems posed by the Xinjiang separatists. On March 15, 2001, the *Far Eastern Economic Review* reported that China's Huawei Technologies Co., the company which Washington has accused of helping Iraq to upgrade its military communications system despite Chinese denials and another firm, ZTE have entered into telecommunications projects in Kabul and Kandahar cities of Afghanistan. Vice-Foreign Minister Wang Yi admitted, "We are in contact with many factions in Afghanistan, including the Taliban." The Shanghai Six[22] , a group that includes Russia, Kazakhstan, Kyrgyz Stan, Tajikistan and Uzbekistan in addition to the PRC, has been formalized as an international organization in its meeting in St. Petersburg in June, 2002 has a primary focus on fighting terrorism.

The final weapon in foreign policy has been trade. China offered its neighbors a deal: our consumer goods for your energy resources. Ancient border posts were reopened. Malik reports, "Today, of Xinjiang's $1.3 billion exports, half are to neighboring countries. The second largest oil company in Kazakhstan is Chinese-owned, as are the best shopping malls."[23] A 4,167 km gas pipeline will take Kazakh gas to Shanghai, on China's eastern edge. The 48-hour Almaty-Urumqi train runs two times a week, ferrying oil. Soon a rail network will connect Shanghai to Amsterdam. By giving them a stake in stability, China holds its neighbors are unlikely to ever back Uighur terrorism. Trade seems to have become one of the main components of China's foreign policy leaving the border disputes to the next generation. In

---

[20] Malik., Ashok. *China: Trade Against terro*r. New Delhi: India Today, October 9, 2000.

[21] Ibid.

[22] The group, originally called the Shanghai Five, was established in Shanghai in 1996 to help defuse tensions along China's border with the former Soviet Central Asian states. Uzbekistan joined in 2001 when the group changed its name to the Shanghai Cooperation Organization (SCO) to reflect its expanded focus on fighting extremism, terrorism, and separatism. The presidents of the six countries belonging to the SCO, met on June 7, 2002 in St. Petersburg, signed documents making their security group a formal international organization with longer-term goals. They signed a charter transformed the SCO security bloc into a fully fledged international organization with a permanent secretariat based in Beijing.

[23] Ibid.

return for the prospect of greater trade and a more dependable conduit to the outside world, rather than routes through Russia and Afghanistan, the Central Asians appear to have agreed to do the Chinese a favor: they will keep under their thumb any exiled Uighurs in their own countries.[24]

The fourth policy is economic development of the West. Domestically, Beijing hopes benefits of economic development in XUAR will trickle down to the rural areas, where most Uighurs stay and where per capita income, at 1,500 Yuan ($187.50), is just under a fifth of the national figure. Increasing economic prosperity, it is thought, will win over the Uighurs from their path of pursuing splittism while dividing the ranks of the splittists. So, as part of Jiang Zemin's Grand Western Development Campaign (compared to Deng's Eastern development), Beijing is pumping in $50 billion to develop Xinjiang infrastructure over 10 years. The province's energy reserves-30 billion tonnes of oil and 10.3 trillion cubic meters of gas-are being thrown open to foreign companies.

3.0 Discussion

The Chinese domestic policy towards Xinjiang can be best summed as carrot and stick. This section discusses the policies in the light of different theoretical frameworks.

Relying on the basic tenet of "modernization[25]" theorized by Descartes several centuries back, one would tend to look at the Chinese society as a whole in the throes of conflict. Modernization as a broad and all-encompassing process has its manifestation within the majority Hans as well. In Xinjiang, identities and cultures revolve around oases. It would be wrong to paint with the same brush while depicting the Muslims of the area. The policy of "strike hard" against the separatists has been interpreted as part of the problem, rather than the solution. The oasis identities in Xinjiang are at different levels/rates of modernization and require varied treatment even if one has to support the Chinese perspective of stamping out splittism with iron hand.[26] The government should make a clear distinction between peaceful expression and violent acts, and avoid taking a hardliner approach to all expressions of separatism, exacerbating the situation and further radicalizing the opponents of Chinese rule.

In March 1996, the all-powerful Standing Committee of the CCP Politburo discussed the "Xinjiang question" in a special session. *Human Rights Watch* reports[27] that "Document No. 7", the official record of that

---

[24] The Economist. *A Train of Concern* February 12, 2000 , U.S. Edition.
[25] Horowitz, Donald L *Ethnic Groups In Conflict.* Berkeley:Univ Of Calif Press, 1985.
[26] Chinese premier Zhu Rongji made a statement on September 13, 2000 that an "iron fist" in Xinjiang is essential for combating threats to China's unity and social stability. Quoted in Human Rights Watch.
[27] Human Rights Watch. *World Report 2000. Press Backgrounde*r. http://www.hrw.org/press/2000/11/ xinjiang1113-bck.htm Last accessed on 7 August 2002.

meeting, indicates that Beijing had reasserted central leadership control over the region. This calls into the question the autonomous character of the region and brings the central government into direct confrontation. Document No. 7 covered ten major issues ranging from intensified controls over religious activity to the need for wholesale reinforcement of military and security preparedness to collaboration with China's neighbors to counter what the leadership viewed as U.S.-led efforts inside China and overseas to destabilize the region. The document suggested a range of counter strategies, beginning with the transfer to Xinjiang of large numbers of "reliable" Party cadres from China proper to replace indigenous cadres, especially in villages where the latter adhere to religious beliefs. Specific measures included: curbs on "all illegal religious activities...(and) the building of new mosques;" speedy replacement of supporters of separatism and of mosque leaders who are not "loyalists;" a crackdown on illegal underground religious schools, kung-fu schools, and Quran study meetings; identification of and tight control over underground religious students; and training of a new generation of "patriotic" ethnic religious leaders Document No.7 went on to mandate the purging from the CCP of ethnic Uighur cadres who "believe in religion and refuse to change" even after intense cultural, educational, and ideological indoctrination. That "false consciousness" raising campaign by the Han rulers and the modernized or co-opted Uighur elites (in terms of modernist theory explanation) extended to the schools, targeting textbooks, curricula, recalcitrant students, teachers, and exchange programs. It also included a ban on published materials and tapes, which deviated from the Party's line on regional history.

In terms of economic interests theory the developmental programs lead to conflict in Xinjiang. One of the ways is to look at the ethnic stratification in Xinjiang. Here I rely on the findings of Emily Hannum, and Yu Xie in their path breaking study of Xinjiang.[28] When we compare Xinjiang to China as a whole and to other western provinces, by different indicators measuring demographic and socioeconomic characteristics and economic growth, the level and pace of development in Xinjiang are close to the national mean and ahead of other western provinces indicating a not-necessarily discriminatory policies towards Xinjiang and realization of equivalent economic benefits on a national scale. However, gross indicators hide internal heterogeneity.

Sharp changes occurred in the ethnic composition of specific occupational categories. In particular, minorities were over represented in agriculture. Minorities were underrepresented in all other occupational

---

[28] Hannum, Emily and Yu Xie. *Ethnic stratification in Northwest China: Occupational differences between Han Chinese and national minorities in Xinjiang, 1982-199*0.Demography; 35(3), Washington; Aug 1998.

categories. Educational attainment increased markedly between 1982 and 1990 for both ethnic minorities and the ethnic Chinese. At the opposite end of the educational spectrum, college education rates rose dramatically, from 2.8% to 7% among Han men, from 1.3% to 4.4% among Han women, from 1.2% to 3.3% among National Minority men, and from 0.7% to 1.5% among National Minority women. Equally important is that, despite educational improvements across the board, Han-minority differences in education grew during the 1980s. In sum, the study showed an apparent strengthening of the relationship between educational attainment and occupational outcomes and the faster rise in education among Han Chinese than among ethnic minorities suggest that education served to exacerbate occupational differences by ethnicity. The small proportion of educated elite in both Han and non-Han also indicate increased competition and possible conflict. Their results demonstrate that rationalization of the allocation of occupations, reflected in the rising association between education and high-status occupational attainment, has not reduced ethnic differences in occupational attainment. Continued educational expansion among minorities combined with equal access to professional occupations contingent on education may facilitate an absolute increase in minority presence among these occupations. However, ethnic differences in education among school-aged children imply a continued ethnic gap in high-status occupational attainment (recipe for more conflict). Thus the "carrot" policy of large scale infrastructure development and expected "trickle down" (top-down approach) may actually be adding fuel to the ethnic conflict.

Other analysts of the economic development policy are more straightforward in their criticism of the model. "The government is imposing on the west the same formula it has used to develop the coastal regions, but the conditions of these two regions are so different," says Dr Thomas Chan, Director of the China Business Center at the Polytechnic University of Hong Kong.[29] The lack of appreciation of local needs and aspirations is represented in the XUAR administration's reported suggestion to setup a casino locally though the idea was quickly rejected by Beijing.[30]

Saunders is of the view that conflict in Xinjiang can be seen in the context of search for legitimacy by the CCP through invocation of twin paths of economic development and nationalism (which includes state patriotism or civic nationalism and Han particularism or denominational nationalism), both of which aggravate the pre-existing conflict situation.[31] He is of the view that unofficial policy of Han nationalism contributes to the alienation

---

[29] China Economic Review. *Go-West Policy: Bridging The Gap,* March 9, 2001.
[30] Ibid.
[31] Lecture by Dr. Phil Saunders to the graduate class on "Chinese Political System" at the Monterey institute of International Studies, California on May 2, 2001.

of the Uighurs in Xinjiang. The Uighurs cannot reconcile themselves to the state's supranationalist concept of a 'Chinese nation' *(zhonghua minzu)*.[32]

On the socio-economic front, Articles 33 and 35 of the PRC Constitution provide for preferential policies towards the national minorities and the autonomous regions, the goal being to integrate the minorities into the national mainstream.[33] Such "affirmative action" or "reservation" policies are not approved by some experts, most notably Thomas Sowell and Myron Weiner who argue that these policies are "a brake on economic growth and a source of destructive ethnic tension."[34,35] Sautman does not agree fully with the dependency syndrome of minorities painted by Sowell and Weiner and is of the view that preferential policies alone will not eliminate the conflicts in minority areas because such policies are set within the context of the paternalistic and hierarchical approach to ethnic relations adopted by the Chinese government. The preferential policies do not address the question of the erosion of minority cultures.

Seen from a cultural pluralistic point of view, the intolerance of the "strike hard policy" and the directives contained in the "Document No. 7," if true, may not stamp out differences but actually deepen them. The deepening of the conflict motives and expressions can also be explained under the psychoanalytical models.

Looking at the Xinjiang situation in terms of Vamik Volkan's psycho-analytical approach[36], the atrocities committed by the Han majority ruled state against the Muslims during the Cultural Revolution (desecration and closing of mosques, forcing the minorities to eat pork etc.) are part of the *chosen traumas* which are very difficult to mourn today, given the strike-hard policies. The Han Chinese is the suitable target for externalization for the Muslims in Xinjiang and are the chose enemy which shakes their Muslim "tent." For the Han Chinese also the Muslims become suitable targets for externalization. The political elites' call of nationalism to derive legitimacy supports this projection.

Thus ethnic conflict is not going to end in Xinjiang. Echoes Nur Bakri, the Uighur Mayor and Deputy Communist Party Secretary of the Xinjiang

---

[32] Sautman, Barry. *Myths of Descent, Racial Nationalism and Ethnic Minorities in the PRC*, in Frank Dikotter (ed.), *Constructing Racial Identities in China and Japan*. London: Hurst, 1998.

[33] Sautman, Barry. *Preferential Policies for Ethnic Minorities in China: The Case of Xinjiang*, in William Safran (ed.) *Nationalism and Ethnoregional Identities in China*, London: Frank Cass Publishers, 1998. pp. 86-113.

[34] Sowell, Thomas. *Preferential Policies: An International Perspective*. New York: William Morrow, 1990. Quoted in Barry Sautman, *Preferential Policies for Ethnic Minorities in China: The Case of Xinjiang*.

[35] Weiner, Myron. *Political consequences of preferential policies: a comparative perspective*. Comparative Politics, Vol. 16, 1983, pp. 35-51. Quoted in Barry Sautman, *Preferential Policies for Ethnic Minorities in China: The Case of Xinjiang*.

[36] Volkan, V.. *Bloodlines: From Ethnic Pride to Ethnic Terrorism.* New York, NY: Farrar, Straus & Giroux, 1997.

capital Urmuqi in a recent statement to the *Far Eastern Economic Review*. "Separatism and the struggle against separatism will go on for a long while. I can't say that if we improve the economy and people's livelihoods, we won't have separatists."[37]

After 9/11, the Chinese Government has adopted the policy of playing up the frequent incidents of violence in the Xinjiang-Uighur Autonomous Region (XUAR) up and projecting them as part of the international terrorism network perpetrated locally by East Turkestan terrorists. Beijing has advocated strong action against the network. However, the Chinese are presumably not at ease with the permanent US military and intelligence presence in the Central Asian Republics (CARs) as this would enable the US intelligence agencies to keep alive the ethnic separatist elements in Xinjiang by working through the Uighur diaspora in the CARs.[38]

4.0 Conclusion

If one accepts the contention that the policies of the PRC in XUAR are faulty, what is the way out? A domestic policy of openness and accommodation and simultaneously dealing strongly with armed separatists (similar to India's policy in Kashmir) can be a step in the right direction in Xinjiang, provided Beijing is willing to make the XUAR autonomous in reality. Many sinologists are of the view that China's autonomous regions are a far cry from real autonomy.

Ethnic conflicts rooted in the psyche of the masses do not end early. China has to learn to live with ethnic separatism in Xinjiang. She has to isolate the underlying issues from the symptoms of the problem. The underlying issues and wounds may take generations to heal. The current central leadership may become impatient and precipitate independence of the region through its hard actions, or choose to delay the process through different means, such as giving more representation to ethnic minority leaders in the central leadership, even up to fourth and fifth generations, a sincere implementation of preference policy described earlier, restriction on new migration of Hans into Xinjiang and so on. Representation of ethnic minorities, and of Uighurs in particular, in the current fourth generation leadership is very low.

Another way to look at the situation is the impact of the independence of Xinjiang on the Chinese state, on Central Asia and on the international community in general. The critical issue is not whether such an occurrence

---

[37] Bodansky , Yossef. *Beijing Prepares for a New War Front in Xinjiang*. Defense & Foreign Affairs' Strategic Policy September, 2000.

[38] Raman, B. *US and Terrorism in Xinjiang, Paper No. 499.* http://www.saag.org/papers5/paper499.html Last accessed on 7 August, 2002.

is probable, but how to detect the indicators and predict the collapse of the PRC well in advance. Collapse of PRC will definitely have major impact on the global economic and strategic environment. Hence it is a challenge before the analysts to predict the collapse in time.

There are no "magic bullets" in finding a solution to the ethnic conflict in Xinjiang. Continuation of hardline policies without isolating the disease from the virus tends to provide a favorable medium to the virus to become chronic that calls for drastic and doubtful treatment. Grand infrastructure development programs act towards widening the gap between the rich and the poor, further exacerbating ethnic tensions. There are numerous examples of failure of the trickle down model of development in recent past. Careful microplanning and development efforts through truly autonomous local institutions can possibly provide a cushion to absorb the shocks of mega-investment led growth model. It remains to be seen how Beijing mediates the conflict.

5.0 Bibliography

Bates, Robert H. *Ethnic Competition and Modernization in Contemporary Africa,* Contemporary Political Studies, Jan 1974, 462-64.

Bodansky, Yossef. *Beijing Prepares for a New War Front in Xinjiang.* Defense & Foreign Affairs' Strategic Policy September, 2000. The first front is Taiwan.

Bonacich, Edna. "A Theory of Middleman Minorities" *American Sociological Review 38* Oct 1973: 583-94.

Brass, Paul R. *Ethnicity and Nationality Formation* Ethnicity **3** Sept. 1976: 231-32.

Business Week, March 31, 2001.

China Economic Review. *Go-West Policy: Bridging The Gap,* March 9, 2001.

China Statistical Yearbook, 1994. State Statistical Bureau of the PRC. Beijing: China Statistical Information and Consultancy Service Center.

Dreyer, June Teufel. *The Potential for Instability in Minority Regions,* in David Shambaugh ed. *Is China Unstable?* Ch. 10. 2000, New York : East Gate Book, ME Sharp.

Gagnon, V.P.."Ethnic Nationalism and International Conflict," *International Security,* Vol.19, No.3 Winter 1994/95, pp.130-166.

Hannum, Emily and Yu Xie. *Ethnic stratification in Northwest China: Occupational differences between Han Chinese and national minorities in Xinjiang, 1982-199*0.Demography; 35(3), Aug 1998.

Horowitz, Donald L *Ethnic Groups In Conflict.* Berkeley:Univ Of Calif Press, 1985.

Human Rights Watch. *World Report 2000. Press Backgrounde*r. http://www.hrw.org/press/2000/11/xinjiang1113-bck.htm

Rudelson, Justin Jon. *Oasis Identities: Uyghur Nationalism along China's Silk Roa*d, New York: Columbia University Press, 1997. p.28.

Malik., Ashok. *China: Trade Against terro*r. New Delhi: India Today, October 9, 2000.

McMillen, Donald H. *Xinjiang and Wang Enmao: New Directions in Power, Policy and Integration?* The China Quarterly, 99, September 1984, pp.569-70.

Melson, Robert and Howard Wolpe *Modernization and the Politics of Communalism: A Theoretical Perspectiv*e, American Political Science Review **64** Dec 1970, 1115-17.

Newsweek International. *Trouble In 'Turkestan': Beijing's Crackdown On The Uighurs Of Xinjiang,* July 10, 2000.

Sautman, Barry. *Myths of Descent, Racial Nationalism and Ethnic Minorities in the PR*C, in Frank Dikotter (ed.), *Constructing Racial Identities in China and Japa*n. London: Hurst, 1998.
_____. *Preferential Policies for Ethnic Minorities in China: The Case of Xinjian*g, in William Safran (ed.) *Nationalism and Ethnoregional Identities in Chin*a, London: Frank Cass Publishers, 1998. pp. 86-113.

Sowell, Thomas. *Preferential Policies: An International Perspectiv*e. New York: William Morrow, 1990.Quoted in Barry Sautman, *Preferential Policies for Ethnic Minorities in China: The Case of Xinjian*g.

The Economist. *Go West, Young Han.* December 23, 2000, U.S. Edition.

_____**.** *A Train of Concern.* February 12, 2000 , U.S. Edition.

Weiner, Myron. *Political consequences of preferential policies: a comparative perspectiv*e. Comparative Politics, Vol. 16, 1983, pp. 35-51. Quoted in Barry Sautman, *Preferential Policies for Ethnic Minorities in China: The Case of Xinjiang.*

Annex-A

Table. Population according to the 1990 census in XUAR:

Nationality	Population	Percentage
Uighurs	7,200,000	45
Han	6,885,000	43
Tajiks	33,000	0.2
Salar	3,000	0.02
Kazakhs	1,100,000	6.8
Uzbeks	15,000	0.9
Russians	3,000	0.2
Hui	600,000	3.8
Yellow Uighurs	11,000	0.7
Boan	300	0.001
Kyrgyz	150,000	0.1
Tibetans	5,000	0.3
Other non-Chinese	9,000	0.6
Ethnic Manchus	90,000	5.6
Tartars	5,000	0.3
Dongxiang	40,000	0.25
Dawani	5,000	0.3

Source: Aitbayev, A. (1997).Eastern Turkestan WWW VL. The world-wide web virtual library: Asian studies www virtual library http://www.ccs.uky.edu /~rakhim/et.html. Last accessed on 7 August, 2002.

Linkage between Structural Adjustments And Civil Service Reform

- L. N. Gupta*

1. Introduction

A survey of the mainstream literature on Civil Service Reforms (CSR) indicates that the debt and economic crises of 1970s and the changes in socio- economic conditions have created ground for reforms in both the developed and developing countries. However, the context and contents varied from country to country. In the **industrialized northern countries** like Britain and USA, the changes were driven in response to citizen demand for improved public services and had their political and ideological underpinnings in the rise of neo-liberal economic thinking. CSR in these countries became a goal in itself which aimed at creation of institutions that delivered high quality services at an affordable cost; were responsive to the needs of the clients, and empowered citizens rather than administered them (Osborne & Gaebler, 1992). For **transitional economies,** the goal was to break down authoritarian institutional structures and expedite democratic development and economic market reforms (Chaudhry et al.; 1994). In the **developing countries** of Sub Saharan Africa, Latin America and Caribbean, Asia, Middle East and North Africa, **CSR was essentially driven through the World Bank/IMF conditionalities as part of the 'Structural Adjustment Package' (SAP).** CSR was seen as a means to achieve successful implementation of SAP. It is in this background, I propose to examine the linkage between SAP and CSR including an assessment of its outcome. I also plan to discuss whether or not the linkage is a necessary one with arguments to be followed by conclusion and a suggestive approach to the civil service reform.

2. What actually 'Structural Adjustment' is

2.1 Structural adjustment is a major macro-level policy intervention that involves significant changes in policies, management and institutions. It was initiated in the industrialized countries and then exported to developing countries (Ghai, P.1 cited in ILO 95, P.5). **It is broadly defined as a comprehensive restructuring, management and coordination of a country's public, parastatal, and private sector organizations with the goal of restoring a sustainable balance of payments, reducing inflation**

* The author is MBA (Public Service) from the University of Birmingham (UK) and a member of the Indian Administrative Service. He is currently working as Vice-Chairman, BDA, Bhubaneswer, Orissa.

and creating conditions for sustainable growth.

   2.2 It implies an increased reliance on the 'market forces' and reduced role of the state in economic management. The underlying philosophy is that **"governments should concentrate on the things only they can do and leave everything else to the market."** In other words, **the state should 'steer' instead of 'rowing'** and 'procure' instead of 'providing' the services (Osborne and Gaebler, 1992). It, therefore, includes actions such as a **shift :**

*   from state ownership to privatization;

*   from government regulation of prices and trade to liberalization;

*   from the social pact with labour to policies which constrain and undermine trade unions; and

*   more effective mobilization, distribution and use of the country's scarce productive resources such as foreign exchange, public funds, investible capital, technical and management skills.

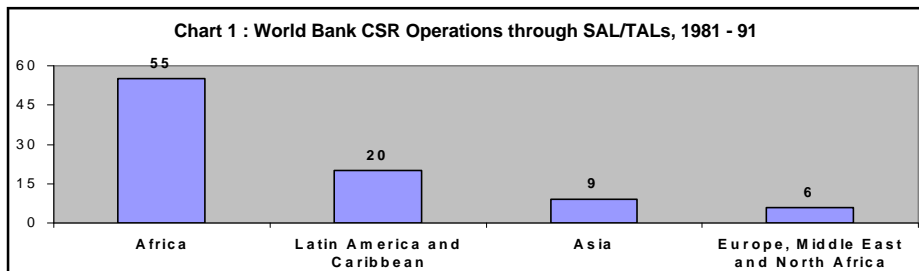## 3. Linkage : CSR a 'Condition' and 'means' of SAP

   3.1 The debt and other economic crises of 1970s resulted in macroeconomic imbalances (such as adverse balance of payment, budgetary deficits and high inflation rates) in a number of countries which were viewed by the **World Bank and IMF** as unsustainable and led them to offer 'Structural Adjustment Packages' (SAP). A standard SAP included the following conditionalities/elements:

❖ Exchange rate adjustment usually through devaluation,

❖ Fiscal deficit adjustments through reduction in public expenditure,

❖ Trade policy reforms centered around liberalisation,

❖ Reducing price distortions and market imperfections,

❖ Liberalising the rules governing domestic and foreign investment,

❖ Agricultural policy reforms, and

❖ **Public administration reforms involving:**

*   **Civil Service Reforms for improving national and sector economic management;**

*   Improving management of public service organisations, programmes, and projects;

*   Assessing the role, structures and performance of SOEs for improved management, divestiture or privatization; and

*   Sectoral reforms (e.g., education, rural development, health, and power).

fi **Thus, the "IMF/WB conditionalities" linked to policy- based lending instruments have been the key instrument of linkage between SAPs and CSRs.**
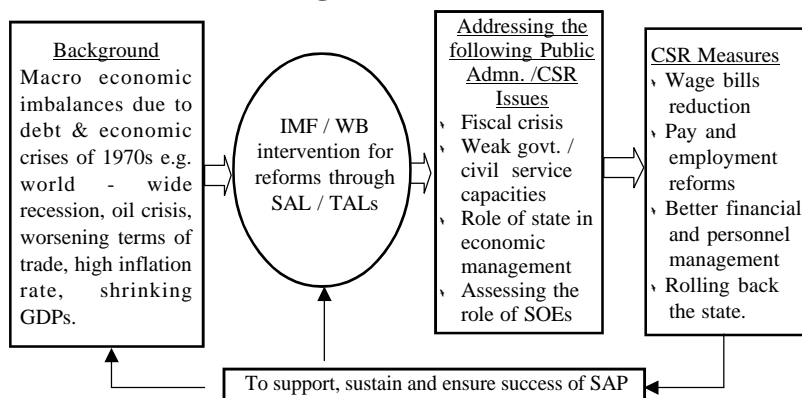
3.2 According to **Nunberg and Nellis** (1995, p.4), between 1981 and 1991, CSR was a prominent feature of 90 World Bank lending operations. Of these, 60 were 'structural adjustment loans' (SALs) and 30 were 'technical assistance loans' (TALs) mainly in support of SALs. Region wise distribution of these loans is shown in the following chart:

Chart 1 : World Bank CSR Operations through SAL/TALs, 1981 - 91

Region	Value
Africa	55
Latin America and Caribbean	20
Asia	9
Europe, Middle East and North Africa	6

4. Examining the 'Linkage'

4.1 As explained in the previous paragraph, SAPs were closely linked to 'Public Administration Reforms', of which 'Civil Service Reforms' (CSR) were key component. **The reforms in public service systems were meant to serve the ends of the intended economic reforms.** That is administrative reforms**/CSR were not the ends in themselves, but rather a ready vehicle for ensuring success of the new economic programmes** under SAP **(CAFRAD 1990, p.5).** The chart 2 below explains the linkage/relationship between the two more vividly:

Chart 2 : Linkage between SAL/TALs and CSR

Background
Macro economic imbalances due to debt & economic crises of 1970s e.g. world - wide recession, oil crisis, worsening terms of trade, high inflation rate, shrinking GDPs.

IMF / WB intervention for reforms through SAL / TALs

Addressing the following Public Admn. /CSR Issues
- Fiscal crisis
- Weak govt. / civil service capacities
- Role of state in economic management
- Assessing the role of SOEs

CSR Measures
- Wage bills reduction
- Pay and employment reforms
- Better financial and personnel management
- Rolling back the state.

To support, sustain and ensure success of SAP

Now let me examine the rationales behind the linkage one by one.

4.2 Mounting Budgetary Burden of Civil Service Wage Bill

In the most developing countries, Civil Service grew substantially

between the early 1960s and the late 80s mainly due to :

- High demand for services after decolonisation ,

- Countering the unemployment caused in agriculture and the private sector,

- Rise in the number of literate and their rising expectations from Government,

- Social and political concern to educated unemployment,

- Employment guarantees to university/school graduates in many of the African countries till recently (in Sudan it still seems to continue), and

- Political expectation that the state is the 'employer of the last recourse'. In many countries Government employment served as welfare programme.

The excessive recruitment, carried over unfilled vacancies and ghost or phantom workers (in Central African Republic and Guinea 1,300 and 700 ghost employees were identified respectively) **all resulted in surplus employees and bloated wage bills that was inappropriate to the absorptive capacity of economy.**

- In the Gambia, between 1975-85, government employment increased from 6,000 to 15,700. In Guinea, public sector employment grew at the rate of 7% a year in 1970s. It had total civil service strength of 1,04,000 in 1982 for a population of 5.6 million. Similarly, Ghana had a civil service of more than 3,00,000 for a population of 12 millions which meant 2.5 civil servants per 100 inhabitants (S. K. Das, 1998, Page14).

- In **Argentina** and **Sri Lanka,** 20 percent of Civil Servants were redundant before the reforms, while in **Brazil;** redundancy was as high as 50%. The ratio of government employment to total employment was as high as 26.5% in Algeria, 17% in Egypt, 17.5%in Jordan between 1984-90; 33% in Mali, 43% in Nigeria, 45% in Senegal, 37% in Zambia in 1981 and 39.5% in India in 1981 (Chaudhry et. al. 1994, p.85).

- With the increasing size of public sector employment, the public sector salary and **wage bill, especially in many of the African countries, rose to more than half of the government expenditure.** In CAR, it was as high as 60%, in India 40% of aggregate revenue receipts and in Guinea 50% of current expenditure as at the end of 1986. Indirectly, it had a "crowding-out" effect on the priority sectors of the economy. The wage bill had become the single largest item of government expenditure ~ the only area left that could be tackled to reduce the budget deficit.

- Nunberg and Nellis (1995 p.1-2) has aptly outlined the civil service problem in the following words: "Government in many developing countries are unable to manage and finance their civil services. These civil services are frequently too large, too expensive, and insufficiently

productive; and civil servants especially those in managerial positions, get few incentives and are poorly motivated. They are too expensive in the sense that public sector wage bills constitute too high a %age of total government revenues and account for too high a percentage of GDP."

fi Thus, one obvious way to reduce budget deficit was to cut the number of Civil Servants and their cost. IMF / WB addressed this issue by incorporating CSR into SALs.

4.3 Weak and Ineffective Civil Service

SAPs had an **ambitious agenda,** as shown in table 1 below, in terms of achieving, what **Kiggundu** (1989; p.261) describes as **'critical operating tasks'** (COTs - the basic tasks through which an organisation strives to achieve its mission) and **'the strategic management tasks'** (SMTs - the managerial and leadership tasks that define the uniqueness of an organisation and its dynamic relationship with external environment).

Table 1 : Selected Objectives and Tasks of Structural Adjustments

OBJECTIVES	CRITICAL OPERATING TASKS (COTS)	STRATEGIC MANAGEMENT TASKS (SMATS)
1. Redefinition of the Role of the State in Economic Management	• Decentralization of operations to local or private sector organizations • Closure or downsizing operations· Creation of new operating units (e.g. Indigenous Business Services)	• Reformulation of public sector organization missions • Management of downsizing • Decentralization • Management of facilitating rather than regulatory functions
2. Public Service Improvement	• Sustaining of more efficient Inputs, Outputs, and Feedback· Use of performance incentives • Focus on client need satisfaction	• Improved strategic management capabilities • Development of performance -based management systems.
3. Reduction of Price Distortions	• Elimination of administrative/ bureaucratic regulatory tasks • More competitive pricing of critical inputs and outputs·	• More active environment scanning, planning, and management cost controls
4 .Development of Indigenous Private Sector Organizations (IPSOs)	• Development of LTC for public/ government Tasks • Improved transactions record keeping • Streamlined operations and administration	• Creation of Collaborative Institutional Arrangements between government and the IPSOs • Increased need for coordination • Management of IPSOs extension services (e.g. credit, management, technology, etc.)·
5. Privatization	• Decentralization of government operations to IPSOs • Formation of local / International joint ventures • Increased participation of foreign firms	• Sale of SOEs • Management of foreign capital Economic management by incentives rather than regulations · Development of capital markets

Source: Kiggundu (1989)

✦ Contrary to this competency requirement, as the **African Governors of World Bank** have stated in their report presented to the President Wolfensohn in September 96,"--------There are **severe capacity constraints** in literally all sectors in almost all the countries, characterized by a **shortage of skilled staff (and) weak institutional environments which undermine the proper utilization of existing capacity---. Almost every African country has witnessed a systematic regression of capacity in the last 30 years----."** (Klitgard 1997, p.487-88).

✦ The capacity weakness is often reflected in terms of low productivity, efficiency and effectiveness; demoralised and unmotivated civil servants; all pervasive delays and corruption; lack of output/outcome orientation; weak institutions and breakdown of public services. Nunberg and Nellis (1995) observes that **"Many Civil Servants are insufficiently productive in the sense that they do not fulfill the tasks assigned to them (they are ineffective), or they carry out their assignments partially, with great delays, at high cost (they are inefficient)".**

   a⇨ **In the context of SAPs, the weak civil service capacity is seen as a bottleneck both in the immediate feasibility and long term sustainability of their programmes. The Bretton Wood institutions, therefore, has a goal of using CSR interventions to improve the chances of success of structural adjustment lending.** And for this reason, it was considered essential to build civil service capacity by focussing on pay and employment reforms (decompression, grading, cuts etc.), better personnel and financial management, training support to personnel and institutions, etc. As a matter of fact, **'SAP and related policies are changing the context and content of civil service work. Some departments have been hived off into autonomous agencies, and some are under** pressure to contract activities out. There is increasing emphasis on management input, reflected in current training programmes' **(Larbi and Batley; 1998).**

4.4 Rolling Back the State

   Structural adjustment, has also meant, to some extent, redefining and redimensioning the role of state (and therefore that of the Civil Service) in economic management. The overriding concern with correcting macro economic imbalances, achieving higher economic growth and improving performance along with rising impact of the neo-liberal economic thinking

has led to a re-focusing and narrowing of government institutions and responsibilities. " The new wisdom is to manage less - but better"(Nunberg and Nellis; 1995; p.1). This implies the States to:

- withdraw progressively from direct production and delivery of services and concentrate on effective delivery of 'Core' services such as law and order, basic infrastructure and other essential services.

- withdrawal may be in the form of economic liberalization of SOEs; contracting out of services; right sizing of bureaucracies etc., and

- promote private sector initiative and enable efficient operation of markets.

In nutshell, it means **a changing role for the state in the economy, from direct participation and control to that of enabling and regulating markets and other non- state actors.** The revised context would require, inter alia :

- a smaller, efficient and cost effective public service,

- revitalization and modernization of civil service to enhance its 'capacity',

- a change in the 'mind set' and attitude of the civil servants towards the non- state actors,

- i.e., a role of 'facilitator than frustrator' to private sector initiative.

⇨ Thus the changing institutional context require a significant change in content and quality of the civil service work which can be achieved only through reforms. Hence, the rationale for CSR in the context of SAP.

5. SAP Linked CSR ~ An Outcome Assessment

As part of examining the linkage, it is essential to assess the extent to which the civil service reforms undertaken in the context of SAPs have accomplished their stated objectives:

5.1 Downsizing and Cost Containment

A bird's eye view of the impact of various measures ranging from deghosting to retrenchment in selected countries undertaken between 1981-90 can be seen in the table 2 and the corresponding graph. It may be seen that maximum reduction has taken place in Ghana and Guinea followed by Uganda, Laos and Sri Lanka.

Table 2 : Employment Reduction By Mechanism, Selected Countries, 1981-90

(Number of reductions)

Country	Ghost Removal	Enforced Retirement	Voluntary Departure	Retrench-ment Mechanism	Other	Total
Cameroon	5830	5000	0	0	0	10830
CAR	2950	0	1200	400	0	4550
Congo	0	0	0	0	2848	2848
Gambia	0	0	0	3790	0	3790
Ghana	11000	4235	0	44375	0	59610
Guinea	1091	10236	1744	0	25793	38864
GuineaBissau	800	945	1960	921	0	4626
Laos	0	0	16890	0	0	16890
Mali	0	0	600	0	0	600
Papua N. G.	0	0	0	2300	0	2300
Sao Tom & P	0	0	4	294	0	298
Senegal	497	747	1283	0	0	2527
Sri Lanka	0	30000	0	0	12000	42000
Uganda	20000	0	0	0	0	20000

Source : Nunberg and Nellis (1995)

Chart 3: Employment Reduction between 1981-90
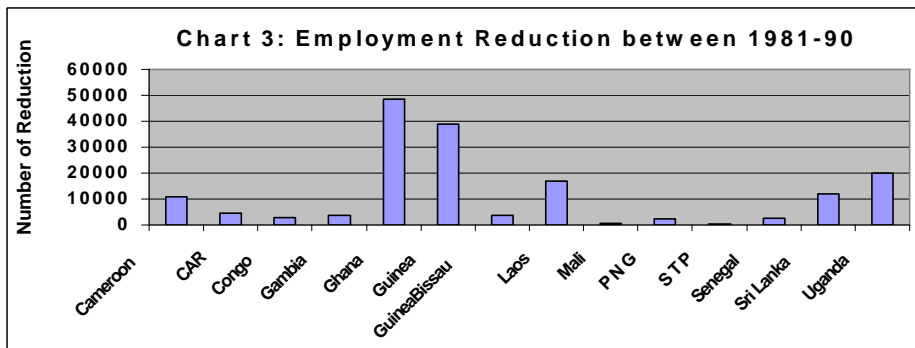
    The impact has not been as positive in respect of the reduction in wage bills. Out of 14 countries reviewed, **Nunberg and Nellis** (1995) found that:

-   Wage bills in 10 countries had actually increased during the period of reforms,

-   Surprisingly, this group included those countries in which the reform programmes had progressed furthest such as Gambia, Ghana and Jamaica,

-   In only 4 countries did the wage bill decline in absolute terms,

• Savings achieved through government cuts were generally not sufficient to pay for the subsequent salary increases awarded to correct the erstwhile wage erosion,

• In most countries, the bulk of those retrenched were from the lower cadres of the service whose salaries were low whereas the cost of their compensation packages was high. Thus the expected savings from retrenchment proved illusive.

fi Thus, efforts in most countries to downsize the number of civil services employees and reduce the wage bill have yielded only modest results.

5.2 Rationalization of Remuneration

5.2.1 Decompression of wages: This was essential in view of the difficulties many of the developing countries especially in Africa were facing in recruitment and retention of higher level competent staff whose salaries had sunk to very low levels of lowest paid employees. To correct this anamoly, the IMF / WB supported programmes of wage decompression. The table 3 shows changes in compression ratio of 14 countries of which three namely **Ghana (6:1 to 10:1), Mozambique (2:1 to 9:1) and Laos (3:1 to 7:1) showed considerable decompression**. Ghana has a target to achieve a ratio of 13:1 (Larbi, 1995). **Remaining ten countries showed compression**. Despite prolonged reform programmes, **compression situation in Gambia and Guinea remain far from satisfaction.**

Table 3: Wage Compression Ratios - Selected Countries

COUNTRY	EARLIEST PERIOD	LATEST PERIOD	REFERENCE PERIOD
C A R	9 : 1	9 : 1	1985-88
Gambia	8 : 1	6 : 1	1985-88
Ghana	6 : 1	10 : 1	1984-92
Guinea	9 : 1	5 : 1	1985-89
Guinea - Bissau	5 : 1	4 : 1	1988-89
Laos	3 : 1	7 : 1	1988-88
Malawi	33 : 1	30 : 1	1975-83
Mauritania	7 : 1	3 : 1	1975-85
Mozambique	2 : 1	9 : 1	1985-90
Niger	18 : 1	15 : 1	1975-85
Nigeria	18 : 1	9 : 1	1975-83
Senegal	8 : 1	6 : 1	1980-85
Sudan	13 : 1	9 : 1	1975-84
Zambia	14 : 1	7 : 1	1975-84

Source: Nunberg and Nellis (1995)

5.2.2 Simplifying the Salary Structure: The idea behind it was to simplify wage structure by reducing the number of salary grades. During the period of reform, it has been noted by that Dominica reduced the number of grades from 100 to 14; Guinea from 19 to 12 (Nunberg and Nellis, 1995), and Ghana from 130 to 12 (Larbi; 98).

5.2.3 Monetising Incentives: Reducing the proportion of pay from non- wage benefits has been an important objective of CSRs, as these benefits constitute a substantial percentage of total compensation. Non-wage benefits as a percentage of total compensation have increased on an average by nearly 8% in CAR, Gambia, Senegal, CAR, Cameroon and Bolivia (Nunberg: 95). It has been noted that Cameroon reduced housing allowances, Guinea eliminated rice rations and Bolivia abolished in special performance premium. However, the aggregate impact of these measures remains negligible.

5.2.4 Salary Supplements: Have been used in Mozambique, Bolivia and Ghana usually to compensate/top up low civil service pay at upper echelons. However, it has been observed that these supplements had corrosive and distorting effect on those who did not benefit from the scheme. Salary supplements, therefore, undermine the possibilities of meaningful structural reform in the longer term.

5.3 Overall Impact of the reform programmes was limited. While there was some reduction in the civil service employment, the fiscal impact was negligible. Reduction in the wage bill, either absolute or relative, did not materialise and attempts to correct distortions in the pay and employment structure through decompression of wages and the rationalization of remuneration had only limited success. Thus, the efficiency gains from the reform in its totality were meager. As Nunberg (1995, p.1) concluded where successful, such reforms have resulted in a 'leaner' state but not necessarily 'meaner' state - a state which can competently formulate policy, implement programmes, and deliver services.

6. Whether or Not the Linkage is a Necessary one

This statement could be argued both ways. Let me put forward arguments of both the sides:

(A) Arguments "FOR"
(Linkage is necessary)
⇨ **CSR as a means of SAP or wider economic reforms**

¥   The 'nature and content' of structural adjustment programs (SAP) and the 'context and constraints' in which these were undertaken, all converged to make civil service reforms (CSR) imperative.

¥   Socio- economic reforms under SAP placed a considerable burden of

responsibilities on the civil service ~ a major machinery for formulation, implementation and evaluation of government policies and programmes. The effective implementation of adjustment programs thus necessitated an efficient, well-trained, well-motivated and well-managed civil service. This was not in place in most of the African countries. It was, therefore, natural for the WB/IMF to create it through CSR if SAPs were to be implemented successfully and their gains to be sustained.

¥ If the economic system required radical changes and reorientation, so did the supporting administrative structures and processes. The civil service and its management cannot be divorced from the socio- cultural context and level of economic development in which they operate (Larbi 1995; p.41).

¥ As already examined in sections 3&4, CSRs in the context of SAP became necessary, just to recapitulate, because of:

• macro economic concerns (Klitgard 1997). Most of the African civil services were oversized and thus represented a budgetary burden on the governments especially in the context of economic decline and increasing budget deficits. One obvious way of redressing the imbalance was to reduce the number of civil servants and their cost, a prominent feature of SAPs (De Merode;1992).

• weak government / civil service capacity was traced as one of the reasons for which SAP in many African countries ran into problems (e.g., ERP in Ghana in 1986). Even the most imaginative structural reform would flounder if it has to be implemented by a civil service that is weak, ineffective and corrupt. So at a minimum, the civil service was to be invested with the capacity to implement, enforce and regulate economic reforms. Any reform has to start with reforming the reformer.

• the 'Crisis of State' - i.e. state in these countries seems to have lost control over its functioning. In Ghana, before the reform, the state was unable to mobilise resources for funding essential services such as basic health and education (Bates & Krueger, 1993 cited in S K Das, 1998). Ghana was illiquid and virtually bankrupt (Larbi, 1995 p.3). In pre-reform Brazil, the economic crisis that drained away the resources of the state also drained its authority, and the administration was no longer in a position to check smuggling and evasion of regulations.

¥ Looking form the other extreme, **adjustment and its conditionalities became a catalyst for CSR** in developing countries. The experience of three countries viz., Ghana, Gambia, and Guinea, which have the longest record of **CSR in Africa points to the fact that CSRs could not have been implemented without the strong donor leverage (S K Das 98; p.48).**

(B) Arguments in " Against"
(Linkage is 'NOT' necessary)
⇨ **CSR as an 'end' in itself rather than means**

¥ CSR is neither a necessary nor a pre-condition for economic growth with equity. Chile slashed the size of its civil service by nearly 60 percent in the 1970s but had a horrific human rights record. The UK and the USA commenced their civil service reforms after attaining mature stage of industrialization. China is one of the world's fastest growing economies despite administrative capacity, capriciousness, and an overcrowded traditional civil service. Similarly, corruption in the Singapore's customs until the early 1980s and police force in Hong Kong till the mid-1970s did not impede their economies from blooming (Klitgard, 1988).

¥ CSR has not been a sufficient condition too, to ensure economic development in the more interventionist states such as Singapore, Malaysia, South Korea and Taiwan to the less interventionist states like Hong Kong and Botswana (Chaudhry et al 1994).

¥ Conversely, CSR does not necessarily need SAP and wider economic reforms triggered by an external (donor) stimuli. It should be undertaken as a 'policy goal' in itself, if these reforms have to be institutionalized and sustained.

¥ CSR in Africa resulted from serious economic crisis and were thus not ends in themselves but directed at supporting (the main) policies for economic stabilization and adjustment. Consequently, these reforms failed to answer the specific governance needs of African countries. (Larbi,1995 p.5)

¥ With CSR pursued as a means/by product of "first generation" SAPs, the most of African countries suffered from the following problems :

⚡ They narrowly focussed on a few areas that were critical to the success of 'adjustment', e.g. 'head - counts', reducing cost etc.,

⚡ They generally, ignored the macro- governance environment and its impact on civil service efficiency,

⚡ As noted in case of Ghana, Gambia and Guinea, and most of the other countries implementing SAP; objectives, content, strategies and even the timing and pace of CSRs were determined externally by donor through conditionalities linked to the lending,

⚡ Thus, they generally ignored the local contexts and constraints and did not allow much freedom and flexibility to customize reforms to the local conditions. Consequently, achieving local ownership, commitment and sustainability for reforms became difficult and added to the weakness of

the linkage,

- CSRs in the context of SAP have not been bold enough to improve incentives meaningfully and they have usually been silent about 'corruption' which has crippled institutional performance in many of the developing countries (Klitgard,1997),

- CSRs were overwhelmingly dominated by the short term efforts in the form of cut-back management at the expense of more fundamental and long term issues of:

  - Building organisational and institutional capacity

  - Manpower planning and control processes

  - Work culture and performance management

  - Management decentralisation and restructuring etc.

  ⇨ **Thus, the donors did not take sufficient advantage of their ability to help governments commit to system- wide civil service reforms.**

⋎ The greatest disadvantage of linking CSR with SAP is that **the SAP framework tends to put emphasis on economic criteria for success.** For example, reduction in numbers and cost of the civil service may be judged as success from adjustment point of view, but this does not necessarily constitute CSR in the sense of creating and maintaining institutional capacity to manage national policies.

⋎ Through SAPs, governments of most developing countries have been subject to pressure to assume an indirect role as enabler and regulator of other actors, but there has been little practical guidance to them on how these 'new' roles are to be performed in their local specific context. **(Batley, 1994).**

⋎ The linkage between the SAP and CSR **had negative impacts too,** such as,

- **a 'newly poor' category has been created in Africa and Latin America** by the shift of employment out of public administration; urban commercial services and protected industries into tradable export goods, generating under employment and drastically lower wages. **(Batley, 1994)**

- **time lag in development of private sector to provide alternative employment** to the retrenched public sector employees has been identified as the major problem in the **ECDPM Consultative Workshop** of 4 countries namely, Ghana, Kenya, Tanzania and Uganda held at Maastricht recently **(Corkery and Land, 1996).**

- **Ad-hoc schemes like monetising incentives, salary supplements and**

decompression of wages have adversely affected the morale of those who did not had access to these benefits.

- Restriction on employment and mass retrenchment of public personnel had adverse effect on motivation, morale and productivity of public personnel **(Adamolekun,** p.109-119 cited in Larbi, 95).

- SAPs have **resulted in decline of per capita expenditure on public** services especially the social services in the Latin America, Africa and Sri Lanka and India in Asia **(Batley 1994).**

- While attempting to address the dual objectives of satisfying the needs of structural adjustment on the one hand and those of institutional capacity on the other, **SAP led CSR give rise to complex institutional issues and policy conflicts (Corkery and Land 1996).** For example,

- Reductions in public expenditure have inevitably focussed on reducing the cost of the civil service. Yet, the changing role of the state with it the changed functions of the civil service has increased the need to strengthen policy management capacity which, in turn, required higher expenditure on " improved pay packages to attract and retain the best professional civil servants".

- Actions to deal with economic problems generally need urgent sharp measures (like retrenchment, cuts) whereas the process of development of institutional capacity is less amenable to this kind of intervention. **Uganda** had achieved its retrenchment target by the end of 1993 but had discovered that economic circumstances would not permit the promised **'living wage'** - until 1997.

- The original SAPs had been worked out between the Ministries of Finance and the external agencies with very little consultation with the ministry concerned with management of civil service. This led to unsatisfactory outcomes and conflicts.

  Thus, it can be said that linkage based on subordinate relationship between SAP and CSR is neither necessary nor desirable (because of its negative effects). CSR could be pursued as an independent goal in its own right.

7. Conclusion and Suggested Approach

7.1 Circumstantial evidence therefore suggests a linkage between structural adjustment programme and civil service reform. Real **civil service reform, however, should not be conceived as one-off response** to an economic crisis nor should it made a subordinate goal to 'structural reforms'. Ideally, **civil service reforms must be seen as an 'end' in itself** rather than just as means to further the adjustment reforms and taken up in its entirety. Various approaches are being suggested and tried in this respect.

7.2 The **World Bank** in its 'second generation' reforms has been emphasizing 'capacity building' and 'home grown' solutions. **Nunberg** calls for deprojectizing CSR, while **Klitgard** (1997) recommends more strategic use of information, incentives and partnerships that encourage productivity, decentralisation and participation and discourage rent seeking and abuse. **Mamadou Dia** (1993) suggests for the 'Governance Approach to civil service reforms'. This approach has been piloted in Gambia. **Ghana** has been implementing a Civil Service Performance Improvement Programme where attention is being paid to self-diagnosis and local participation.

7.3 However, the **'transformational capacity development' (TCD)** approach (**Kiggundu** in Minogu et al., 1998) appears to be the most appropriate one. This is a holistic approach identifying 4 inter-related critical components of transformational CSR namely, **stabilisation, developing a national consensus, promoting good governance and developing civil society** (as depicted in a self-explanatory chart below).
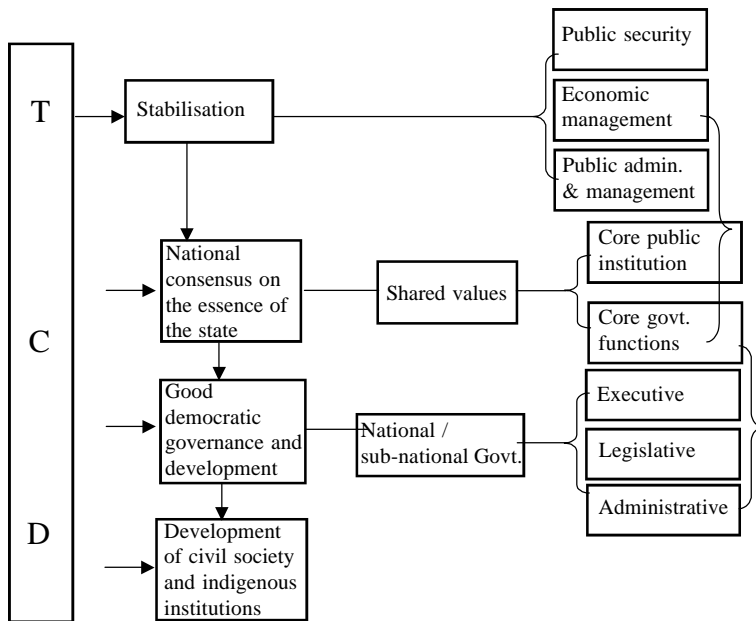

Chart 4 : A Framework for Rethinking Civil Service Reform
(Kiggundu in Minogue et al)

7.4 The TCD approach, as opposed to the transaction, is strategic, interactive, long term, process-oriented, and aims at bringing about changes in values, principles, beliefs, attitudes, systems, structure, behaviour and performance of the entire public sector. **In nutshell, the CSR needs to be system-wide and transformational to make the civil service competent of handling challenges and expectations of its 'principals' during the 21st Century.**

Annexure

BIBLIOGRAPHY

AUTHOR	BOOK/ARTICLE
Adamolekun, L. (1991)	"Public Sector Management Improvement in Sub- Saharan Africa: The World Bank Experience" in Economic Restructuring and African Public Administration by Balogun and Mutahaba
Batley, R. (1994)	"The Consolidation of Adjustment : Implications for Public Administration" in Public Administration and Development, Vol. 14, No. 5, PP. 489-505.
Bienfeld, Manfred (1990)	Notes on Implication and Impact of Structural Adjustment Programmes on Administrative Structures and Public Management in the CAFFARD Proceedings
CAFRAD, Tangier, Morocco (Dec. 90)	Proceedings of Seminar on Implications and Impact of SAPs on Administrative Structure and Public Management
Chaudhry et al, (Ed.) Shahid Amjad (1994)	Civil Service Reform in Latin America and the Caribbean. Proceedings of a conference. World Bank Technical Paper No. 259
Corkery, Joan and Anthony Land (1996)	Civil Service Reform in the Context of Structural Adjustment ~ a Consultative Workshop ECDPM, Maastricht on July 27-28,1995. < http:// www.oneworld.org/ecdpm/pubs/ csrsap.htm >
Das, S. K. (1998)	Civil Service Reform and Structural Adjustment. Oxford University Press.
Dia, Mamadou (1993)	A Governance Approach to Civil Service Reform in Sub- Saharan Africa. World Bank Technical Paper No. 225
Grancelli, Bruno (1999)	"Post Soviet Management : From State Dependency to Entrepreneurship?" in Global Management : Universal Theories and Local Realities by Clegg, Colado and Rodriguez (Eds.)

International Labour Organisation (1995)	Impact of Structural Adjustment in the Public Services (Efficiency, Quality Improvement and Working Conditions), ILO
Kiggundu, Moses N. (1989)	Managing Organizations in Developing Countries - An Operational and Strategic Approach; Chapter 8 and 9
Klitgard, R. (1997)	"Cleaning up and Invigorating the Civil Service" in Public Administration and Development. Vol.17, No. 5, PP. 487-509.
Klitgard, Robert (1988)	Controlling corruption, University of California Press
Larbi, G. A. (1995)	Implications and Impact of Structural Adjustment on the Civil Service: the Case of Ghana. Role of Government in adjusting Economies. Paper 2; University of Birmingham
Larbi, G. A. (1998)	Structural Adjustment and Public Administration Reforms : Class Handout.
Larbi, G. A. and Batley, R. (1998)	Ghana's Governance Sea - Change: Can Structural Adjustment Programmes Advance Civil Service Reforms? < http//www.id21.org >
Merode, Louis De (1996)	"Implementing Civil Service Pay and Employment Reform in Africa - The experiences of Ghana, Gambia and Guinea" in Rehabilitating Government: Pay and Employment Reform in Africa by Lindauer and Nunberg (Eds.)
Minogu, Polidano and Hume (Edited) (1998)	Beyond New Public Management; Chapter 9 (Kiggundu), 10 (McCourt) and 11 (Larbi, G. A.)
Nunberg, B. (1995)	Managing the Civil Service: Lessons from Advanced Industrialized Countries. World Bank Discussion Paper No. 204
Nunberg, B. and Nellis, J. (1995)	Civil Service Reform and the World Bank. World Bank Discussion Paper No. 161
Osborne and Gaebler (1992)	Reinventing Government

Doctrine of Legitimate Expectation
- U.C. Dhyani*

Concept

The Doctrine of Legitimate Expectation is the latest in the list of concepts fashioned by courts for review of administrative action.

A case for legitimate expectation would arise when a body by representation or by past practice aroused expectation which would be within its power to fulfil. The scope of the protection is limited and judicial review is permitted within those limits. A person who pleads his claim on the basis of the doctrine of legitimate expectation must satisfy in the first instance the base and the locus standi to make such a claim.

Requirements

It may arise:

(a) if there is express promise given by the public authority, or

(b) because of the existence of a regular practice which the claimant can reasonably expect to "form a basis for such expectation".

(c) such an expectation may be reasonable but if there is a change in policy or in public interest and the position is altered by a rule or legislation, no question of legitimate expectation would arise.

Under this doctrine even a non-statutory policy or guideline issued by the State would be enforceable against the State, if a person can show that he has been led to take certain action on the basis of or on the legitimate expectation that the Government would abide by such policy or guideline. In such a case, deviation from the policy would be arbitrary and in violation of Article 14.

Genesis

The doctrine of "Legitimate Expectation" has its genesis in the field of administrative law. The Government and its departments, in administering the affairs of the country, are expected to honour their statements of policy or intention and treat the citizens with full personal consideration without any iota of abuse of discretion. The policy statements cannot be disregarded

---

* Additional Secretary, Law, Government of Uttaranchal, Dehradun.

unfairly or applied selectively. Unfairness in the form of unreasonableness is akin to violation of natural justice. It was in this context that the doctrine of "Legitimate Expectation" evolved which has today become a source of substantive as well as procedural rights. But claims based on "Legitimate Expectation" have been held to require reliance on representations and resulting detriment to the claimant in the same way as claims based on promissory estoppel.

Lord Scarman in R.V. Inland Revenue Commissioners ex p. Preston, (1985) AC 835, laid down emphatically that unfairness in the purported exercise of power can amount to an abuse or excess of power. Thus the doctrine of "Legitimate Expectation" has been developed, both in the context of reasonableness and in the context of natural justice.

Scope In English Law

Lord Diplock in Council of Civil Service Unions v. Minister for the Civil Service, (1984)3 All ER 935, laid down that doctrine of "Legitimate Expectation" can be invoked if the decision which is challenged in the court has caused some person aggrieved either (a) by altering rights or obligations of that person, which are enforceable by or against him in private law; or (b) by depriving him of some benefit or advantage which either (i) he had in the past been permitted by the decision-maker to enjoy and which he can legitimately expect to be permitted to continue until there has been communication to him of some rational grounds for withdrawing it on which he has been given an opportunity to comment; or (ii) he has received assurance from the decision-maker that it will not be withdrawn without giving him first an opportunity of advancing reasons for contending that it should not be withdrawn.

Legitimate Expectations V. Strictly Enforceable Rights

In the public law field, individuals may not have strictly enforceable rights but they may have legitimate expectations. The promise of a hearing before a decision is taken may give rise to a legitimate expectation that a hearing will be given. A past practice of consultation before a decision is taken may give rise to an expectation of consultation before any future decision is taken. A promise to confer a substantive right, or past practice of conferring a substantive benefit, may give rise to an expectation that the individual will be given a hearing before a decision is taken not to confer the benefit. The actual enjoyment of a benefit may create a legitimate expectation that the benefit will not be removed without the individual being given a hearing. On occasions, individuals seek to enforce the promise or expectation itself, by claiming that the substantive benefit be conferred. Decisions affecting such legitimate expectations are subject to judicial review[1].

Limitations

If the according of natural justice does not condition the exercise of the power, the concept of legitimate expectation can have no role to play and the court

---

[1] Clive Lewis in "Judicial Remedies in Public Law".

must not usurp the discretion of the public authority which is empowered to take the decisions under law and the court is expected to apply an objective standard which leaves to the deciding authority the full range of choice which the legislature is presumed to have intended. Even in a case where the decision is left entirely to the discretion of the deciding authority without any such legal bounds and if the decision is taken fairly and objectively, the court will not interfere on the ground of procedural fairness to a person whose interest based on legitimate expectation might be affected. For instance, if an authority who has full discretion to grant a licence prefers an existing licence-holder to a new applicant, the decision cannot be interfered with on the ground of legitimate expectation entertained by the new applicant applying the principles of natural justice. It can therefore be seen that legitimate expectation can at the most be one of the grounds which may give rise to judicial review but the granting of relief is very much limited. It would thus appear that there are stronger reasons as to why the legitimate expectation should not be substantively protected than the reasons as to why it should be protected. In other words, such a legal obligation exists whenever the case supporting the same in terms of legal principles of different sorts, is stronger than the case against it.

To strike down the exercise of administrative power solely on the ground of avoiding the disappointment of the legitimate expectations of an individual would be to set the courts adrift on a featureless sea of pragmatism. Moreover, the notion of a legitimate expectation (falling short of a legal right) is too nebulous to form a basis for invalidating the exercise of a power when its exercise otherwise accords with law[2].

A person may have a legitimate expectation of being treated in a certain way by an administrative authority even though he has no legal right in private law to receive such treatment[3].

Although there is an obvious analogy between the doctrine of legitimate expectation and of estoppel, the two are distinct, and detrimental reliance upon the representation is not a necessary ingredient of a legitimate expectation[4].

Consequences

The existence of a legitimate expectation may have a number of different consequences; it may give locus standi to seek leave to apply for judicial review.

It may mean that the authority ought not to act so as to defeat the expectation without some over-riding reason of public policy to justify its doing so or it may mean that, if the authority proposes to defeat a persons'

---

[2] Attorney General for New South Wales v. Quin, (1990) 64 Aust LJR 327.
[3] Hallsbury's Laws of England Vol. (1) 4th Edition pages 151-52.
[4] R.v. Secretary of State for the Home Department, Ex. Khan (1985) 1 All E.R. 40.

legitimate expectation, it must afford him an opportunity to make representation on the matter. Where the expectation arises out of an existing administrative policy, it can only be that the policy for the time being in existence will be fairly applied, and can not be invoked to prevent a change of policy fairly carried out.

Indian Scenario

The Indian scenario in the field of "Legitimate Expectation" is no different. In fact, the Supreme Court, in several of its decisions, has explained the doctrine in no uncertain terms.

In Navjyoti Coop. Group Housing Society and Others v. Union of India and others, (1992) 4 SCC 477, the decision of the House of Lords in Council of Civil Service Unions v. Minister for the Civil Service, (1985) AC 374, was followed and that decision was summarised in the following words:-

"It has been held in the said decision that an aggrieved person was entitled to judicial review if he could show that a decision of the public authority affected him of some benefit or advantage which in the past he had been permitted to continue to enjoy either until he was given reasons for withdrawal and the opportunity to comment on such reasons."

Hon'ble Supreme Court further observed as under:-

"The existence of 'legitimate expectation' may have a number of different consequences and one of such consequences is that the authority ought not to act to defeat the 'legitimate expectation' without some over-riding reason of public policy to justify its doing so. In a case of 'legitimate expectation' if the authority proposes to defeat a person's 'legitimate expectation' it should afford him an opportunity to make representations in the matter."

In Food Corporation of India v. M/s. Kamdhenu Cattle Field Industries, (1993)1 SCC 71, it was held that in all State actions, the State has to conform to Article 14 of the Constitution of which non-arbitrariness is a significant facet. It was further observed that there is no unfettered discretion in public law and a public authority possesses powers only to use them for public good.

In Union of India and others v. Hindustan Development Corporation and others, (1993) 3 SCC 499, the meaning of word "Legitimate Expectation" was again considered.

This doctrine was reiterated in M.P. 011 Extraction and another v. State of M.P. and others, (1997) 7 SCC 592, in which it was also laid down that though the doctrine of "Legitimate Expectation" is essentially procedural in character and assures fair play in administrative action, it may, in a given situation, be enforced as a substantive right.

Applying the principles in civil appeal no. 4483 of 1998, National

Buildings Construction Corporation v. S. Raghunathan and others (decided on Aug. 28, 1998), the Hon'ble Supreme Court held that the agreement or the contract of service executed between the respondents and the NBCC does not stipulate payment of foreign allowance to them. Foreign Allowance was not one of the allowances mentioned in the terms of deputation. In other words, Foreign Allowance was not one of the allowances which was promised to be paid to the respondents at the time of their induction in the service of NBCC nor had NBCC, at any time, given any assurance to any of the respondents that this allowance would be payable to them at the revised rate. It was observed that the respondents were inducted into NBCC on deputation and, therefore, NBCC had agreed to pay them the deputation (Duty) allowance, and with regard to this allowance or, for that matter, any other allowance (but for Foreign Allowance), there is no dispute between the parties involved and the only question left to be answered was whether the respondents were entitled to payment of Foreign Allowance payable at the rate of 125% of the revised basic pay and further, whether merely on the basis of the doctrine of "Legitimate Expectation" the claim of the respondents were justified.

Legitimate expectation of foreign alien that residence permit will not be revoked before expiry, but not of renewal, legitimate expectation that winner of trade union election would be confirmed in his post by relevant committee were the cases decided by the courts. It was held in R. V. Bristol City Council, Ex p. Pearce (1985) 83 L.G.R. 711, that where there has previously been no general system of control, an existing trader does not have a legitimate expectation of being granted a licence when such a system is introduced. Even legitimate expectation can not preclude legislation.

Due consideration of every legitimate expectation in the decision making process is a requirement of the rule of non-arbitrariness and, therefore, this also is a norm to be observed by the Chief Justice of India in recommending appointments to the Supreme Court. Obviously, this factor applies only to those considered suitable and at least equally meritorious by the Chief Justice of India, for appointment to the Supreme Court[5].

In Km. Shrilekha Vidyarthi v. State of U.P., (1991) 1 SCC 212 the Supreme Court has taken the view that a change in policy should not be done arbitrarily. However, the principle of non-arbitrariness can not apply to a change of policy by legislation[6].

A reasonable or legitimate expectation of a citizen, may not by itself be a distinct enforceable right, but failure to consider and give due weight to it may render the decision arbitrary. It forms part of the principle of non-arbitrariness, a necessary concomitant of the rule of law[7].

---

[5] Supreme Court Advocates-on-Record Assn. v. Union of India, (1993) 4 SCC 441.

[6] Madras City Wine Merchant's Assn. v. State of Tamilnadu (1994) 5 SCC 509.

[7] Food Corporation of India v. M/s. Kamdhenu Cattle Field Industries, (1993) ISCC 71.

It is to be determined not according to the claimant's perception but in the larger public interest wherein other more important considerations may outweigh what would otherwise have been the legitimate expectation of the claimant. The doctrine, thus, gets assimilated in the rule of law and operates in our legal system in this manner[8].

It follows that the concept of legitimate expectation is "not the key which unlocks the treasury of natural justice and it ought not to unlock the gates which shuts the court out of review on the merits," particularly when the element of speculation and uncertainty is inherent in that very concept[9].

In a nut-shell, it is not possible to give an exhaustive list of the forms of the Doctrine in the context of vast and fast expansion of the governmental activities. They shift and change so fast that the start of our list would be obsolete before we reach the middle. By and large they arise in cases of promotions which are expected in normal course, though not guaranteed by way of a statutory right, in cases of contracts, distribution of largesse by the government discretionary grant of licences, permits and in somewhat similar situations.

---

[8] Supra
[9] Union of India and others v. Hindustan Development Corporation, (1993) 3 SCC 499.

Lo.kZ t;Urh xke Lojkstxkj ;kstuk dh
I Qyrk dh dgkuh
*& ve`r vfHktkr**

Hkkjr ljdkj us1-4-1999 Isxjhch mUewyu dh iwnzsapykbZtkjgh Lojkstxkj I`tu dh IeLr ;kstukvkadksIeklr dj ,dvR;Ur egRokadka{kh ;kstuk PLo.kZt;rh xke fodkl ;kstuaP ds uke Is itjEHk dh] ftleaxkeh.k vpykearLo;a lgk;rk lewgkadsek/;e Isxxeh.k.kkads Lojkstxkj eaLFkkfir djusij cy fn;k x;kA ;kstuk dslEcU/kea;g Ikp jgh g$fd xteh.k xjhckeaJe ,oalaxBudsek/;e IsmUgam|ehcuk;k tk Idrk g$A ,dr jg dh ekuflcdrk vkfFkkd ,oalkekftcd Lrj dsykxkadksviuh Ifo/kkud kj fu;ekoyh r$;kj dj laxBrr fd;k tk;svkSj mUgaviuh NkbVh&NkVh cprkadsek/;e IsLokoyEch cukrsgq ___.k ,oavuqnku ds :i eavkfFkkd enn djrsgq Lojkstxkj eaLFkkfir fd;k tk;A

;kstuk ds'kqHkkjEHk djusea tuin eadbZekg rd ekxZfun?kkadsIEcU/kea Ågkikhg dh fLFkfir cuh jgh A blh Øe ea26 tw 1999 dksigyh ckj e[; fodkl vf/kdkjh] ifj;kstuk fun'kd MhOvkjOMhO,0] vxzkh ftjk ircU/kd ,oaftyk ircU/kd ukckMZ dksejiB ea if'k{k.k.k fn;k x;k A blds i'pkr [k.M&fodkl vf/kdkjh;kJ Igk;d fodkl vf/kdkjh;kJ 'kk[kk ircU/kka ,oaØekxr foHkkxkads vf/kdkjh;adks fodkl &[k.M ,oa tuin Lrj ij fHkUu&fHkUu frfFk;ka ea if'k{k.k.k fn;k x;k A if'k{k.k.k ds nk$jku ;kstuk dseq[; fcUnqvkadh LykbMr.$kj dj vkojg$M itstDVj dk mi;kx fd;k x;k A blds vfrfjDr fodkl &[k.M.Mka ij vk;kftr gkusokyh LVkQ cBdkaeaHkh MhivkjjhMhñ,ñ dh Vhe }kjk [kklrk$j Isxke iiqk;r fodkl vf/kdkjh;adksif'kf{kr djusdslIkFk&IkFk mudh ftKklkdkvkadk lek/kku Hkh fd;k x;k A bI itjfEHkd if'k{k.k.k ds i'pkr ;g vu¡yko fd;k x;k fd ;kstuk Is tM$+ vf/kdkfj;kJ@deipkfj;adks;kstuk dh foLr`r tkudkjh ugh gksikbzlgSvkSj cgr Isfc#Unqvkaij Hke dh fLFkfir cuh gqbZlgSA ftl dsdkj.k ;kstuk dk itjEHk le; Isughagksik jgk Fkk A mijkDr leL;k dsfunku dsfy;aifj;kstuk fun'kd ,oamudsLVkQ }kjk fodkl &[k.M.Mka ij vk;kftr gkusokyh chñ,yñchñlhñ rFkk ,lñthñ,lñ¡ok¡i lfefr;adh cBdkaeaØekxr foHkkxka dslIkFk eaydj foLr`r fopkj&foe'kZfd;k x;k rFkk ,;kstuk dsekxZfun?kk Hkh 'kk[kk ircU/kdka dks miyC/k djk;s x;s A blds QyLo: i ;kstuk ds IEcU/k ea lHkh IEcfU/krka dks Li"V tkudkjh gks Ik dhA

fØ;kdykikadk p;u%

eFkqjk] Hkxoku Jhd".k dh tUeLFkyh ,oaØhMkLFkyh g$A ,dk ekU; g$fd Hkxoku d".k us;gka Lo;axk; pjk;h Fkh A ;gka dsfuoklh h vkt Hkh HkkoukRed : i Isi'kqikyu IstM$+gq g$A cat dk fo'o ifl) i$Mk;gka dsnq/k mRiknu dk ,d mRd"V uewuk g$A n$k dh jkt/kkuh

---

*eq[; fodkl vf/kdkjh] eFkqjkA

Lo.kZ t;Urh xke Lojkstxkj ;kstuk dh I Qyrk dh dgkuh

fnYyh tuin dsfudV gS,oajsy ekxZrFkk I Mcl ekxZl slh/kstM-gkusdsdkj.k I Cth] Qyk]
iÏ|ikrFkk vU; mRiknkadsfoi.ku esaec[; Hkwfedk dk fuozgu djrh gSA I erqgkadsfy;se[;
fØ;kdykikadsp;u djrs I e; bl ckr dks nf"Vxr j[krs gq Mjh m|ox dk ie[k
fØ;kdyki ds: iesp;u fd;k x;k A bl dsvfrfjDr tuin dsvU; fØ;kdyikenajkeukeh
niÏVΗsdh Nikb] I sye iRFkj I sefrlZcukusdk dk;] dBhekyk] rgyh dh ekyk] rkfM+k cukus
dk dk;] jMheM diMkadh fl ykb] gSMywe dk dk;] fcNpvk cukuk] vaxBh cukusdk dk;l ,oa
I Cth] Qy iÏi mRiknu p;u fd;k x;k A ec[; fØ;kdykikadsp;u esaLFkkuh; cktkj dh
vko'; drkvkj ijEijkxr 0;ol k;ka,oaddPpseky dh miyC/krk dk fo'ks"k /; ku j[kk x;k gSA
bl dsvfrfjDr tgkavko'; drk eglwl dh xbZlogkaLFkkuh; xkeh.kka I sHkh fopkj foe'kZfd;k
x;k A

I erg xBu%

I erg xBu dk dk;Z ,d Ie;c) ,oal fu;kftr ;kstuk dsrgr ekg vDVwcj 1999 Is
iÏjEHkk fd;k x;k A uohu I erg xBu ds I kFkk& I kFkk Mokdjkk ds I fØ; I erqgkadskHkh Lo; a
I gk;rk I erqgkeaifjofrZr djukds izLkl fd, rFkk Mokdjkk ds 33 I erqgkadkLo; al gk;rk
I erqgkeaifjofrZr fd;k x;k A I erqgkadxBu esaifi"ku i/kku ekufl drk] tkfrxr }'kk] efgykvka
dk ?kj I sckgj u fudyuk rFkk LFkkuh; jktuhfr vkM-vk jgh Fkh A ec[; fodkl vf/kdkjh]
ifj;kstuk funs'kd MhñvkjñMhñ,ñ ,oamudsLVkQ }kjk [k.M fodkl vf/kdkfj;kadksl kFkk ydj
xfBr gkus okys I erqgkadsxkekadk Hkxe.k fd;k x;k rFkk I erg ds I nL;kadks;kstuk dsykHkk
crk;s x;sA tuin dsmPp vf/kdkfj;kadsI Eidzldjukdsdkj.k rFkk I erg dsI nL;kadsI
I h/ksI0kn gkusdsdkj.k miijkDr ck/kk,ajnj gbZigÏ A bl iodkj I erg dsxBu dk dk;Zfof/kor iÏjEHk gks I dk A I erqgk dh
I fjo/kk dsfy;sMhñvkjñMhñ,ñ }kjk I nL;kadh ikl cqd] dk;Zbkgh jftLVj] __.k cpr jftLVj
,oamejeuk fu;ekoyh bR;kfn miyC/k djkbzlxbZA xfBr I erqgkausviuh I fo/kkuqdj fu;ekoyh
dksifjofrZr djdsvxhdr fd;k A bl iodkj 31 ekpZ2001 rd 242 I erqgk dk xBu fd;k
x;kA

I eh{kk ,oaxfMMx%

[k.M&fodkl vf/kdkfj;kadh iR;;d I Irkg vk;kftr cÏd esal erg xBu ,oal erqgkadk
cakdkesa[kkrrk [kksyusvkfn dh I eh{kk dh xbZA yfdu bl dsifj.kke cgqr mRl kgo/kZd ugha
jgsA fodkl &[k.M Lrj ij vk;kftr gkus okyh chñ,yñchñ,ñ ,oa fodkl &[k.M Lrjh;
,lñ thñ,lñ ñokbZ I sfefr;kadh cÏd esac§d vf/kdkfj;kadsvfrfjDr I erg dsv/;{k] dks"kk/;{k
ds I kFkk I EcfU/kr xke iz/kku r fodkl vf/kdkfj;kadsc qyk;k x;k vk§ muls I erqgk dh
,d&,d djukl eh{kk dh xbZA dN xke izpk;r fodkl vf/kdkfj;k,oac§d vf/kdkfj;kds
}kjk de : fp inf'kZr djukds dkj.k chñ,yñchñ lh dh cÏdkesa I oZIEefr I siÏ;d
vf/kdkjh@deipkjh dks,d I erg vxhdr djukdk fu.kZ fy;k x;k A vxhdr fd;sx;sl erqgk
dh iwkZftEeankjh ¼cÏd dh dk;bkgh I sydj vkiihyu&nu ,oac§d I sI EidlZ I EcfU/kr
vf/kdkfj;kadksl kiih x;h] ftl dh I eh{kk ekg Qjojh ,oaekpZesaifrfnu njiHkk"k ij 'kke
4-00 ctsls6-00 ctsdschp fodkl &[k.Mokj ij dh xbZA tuin esaxfBr fd;sx;sdqy
242 I erqgk esafoRrh; o"kZ dsvUr rd 209 I erqgk dh xfMx dh xbZA fjokfYox Q.M ds
LFkkukUrfjr djukesadqN 'kk[kkka icll/kddks }kjk foRrh; ifØ;k I EcfU/kh tfVyrkvka I svoxr
djk;k x;k ftl sfryk fodkl icll/kd ukckMZ] vxzkh ftyk icll/kd ,oaftyk I eUo; dkads
ek/;e I snnj djk;k tk I dk A bl iodkj foRrh; o"kZ dsvUr rd 209 I erqgk dksfjokfYox
Q.M miiY/k djk;k x;k A

fo'k"k f'kfoj%

I erqgkadh f}rh; xfMx ,oa __.k iÏFkkuk&i=kadsiä'.k k dsfy;sfo'k"k f'kfojkadk vk;kstu

fd;k x;k A 109 lewgkads__.k itkFkLuk&i= cfid 'kk[kkvkadksHkstsx;sA __.k itkFkLuk&i=kads
fuLrkj.k ds fy;s [k.M&fodkI vf/kdkfj;kads IkFk&IkFk ,dls 'kk[kk icU/kdka dh cBd
vk;kftr dh xbZtksfd lewgka dks__.k nusea: fp ugh ysjgsFksA I eh{kk dsnkkjku ,dlsrF;
ilkk'k esavk;stkscfid ,oa[k.M&fodkI vf/kdkfj;kadse/; vgadsVdjko IsI EcfUl/kr FksA
bruk gh ugh dftl cfid vf/kdkjh vius[k.M fodkI vf/kdkjh dksigpkursrd ugh FksA fo'k'k
f'kfojkadsi'pkr cfid vf/kdkfj;kadsnf'Vdksk esaifjorLu vk;k vkgj o"kZdsvUrrd 66 lewgka
dksfoRr ikf'kr djk;k x;k A

lewg I Qyrk%

cfid }kjk foRr ikf'kr djusdsi'pkr Lojkstxkfj;kausLo;a l gk;rk lewgkaeafnu ifrfnu
u;svuqHko ,oafo'okl dslkFk dk;Zdjuk 'kq fd;k A NkNVh&ekNVh f'kdkf;rka,oavki kh fookn
dspyrsdHkh&dHkh ,Slh fLFkfr Hkh mRiUu gbZftl IsyxkI fd dfN lewg VVV tk;axsA yfdu
vU; lewgka dh IQyrk dksnf[kdj bl idkj dk okrkoj.k Isfr gavk ftl Is vkil ea
cBddj fookn gh ugh fuiVk;sx;s] cfYd vU; lewgkadsxBu dk ekxZHkh iz'kLr gavk A lewgka
dh efgyk,¡ tks lewg xBu Isinz viuh ckr djusea fgpdus ds IkFk&IkFk inkziFkk tSIs
dghfr;ka Isxfl r Fkh]osvkt viuslewg] ifjokj ,oaxkka dh IeL;kvkatSIslk{kjrk] LokLF;]
fodkI ds IEcU/k eaHkh: fp yqdj funku dsfy;s IEcfU/kr foHkkxkadksl g;kx djusyxh gaA
efgyk lewgkads InL;kadsosfir tks dfN fnu iuzlewg xBu dksydkj viuh ifRu;ka dk
fojk/k dj jgsFksosHkh vkt muds l g;kxh ds: i eaHkkfedk vnk dj jgsgaA tuin dsdfN
lewg tSIs dUBhekyk] Isye ifRFkj dh efrzl cukuk] njh cukuk] rkfM+k cukuk] Qy ,oalCth
mRiknku] jkeukeh niVVVk Nikbl] rqyfl h dh ekyk cukuk vkfn vxzkh Hkfedk vnk dj jgsgaA
bu lewgkausvuif'{kr y{; Isvf/kd ykHkkk dekdj tuin dsfy;s,,d mnkgj.k iLrqr fd;k gaA
buds }kjk fufeZr I keku Mhavkjkhnhth,a ds I g;kx IsjkT; Lrjh; esyk y[kuÅ] ivuk ¼fcgkj½
esyk] bykgkckcn dEHk esyk] rkt egkRl o vkxjk ,oaLFkkuh; esykea,fcØh djk;h xbZftl Is
mUgasykHk ds IkFk&IkFk u;scktktj dh tkudkjh Hkh gbZA

voLFkkiuk Ifo̱k,%

;kstuk ds vUrxZr itfofkkfur voLFkkiuk Ifo/kkvka ea p;fur eq[; fØ;kdykika dks
vf/kd mi;kxh cukusdsmnns'; Isi'kjkydkadkscqgrj fpfdRIk Ifo/kk dsfy;snl i'kqlok
dUnka dk fuekZk] mÙk/k mRiknud Igdkjh I?kh] eFkjk dsl g;kx Is50 ubZmÙk/k Ifefr;kadk
xBu] IkFk gh vU; 0;olk;ka Is tM+lewgkadsfy;sodZMÙkka dk fuekZk djk;k x;k A vkt
tuin dsvf/kdkak lewg vius Is IEcfUl/kr Ifo/kkvka dk ykHk ysjgsgaA

__.k vnk;xh%

tuin eaykHkkkfUor 66 lewgka }kjk __.k okilh dk eY;kdu ekg twu 2001 eadjk;k
x;kA ,d&nksekeykadksNkM+dj vf/kdkak lewgkeafu/kkfjr ekx Isvf/kd olẖyh vk jgh gaA
__.k forj.k Isinzvf/kdkak 'kk[kk&icU/kdkadk ;g vfHker Fkk fd ;s;kstuk mRrrj itk'k@fcgkj
eaugh py l dxh] yfdu lewgka }kjk fd;stktjgsfØ;kdyki ,oamudh __.k okilh Isyxk;s
x;sd;kl ka ifj ikuh fuØj x;k A bl Is;g dgkor v{kjk'k%pfjrkFkZgksrh gSfd %

ßdk&u dgrk gSfd vkIeaNn ugh gksI drk]
,d iRFkj rks rfc;r Is mNkyks;kjksAÞ

bl iodkj tuin eFkjgk eaLo.kZ t;rh xke Lojkstxkj ;kstuk dsvUrxrZ o"kZ dsvUr ea 66 I eugkadks foRrh; ikf"kr djk;k x;k A vk;qOr] xkE;&fodkl] mñiñ ds i=kad 1872@,I th,I okbZ@2001 fnukad 29-5-2001 }kjk ;kstuk dh I eeh{kk tkjh dh xbZ rks Kkr gaqvk fd inś e adoy 22 tuinkusI eug eaLojkstxkjh ykHkkfUor djk;sgaŚftuea eFkjgk inś k ikFke LFkku ij ik;k x;k A bl I Qyrk dsfy;sI eLkr [k.M&fodkl vf/kdkfj;ka,oacśd 'kk[kk&iaicU/kdka dh ,d dk;Zkkyk vk;ksftr dj vPNk dk;Z djus okys [k.M&fodkl vf/kdkfj;ka,oa 'kk[kk icU/kdakdksI Eekfur Hkh fd;k x;k A bl eankksjk; ugh gSfd Lo.kZ t;rh xke Lojkstxkj ;kstuk xjhch mUewyu dh vR;Ur egRokdka{kh ;kstuk gŚ;fn djus vkŚ djus okys ykx yxu] fu"Bk vkŚ ifjJe I sdk;Z djaarks dfBu I sdfBu dk;Z dks Hkh cMh I jyrk I svatke fn;k tk I drk gSA bl dsdkjsafdl I usdgk Hkh gSfd%

**ßikś"k dh HkVVh eariidj QkSykn ekā I k xyrk gSA
Je'khy HkkjtkvkeaQ dj I kxj Hkh ry mxyrk gSAÞ**

vr%;fn tuin eFkjgk ds vf/kdkjh fI QZ vf/kdkjh gh cusjgrs rks 'kk;n tuin ds fodkl ,oa ;kstuk dh I Qyrk dh dYiuk djuk vfr'k;ksfDr gkrh] ijUrq tuin ds vf/kdkfj;ka usturk dk fe= cudj mudh LFkkuh; vko';drkvkiÍkfkdykka,oafodkl dh I EHkkoukvkadk xgurk I sv/;;u djrsgqq xkeh.kka dseu efLr"d ,oagn; eafNis'kkUr ,oa erik;%TokykeqDkh eafoLQkV dj mudh vkUrfjd 'kfDr dks tkxr dj fn;k gSA tuin ea Lo.kZ t;Urh xke Lojkstxkj ;kstuk dsek/;e I sfodkl ,oaixfr dsiFk dksiÍkLr djrsgqq fodkI dh efUty dh vkŚ dNÍ ix vkxsc<+pqdsgŚ ftsifujUrj tkjh j[kusdh vko';drk gSA ;gh gStuin dsfodkl ,oa;kstuk dh I Qyrk dk jkt A

I Qyrk dh cgkuh

1& I eug dk uke	%	Lo;a I gk;rk I eug uñ Hkkkstiiÿ ¼fxj/kjiiÿ½
2& fodkI [k.M	%	eFkjgk] tuin&eFkjgk
3& v/;{kk dk uke	%	Jherh ilik npoh iRuh cukeh
4& fØ;kdyki	%	d.Bhekyk
5& I nL; I [;k	%	12] vuqIÛ tkfr ¼I I ¼E & 12] efgyk I [;k 12
6& inRr __.k	%	#¼E 62500&00] vuqnku #¼E 62500&00

uxyk Hkkkstiiÿ] xke ipk;r fxj/kjiiÿ] fodkI &[k.M eFkjgk eaeFkjgk I ka[k jkM I ij ftyk e{;ky; I sdjhhc 8 fdÆEÆ dh njjh ij fLFkr gSA eFkjgk I a[k jkM I s1 fdÆ ehEÆ fy;nd jkM I ij pyusdsckn] uÆ Hkkkstiiÿ eatkVo cLrh dsyxHkx 60 ifjokj fuokI djrsgŚA

fodkI dk;kidh tkudkjh grq{k= Hke.k dksnkŚku ,d fnu [k.M&fodkI vf/kdkjh ,oa Jh I¼kjke 'kek]I gk;d fodkI vf/kdkjh ¼vkbÆ,I Æh¼E½ xkp uÆ Hkkkstiiÿ igpdj fodkI dk;kidh tkudkjh nrsgqq xkeh.kka I sckrphr dj jgs Fks A bI h e/; Lo.k t;Urh xke Lojkstxkj ;kstuk dsvUrxr Lo%jkstxkj LFkkfir djusdsfy, Lo;a I gk;rk I eugkadsxBu ds ckjseatkudkjh nh A iÿjh ckr I qidj Jherh ilikdnoh tksbl h xkp eaplÍkh igukusdk dk;Z djrh Fkh] usviuh mRI qdrk izdV dh rFkk mI uscrk;k bI xkp dsvf/kdrj ykx 'kgj ea

etmjh dsfy, l¢g fudy tkrsg§vk§ efgyk;ajkVh cukusdsckn fcuk dk;ldscBh jgrh g§A dloy etmjh dh vkenuh lsifjokjka dk xqtkjk lgh : i lsughagksik jgk g§vk§ vf/kdrj ifjokjkaeai¶sdh rxh dsdkj.k cPpkadsikyuik¶k.k ,oaf'k{kk fnykuseacMh dfBukbl vk jgh g§ vxj fdlh fnu iwkl tkudkjh nh tk, rksbl xkp dh efgyk;aviuk jkstxkj LFkkfir dj ifjokj dsfy, vkfFkd : i lslgk;d gksldrh g§A fopkj foe'kldks mijkKUr fnukad 10-07-99 dksikr% 10%00 ctsiljik ds?kj ij efgykvkadh ,d fo'k¶k cBd vk;ksftr djuscdk fu.kZ fy;k x;k A

iwoZfu/kkZfjr frfFk dksxkKe dsJh jkef[kykyMH¼ xkKe ipk;r fodkl vf/kdkjh usefgykvka dksJherh ifjik dslg;kx lsmuds?kj ij cBd grq,d= fd;k A Jh l¶kjjke 'kekl lgk;d fodkl vf/kdkjh¼ vkboÆ, lEchCE½ ¼jkj cBd eamifLFkr lHkh efgykvkalsifjp; fd;k ,oaLo.kZ tUrh xkKe Lojkstxkj ;kstuk dsvUrxlr Lo;algk;rk&leg xBu djukdh vko';;drk ,oa ifØ;k dsdkjksealsfoLrkjiwod crk;k A ;kstuk dslE>usdsckn mifLFkr efgykvkaeals12 efgyk;alemg xBu dksr§kj gksx;h ,oamUgkasusLo;algk;rk lemg uCHkkstijj ¼fxj/kjij½ dks uke lslemg dk xBu dj fy;k ftlealeJherh ifjiknoh iRuh cukeh mez 30 o"kZ tksfd lk{kj g§ dkslolEefr lsviuslemg dh v/;{k ,oaJherh yrk iRuh ykyflag] mez 21 o"kZ tksfd lk{kj g§ lemg dh dk"kk/;{k ds: i eaeukuhr fd;k A bl dsvfrfjDr fuEu efgyk;alemg dh lnL; g&&

1- Jherh ehjknoh iRuh vkndkj flag] mez 27 o"kZ

2- Jherh : ekyh nnoh iRuh dey flag] mez 30 o"kZ

3- Jherh pUnnorh iRuh rst flag] mez 30 o"kZ

4- Jherh ehuk nnoh iRuh t; flag] mez 28 o"kZ

5- Jherh O;yu nnoh iRuh [kepUn] mez 30 o"kZ

6- Jherh dey¶k iRuh fo".kkj] mez 28 o"kZ

7- Jherh xMMh iRuh v'kkad] mez 27 o"kZ

8- Jherh l jorh iRuh O;y flag] mez 35 o"kZ

9- Jherh xMMh iRuh txnh'k] mez 26 o"kZ

10- Jherh jrun noh iRuh vkeindk'k] mez 32 o"kZ

blh fnu lemg usviuh fu;ekoyh cuk;h ,oaHkkjrh; LVV cSd ¼dCEfoCE'kkCE½ eFkjjk ea v/;{k ,oadk"kkk/;{k dsuke lamDr : i lslemg dk [kkrk [kksyk x;k A lemg dsifr lnL; }kjk ifrekg 100-00 #i;k tek fd;k tkrk g§vkã§ lemg dh cBd iR;d ekg dh 10 rkjh[k dksgksrh g§ ftsealemg viuh dfBukb;ka,oaifØ;kdyikia ij fopkj&foe'kZ djrsg§A lemg usiFke : i lsviusifjokj dslnL;kalsefnjkiku ,oa/kweiku NMusdk lcdYi fy;k] ftldk dkOh fojks/k fd;k x;k vkÙ§ lemg dksrkMuk,oa/keckus dh dk;ksbkgh dh x;h A v/;{k ,oa dk"kkk/;{k dsvdycsfd ,oafodkl [k.M tkusij Nh£kd'kh dh tkrh jgh] yfdu bu lc ckrka dh ijokg u djdsJherh ifjiknoh viuslemg dsdk;Zyxkrkj djrh jgh A lemg lslac/kr

ifjokjka esa dkbZ vkifRr ;k I dV vkrk rks si{iknph muds?kj igo dj I gku|kfr i dV djrh
,oafdl h ifjokj dkschekjh dsbykt ,oa'kknh bR;kfn grqi§dh vko'; drk gkrh rks leq
dh vk; ealvko'; drku| kj 2-00 #i;k ifr I §dMk dh nj Is/kujkf'k nrh ftl dh okilh
iR;d ekg dh cpr /kujkf'k dslkFk fdLrka esa dh tkrh A bu I Hkh ckrka Is leq dsifjokjka
dslnL;ka dsfny ea Jherh i|ik noh us viuk LFkku cuk fy;k vk§ os I Hkh IuL; IPpsgn;
I s i|ik noh dk IkFk nusyxs ,oa I dh I Hkh ckrka dks ekuusyxs A

leq dh cpr #Œ 7200-00 gkusij ,d fnu Jh gfjukFk fl eq] [k.M&fodkl vf/kdkjh ,oa
Jh I q[kjke 'keku] I gk;d fodkl vf&kdkjh ¼vkbIE,I Ch¼E½ us leq dh cØd eaHkkkx fy;kA
cØd eal eLer mifLFkr IuL;kaus[k.M&fodkl vf/kdkjh Is leq dsfy, vkfFkd I gk;rk nus
grq vujks/k fd;k rks I gk;d fodkl vf/kdkjh ¼vkbIE,I Ch½ us dsLer InL;ka Is
i§Nk fd vki dk&u Ik dk;Zviu us leq eadj I drh g§ ftl dsfy, ,& 'kk[kk I s_.k fnyk;k
tk; vk§ 'kkI u&Lrj Isvk/kk vunku tksfd vf/kdre 1-25 yk[k g§] fnyk;k tk;,] rks Jherh
i|ik noh us crk;k fd leq d.Bh&ekyk dk dk;Z dj I drk g§ D;kfd ge Vkbl e eaa
d.Bh&ekyk dk if'k{kk i§dr dj pqdh g§A [k.M&fodkl vf/kdkjh us xke iq§k;r fodkl
vf/kdkjh dks leq ds _.k i§FkkLuk&i= r§kj djus dsfun§Zk fn;s A

fnukad 26-02-2000 dksfodkl &[k.M dk;kZy; Is leq dk _.k i§FkkLuk&i= d.Bh&ekyk
fØ;kdyki grq;kstuk ykxr 1-25 yk[k ftl ea #Œ 62500-00 _.k ,oa #Œ 62500-00 vunku
grqHkkkjrh; LVsV c§d ¼dEfoØE'kkkE½ eFkkjk dksHkstk x;k A c§d 'kk[kk }kjk leq dk lo§ddjus
dsmijkr mDr fØ;kdyki grq_.k i§FkkLuk&i= Lohdr dj fn;k rFkk _.k dh iFke fdLr
#Œ 20000-00 fnukad 27-03-2000 dks voeqDr dj nh x;h A bl /kujkf'k Is leq us
d.Bh&ekyk r§kj dj eFkkjk 'kgj ea}kjfdk/kh'k efUnj dsikI ckrkj eaiqdunkjka IsIEidZ
dj eky cpuk 'kq dj fn;k] yfdu bl Is leq dh InL;kadks20-00 #Œ ifrfnu ifr InL;
feyrsFksA leq dh vko'; drkvkadksns[krsgq] ,oackStkj eapkunh dsrkjka Iscuh ekyk dh
ekx dksns[krsgq] leq usfu.kZ fy;sfd c§d Isf'krh; fdLr ds: i ea#Œ 60000-00 vk§
fudkys tk,] ftl Isfd pkunh dh ekyk;ar§kj dh tk I dA leq dsfu.kZkuqlkj vc leq
}kjk pkunh dsrkjka Iscuh gbZekyk;a ,oackStkuV okyh ekyk;ar§kj dj cph tk jgh g§ftl Is
leq dsiR;d InL; dksdjhc #Œ 60-00 ifrfnu dk ykHk fey jgk g§A leq dsInL;kausegur dj vf/kdrj viusedku
iDdscuok fy;sgSa§vk§ mudsjgu&I gu dsLrj eaxqkkRed I q/kkj gqvk g§A leq }kjk eFkkjk eFkkjk
vkxjk) y[kuÅ) bykgkckn vkfn 'kgjka eagyxusokysesykea Hkh leq }kjk fufe£r ekykvka dh
fcØh dh tkrh g§A bl o"kZyxuusokysdHkh ekysaa ek= ikp fnu ealeq dh #Œ 5500-00 dh
ekyk;a caph x;h A vkfFkd I q&kkj dsvfrfjDr leq dh efgykvkadk IkekftdLrj ij IEiwkZ
fodkl gqvk g§A vc leq dsifjokjka dkbZHkh InL; nq);u dk f'kdkj ugh g§A leq ea
Jherh ehjk noh iRuh vkokdj fl §g dk vkokI iDdk ugh cu ik;k Fkk ftl Is Jherh i|ik noh
us[k.M&fodkl vf/kdkjh ,oa'kkk[kk i§cU/kd IsIEidZdj ØfMV de IfC'kMh vkokI ;kstuk
ea vkokl grq#Œ 30000-00 _.k ,oa#Œ 10000-00 vunku fnykdj iDdk edku cuok;k A

Jherh Qjyfu;j i iRuh euQyk] Jherh 'k'kh iRuh eghiky fl §g dksLo.kZt;Urh xke
Lojkstxkj ;kstuk dsvUrxZr nk&nksHkSkl grq_.k ,oavunku fnykusealgk;rk dh A bl ds
vfrfjDr fo/kok i§ku] o)koLFkk i§ku] ekrRo ykHk ;kstuk ,oavU; fodkl ;kstukvkaealykHk

fnykus ds lkFk&lkFk cPpka dh f'k{kk dsfy, 0;oLFkk djuses Jherh if{kik noh izRu'khy gSA Jherh if{kik noh us leg ds dk;Z djus grq [k.M&fodkl vf/kdkjh ds }kjk dk;Zkkyk grq iLrko ifj;kstuk funs{kkd] eFkjk dksfHktok;k A Jh ver vfHktkr] vkblE,E,I lE] eq[; fodkl vf/kdkjh] eFkjk us leg dh dk;Zdkyrk lsiHkkfor gkdj dk;Z{kerk esof) grq dk;Zkkyk fuekZk dh Lohdfr iznku dh gSA

bl iakj Jherh if{kik noh vius leg dk fufofnkn ,oa fufofkos'k dq{ky urRo ds lkFk&lkFk lkekftd dk;Z djrh gjZfgykyvkadsfy, ij.kk dk L=kr cu x;h gSA

Lo.kZt;Urh xke Lojkstxkj ;kstuk dsc<rspj.k

1& **leg dk uke**	%	1- Jhjke efgyk Nikblzcpr leg] uxyk l djk;k
		2- Jhjk/kk efgyk Nikblzcpr leg] uxyk l djk;k
2& **xke**	%	uxyk l djk;k Vfodkl [k.M&eFkjk] tuin&eFkjkV½
3& **v/;{kk dk uke**	%	1- Jherh v;ks/;k noh iRuh uRFkksflag
		2- Jherh xakknoh
4& **fØ;kdyki**	%	jakblZ ,oa Nikblzdk;Z

iFke pj.k%

iLrkouk

fodkl &[k.M eFkjk ds xke l djk;k es Lo.kZt;Urh xke Lojkstxkj ;kstuk ds vUrxZr mYys[kuh; dk;Zgq gSA bl l xke ds 32 ifjokjka dsLojkstxkfj;ka us Lojkstxkj iklr dj xjhch ls eqfDr ik yh gSvkS] bl h ls mudk lkekftd ,oa vkfFkZd mUu;u Hkh gqvk gSA bl iijh ifØ;k es dkQh fo?u&ck/kk,aHkh vk;h; yfcdu leg ds lnL;ka ds vnE; lkgl ,oa yxu us lcdkN vklkuh ls iklr dj fy;k] tks,d vuqdj.kh; mnkgj.k gSA bl le; xke estrhu Lo;a lgk;rk leg ga%&

1- Jhjke efgyk Nikblzcpr leg A

2- Jhjkèkk efgyk Nikblzcpr leg A

3- JhHkksysMjgh Lo;a lgk;rk leg A

;srhuka leg fujUrj fodkl dsiFk ij vxlj gS A

HkkS&kfyd ifjos'k

xke l djk;k fodkl &[k.M eq[;ky; ls 23 fdñ ehñ nwj eFkjk&fnYYyhjk"Vh; jktekxZij fLFkr NVh djk ls 10 fdñ ehñ nwj fyad jkM ij fLFkr gSA ;g xke fodkl &[k.M eFkjk dk nwjLFk xke gStks teuk esfLFkr gS ;gka teku jrhyh ,oa Åp&uhps<kyka ds: i es gSA bl xke eslkr etjsgSA ;gka dh eq[; Qly ckjksjk xgw ,oafep lz gSA flapkbZ dsfy, ;gka dsfuokl h iwkZr;k o"kkZij fuHkj jgrsgSA

Lo.kZ t;Urh xke Lojkstxkj ;kstuk dh I Qyrk dh dgkuh

itjfEHkd I kekftd fLFkfr

l eng xBu dsinZuxuxk l djk;k eaxkn dsykx txg&txg efnjkiku] /kneiku] tqvk vkfn nn/;Z uknaelfylr FksA dny 310 ifjokjkaeaek= bDdk&nDdk 0;fDr gh f'kf{kr Fkk A vkt l syxHkkx 10 o"kZiwnZiaiyk xkno >ksifM+ka,oadPps?kjkalscuk FkkA etnajh dsvyokok dkbZ dk;ZughaFkkA] ykxka dsikI uke&ek= dhHkkfie Fkh A efgyka;a a[kkuk cukusds vykok dkbZ dk;Zu dk;Zu djdsek= xi'ki gh djrh jgrh FkhaA xkno ea dkbZfo|ky; Hkh ughaFkkA] ykxx /kukHkko dspcyrsvkil eayMr&>xM+sFksA vf/kdkkk vkcknh vud[ipr tkrt dh gkusl sghu Hkkouk l sxLrr jgrsFksrFkkA xkno dsl o.kkZds;gkapkdjh ,oath&gtjih dsvykok vkS dkbZdk;Zu dk;Zu ghaa Fkk A efgyka;a a?kifV eagh jgrh Fkhaamudkk 'kkSk.k rjg&rjg l sgkrk FkkA fdl h Hkh efgyka dk ckgj fudyuk l kekftd nf"V l svuqfpr ekuk tkrk FkkA xjhc nEifRr;ka dsdb&dbZcPps gkusl sia/V Hkkjuk ef'dy gksjgk FkkA ,ah fLFkfr eafdl h dY;k.kdkjh ;kstuk dh vko'; drk Fkh] ftl l sLo.kZ t;Urh xke Lojkstxkj ;kstuk usiwjk fd;k gSA

ij.kk&lksr

l jdkj }kjk pykbZ tk jgh fofHkllu 'kkl dh; ;kstukvkaoa½xjhch muenyu½ dsipkj&izlkj ,oa fodkl &[k.kM dsfodkl dfeZ;kausl e;≤ ij xkno dsykxxkadschp vkdj l kekftd ,oa vkFFkkd fLFkfr IsÅij mckjusdsfy, vuwdkacZdadhaA oUlkkou IsHkh /keHkk: I ekt Ipdka usl kekftd pruk tkx: d dh] ftl I s;gka dsykxkausfodkl &[k.kM dk;Zy;] rglhy ,oa ftykae[;ky; l sl Eidz'kq fd;k vkS rnuqlkj viu&viusfgr dsdk;Zea tfV/ x, A

'kkl dh; fØ;kdyki

xke dsfofHkllu fodkl dk;ZdslIR;kiu grqfnukd 15 vxLr 1999] jfookj dsfnu lk;a 3-00 cts Jh ve`r vfHktkr] e{; fodkl vf/kdkjh dslkFk Jh gfjukRku fl ng] [k.kM&fodkl vf/kdkjh] eFkjk ,oa Jh Ij[kjke 'kekZ] Igk;d fodkl vf/kdkjh ½vkcknhÙ kñ chÑ½ xko igipsA I djk;k eaeq[; fodkl vf/kdkjh usxkaeokokfl;aadksl Eckf/kr djrsgq xko dksfodkl dh /kkjk ea'kkfey djusgrqLo.kZt;Urh xke Lojkstxkj ;kstuk dsckjsea tkudkjh nh rFkk vius v/kuLFkk Jh ,eñlhñ ;kno] ifj;kstuk funs'kd] ftyk xkE;&fodkl vfHkdkj.k] eFkjk dksbl ;kstuk l sxkno dsxjhckadksxjhch l sfutkr fnykusdh dk;Zkkgh djusdk funZk Hkh fn;k A [k.kM&fodkl vf/kdkjh dksfofHkllu 'kkl dh; ;kstukvkadksxkno eaykxwdjusgrqle;&lkfj.kh r; djusgq fodkl djusdk vkns'k fn;k A

Lo;a l gk;rk&leng dk vfLrRo

xke l djk;k eaeq[; fodkl vf/kdkjh dsfun'kiku ea2 Lo;&l gk;rk l eng 1& Jhjke efgyk cpr l eng 2& Jhjk/kk efgyk cpr l eng xfBr fd;s x;sA budsxBu dsl e; ftu ekoyh;ksa,oa vfHkkys[kka Hkh rS;kj fd;sx;s A bl dk;Zeal gk;d fodkl vf/kdkjh ,oaxke iqpk;r fodkl vf/kdkjh usl g;ksx fd;k A 'kq vkr ea100-00 #- ifrekg ifr InL; dscpr ds: i eaatek fd;sx;s A ;g /kujkf'k l eng dsdkS/kk/;{k dsikl j[kh x;h A 6 ekg rd bl /kujkf'k Isleng dsl nL;kadh vko';drkuqlkj vkil ealyunu dh ifØ;k pyrh jgh A

i;Øc{k.k

Jhjke efgyk cpr l eng dh ekfl d cBd ifrekg 10 rkjh[k dksipØkuØekuqjkj iR;;d l eng InL; ds?kj ckjh gkrh gSA xke iqpk;r fodkl vf/kdkjh iR;;d ekg cBd dsfnu Lo;a viuh miifLFkfr eadk;;ckgh I pkfyr djkrsg§A 'kq &'kq eacZkd dh dk;;ckgh xke iqpk;r fodkl vf/kdkjh }kjk fy[kh tkrh Fkh] pfd vc l eng dk iR;;d InL; Ik{kj gksx;k gSvkkj osviuh dklckgh }kjk fy[kh tkrh Fkh] pfd vc l eng dk iR;;d InL; Ik{kj gksx;k gSvkkj osviuh

dk;bkgh Lo;a¼dk¶kk/;{k½ }kjk fy[kh tkrh gSA [k.M&fodkl vf/kdkjh ,oa lgk;d fodkl
vf/kdkjh 10 vDVwcj] 2000 dksvpkud fodkl dk;kZdsfujh{k.k grqxykorj igpsrFkk xkno okyka
dslkFk cB¼d dh A xkno ealpkfyr Lo;a&lgk;rk leg dksvkfFkZd fØ;kdykiksalstkMwusdh
ckr dgh A jxkkb](Nikb&dk;Zdkslegq dsykxkksaus djusdh bPNk tkfgj dh rFkk crk;k fd
/kukHkko ,oadkSky if'k{k.k dsvHkko ealjxkkbo,(Nikb&dk;Zls vkfFkZd ykHk ughagksikjk g;A
jxkkbo](Nikb&dk;Zeafodkl &[k.M&Lrj ij nksfnu dk dkSky if'k{k.k Hkh leg dslnL;ksadks
fnyk;k x;k A dkSky if'k{k.k dsckn leg dslnL;ksausviusmRiknu eaek=kRed of) dh
ftldk le;≤ ij fodkl dsvf/kdkfj;ksÃdeapkfj;ksÃ}kjk i;bü{k.k fd;k tkrk jgk A

dfBukb;k¡

¼d½ xkno igpk;r fodkl vf/kdkjh usLo;a lt;Urh xkno Lo%jkstxkj ;kstuk dsikFkLuk&i=kksaij
Lo%jkstxkjksadslsQkVikpik djusgrqyekxsÃ xkno dsykxkksausl dk ifrdkj fd;k vkS¡
dgk fd ;sefgyk;aupkekb'k'k ughacuxaxh A xkno dh efgyk;aQkVksf[kpkusdsfy; sckgj ugh
tk;axh A ;slHkh efgyk;aiunku'ka efgyk;agSA [k.M&fodkl vf/kdkjh dsurRo ealxkno
ealdblcB¼dvk;kftr dh xbZftuea: f<ekquh ,oafnd;kuwh fopkjkal lsjutkr ikusds
fy;singd idkx Hkh lmk;sx;A QyLo: i le>ku&&cq><kusij efgykvkausinZlsckgj
vkdj dke 'kq fd;k A

¼[k½ ;krk;kr dslk/kukadh deh Hkh lnL;kadsvkM#vk;h A xkno iZdku ,oaxkno igpk;r fodkl
vfEkdkjh usHkjiiwj lg;kx fd;k A

¼x½ leg dh cB¼dkaealcPpkadksLdsy Hkstusdk lallYi Hkh fy;k x;k] ijUrqLdsy u ghkuslos
leg dslnL;kadkseuelkd dj jguk iMxA

¼?k½ ikFkLuk&i= r§kj gkusdsckn cB¼d lsl§Eia/kdjusdsfy, efgykvkadksHkkkjh; LVSV
cBd] oUnkou vkusealkQh ck/kk;amRiUu gqb] cBd vf/kdkfj;ka lsckrphr eaefgykvkadh
fuj{kjrk vkM#vk;h A 0;ogkj ea[kkrsdslipkyu eaHkh leg dksdkQh dfBukb;ksadk
lkeuk djuk iMxA

¼M½ leg }kjk jxkkb](Nikbzdsdk;Zls dkQh eky r§kj gkusyxkÃftl dh fcØh dh leL;k
vk;h A lkFk gh dPpseky dk mfpr nj ij feyuk ef'dy gksx;k A jxkkb](Nikbzds
dsiMkkdkscjlkr dseghukeali[kkauk vfrnq g dk;Zlkk A

'kkl dh; eks¸fun¶kku ls dfBukb;kadk fujkdj.k

^^tgk¡pkg ogk¡jkg^^ dh mfDr ;gk¡ij pfjrkFkZlgbz tc fodkl dkefeZ,kausldekkftd : f<;ksÃdks
viuh ir/kj i)fr }kjk uLrukcwn fd;k vkS¡ efgyk;aurk ds: i eamHkjdj vk;h] : f<eknh
,oalkH; vkpkj.k dschp Hkkn djusealefkZgkusyxhaA t§lsleg dh v/;{k Jherh v;ks/;k
noh ,oaJherh xxkk noh usxkno lsfudydj eFkjk] vkxjk] y[kuÅ ,oabykgkckn eavk;kftr
gksusokys'kkl dh; esyka,oalekjkgkeaviusoius }kjk cuk;sx;seky dh fcØh dj viuk ykgk
euok fy;k A fodkl dsefeZ,a}kjk dPpkeky ,oaml dh fcØhmfpr eY; ij djusdk Hkjiiwj
lg;kx inku fd;k x;kA

tkx: drk ,oaeks¸fyd&vkfFkZd&lkekftd ifjorZu

Lo;a lt;Urh xkno Lo%jkstxkj ;kstuk eaNikb&dk;ZlgrqqJhjke efgyk cpr leg ,oaJhjk/kkk
efgyk Nikbzcpr leg dh v/;{k dksvuqnku ds: i ea57]000-00 gtkj #- dk p§d Hkkjrh;
LVSV cBd] oUnkou }kjk fnukad 22-09-2000 dks miyC/k djk;k x;k A bUgsa leqgka dks

Lo.kZ t;Urh xke Lojkstxkj ;kstuk dh I Qyrk dh dgkuh

fnukad 23-09-2000 dks xke dkNVk esaJh v: .k dqekj HkVukxj] Ifpo] xkeh.k fodkl] Hkkjr
Ijdkj us20]000-00 #- ifr leg p&d viusdjdeyka}kjk fn;k A 'kkI dh; /kujkf'k ikrr gkus
Isnkuka leukadsInL;kadh vkfFkd fLFkfr Iq<+gbZvkj Ikekfrd Lrj esal(kkj vk;k A buds
cPpsLdyskykes ai<+usyxsA dN cPpsoUnkou dsdkUoUV Ldky esaHkh i<+usyxg&A tgk;xkp
es 80 ifr'kr ykx 'kjkc dk Ipu djrsFkk}ogka vc ukeek= dk 0;fDr gh 'kjkc dk Ipu dj
jgk g&A ekuuh; Ifpo] Hkkjr Ijdkj dsdjdeyka}kjk xke esaleg dsfØ;kdyki grq,d
oxZIISV dk Hkkfe irtu ,oavk/kkj f'kyk j[kh xbZFkh ftI dk fuekZk gkspqdk g&A

urRo {kerk dk fodkl

leg dsIHkh InL; vc fcuk fdIh Igk;d dsc&d es/ku vkgj.k ,oaforj.k dj jgsg&A
Jherh xa&k noh ,oaJherh v;ksè;k noh IHkh vf/kdkfj;ka Iscpdk ckrphr djrh g&A mUgkus
Jh v: .k dqekj HkVukxj] xkeh.k Ifpo] Hkkjr Ijdkj ,oaekuuh; Jh f'ko irki 'kDy] es-h
xkE; fodkl dksHkh viusleg dsfØ;kdyki dslvoxr djk;k A vc bu nksukus leukadh
efgyk;sxkp dh Ikjh efgykvkadk urRo dj jgh g&rFkk ijk.kkIkr Hkh cu xbZg&A

vfèkdkj ,oadrR; dsifr Iosnu'khyrk

leg dh InL; efgyk;sxkp dsncax 0;fDr;ksdsvR;kpkjksdk Ikeuk n<+rk IsdjjgsA
g&rFkk viusdk;ksIIsxkp dsvU; nfyr] fiNMs,oaihfM+r ykxksdh Igk;rk Hkh dj jgh g&A
;sefgyk;sdkuu dh ckr Hkh djusyxh g&A fodkl dh ;kstukvkadh tkudkjh xkp dh vU;
efgykvkadksLo;a nrh g&A vko';drk iMusij Lo;aihfM+r efgykvkadsIkFk vf/kdkfj;ka Is
cfgpd ckr djrh g&A

mi Igkj

bl irdkj Lo.kZ t;Urh xke Lo%jkstxkj ;kstuk vius<kbZo"kZdsdk;Zdky esaxjhbckadks
vkfFkd] Ikekfrd ,oa'k{kd Lrj dkscdkusesaxqdkdjh fI) gbZg&A bl ;kstuk esadk;Zdjus
okyh efgykvkadksek= 5&6 ?kaVsdk;Zdjusij 60&70 #- ifrfnu ifr efgyk ykHk gksjgk g&
tksIEekutud NkVsifjokj dsfy;sthou&;kiu djusdsfy;si;kZIr g&A mYys[kuh; g&fd
leg dsInL;kaesa75 ifr'kr efgykvkausifjokj fu;kstu dk;Øe viukdj vuuBk mnkgj.k
iLrqr fd;k g&A

The Administrator's Overview of the Sociology of Organisation

- Arun K. Mathur*

SYNOPSIS

This paper draws on the basic premise that an organisational entity is a product of the environment it inhabits and the entity's growth and development are inherently dependent on how responsive and adaptive it is to changes in the environment. Whatever the form and content of social change, it is the sociological sensibility of the administrator that enables him to steer the organisational entity with the winds of change. It is sometimes suggested that conflict is a useful devise to promote adaptivity, but the paper seeks to affirm that while this may be true, the value of the truth is limited. It argues towards the projected inability of most present-day organisations to cope with the levels of uncertainty which the changing contemporary environment is expected to display. This view is substantiated at crucial levels of organisation, namely, economic, social and political.

The administrator is well into the age of crisis and conflict. He understands that the social and sociological parameters of his areas of administration are becoming increasingly complex and intractable. He is called upon to solve and resolve, to reconcile, to minister as well as administer. The able administrator also understands that a viable society is one in which conflict contributes to change, but one in which conflict can be accommodated before it destroys the system. A failure to bring conflicting goals into tolerable harmony often gives rise to competing organisations which seek to challenge the legitimacy of the system in order that dissatisfied elements may secure their own goals. Whatever the form and content of social change, it would be the sociological sensibility of the administrator that will enable him to adapt effectively to the process of change in society, social organisation and socio-political environment. The observations that follow attempt to focus on the crucial aspects of adaptivity and organisation in the context of administration.

Organisation and Environmental Stability

The most complex organisation in almost all known societies is that of government. At the lowest level this is substantially autocratic, the

* Posted as Adviser (Information & Engineering) to the Mission of India to the European Union, Brussels C/o Diplomatic Bag Section, Ministry of External Affairs, South Block, New Delhi w.e.f. 1.5.1997

communication flow being from the tribal leader to the members of the social unit. The success of the system depends on environmental stability - or at least on the ability of the leader to foresee environmental changes and to persuade or compel the governed into anticipatory action. There is an informal feedback loop to the extent that an unsuccessful leader may find himself deposed, but in general it is true to say that for organisations on this level the implicit assumption is that the executive has sufficiently complete knowledge of the organisations" environment to anticipate demands and so eliminate the need for structural change. At the second level, the assumption that the environment is inherently knowable holds true, but it has become acknowledged that it is probably beyond the powers of an independent individual to achieve sufficient knowledge, both of the environment and of the governed, to eliminate mismatches. Thus, an advisory function develops which both represents the views of the governed to the executive and describes more completely the environmental conditions.

One fundamental factor underlies the transition to the second level: size and the associated complexity of interaction both within the organisation and between the organisation and its environment. Although there is an element of indicative forecasting in the advisory process, there is no real suggestion that there is anything intrinsically unknowable about the relationship between the organisation and its environment.

With increasing size and complexity, the problems of interaction become so great that a need arises for some structural means of bridging the gap between the executive and the governed. Historically, and oversimplifying, the advisory function became differentiated, partly into advisers on the old pattern and partly into a representational model (a parliament) of the governed society.

Pre-conditions of Organisation

In the larger context, one may discern a differentiation of systematic objective, an extension of the range of meaning inherent in interactions, and a functional differentiation or structure. These historically, seem to have been achieved in response to developments which perhaps served the purpose of drawing attention to the inadequacy of the _status quo_. But if one is to devise an organisation which in some way is self-adapting, and which does not require periodic upheaval, the implications of these evolutionary processes must be worked out. There appear to be three pre-conditions.

1. The Organisation must in some sense know and understand itself; this suggests that there is a need for structural components which both derive and store this understanding. This may be termed _organisational redundancy._
2. There needs to be some conceptual structure within which possible objectives of the organisation can be assessed; this may be termed an

> *organisational ethic.*

3.   There needs to be a means of communication between the organisation and its environment and also among the structural elements of the organisation; this may be termed an *organisational language.*

These three characteristics are quite clearly independent, although the interaction between language and ethic is perhaps particularly close. The term 'language' in the present context embraces the complete set of communication techniques employed in a systematic activity; it includes communication by gesture and attitude, indeed the whole set of ritualistic and structural devices for conveying ideas, as well as the more formal verbal languages. The language of an oganisation is itself an area of interaction between the organisation and the environment. And, more importantly for adaptation, lack of coincidence in the regions of ideas to which organisational and environmental languages are matched will in time lead to a breakdown of systematic communication. For adaptation to be ensured, therefore, it seems that there must be a community of language between the organisation and its environment. Organisational ethic is seen characteristically as setting a bound to the variety of policy and of response. It is obvious that some form of language is needed to express the organisational ethic. If this expression is only partial or in some other way imperfect, then an artificial ethical constraint operates on the organisation's response to all situations. Incidentally, the variety of policy is limited partly by language, partly by ethical considerations and partly as a consequence of structural identification and related limiting factors.

Contradictions and Conflict Situations

All organisations are pluralist social systems in that they are members of at least three external social systems and have at least three internal sub-systems. Their pluralist character arises from the incomplete interdependence between these three, both externally and internally. First, any organisation is part of an economic system, since it allocates resources to provide some desired form of goods and services. Second, it provides jobs and job sequences - that is, it is part of an occupation and career system. Third, it needs to regulate the power and influence of its internal groups - that is, to have an internal political sub-system concerned with the regulation of conflict between interest groups and pressure groups, as well as being part of an external system of this kind. The history of large organisations shows how often plans to modify form and purpose of an organisational entity and its establishment have been obstructed, delayed or even abandoned by serious difficulties brought about by various factors, including non-cognisance of the structural characteristics mentioned above.

Discussion of such matters in terms of the "internal political sub-system of an organisation" may seem a little grandiose; but it can be defended by saying that, from the point of view of forward planning of organisational change, it brings into play such helpful concepts of political science as "the constituency", "the mission", "the programme", "opinion leaders", "coalitions", "building consensus", "negotiation", "bargaining" and "trade-offs". These ideas are at least a considerable improvement over discussing resistance to change in the myopic terminology of 'politicking', that is, of a kind of private black-market in influence, bargains, rewards and punishments.

It is sometimes suggested that conflict is a useful device for promoting adaptivity since it weakens structural identifications - indeed, in grave cases it is believed to demolish structure and so permit some more suitable reconstruction. Now it is implicit in conflict that an attempt is made to restrict the variety of systematic response, to serve a particular interest. So conflict implies a failure of the ethical community which has been argued as a condition for adaptivity. It would appear that while conflict may well weaken structural identification, it will not necessarily promote adaptation.

Examples of type contradictions and conflict situations which result from an application of restrictive organisational ethics are many. For instance:

(a) The provision of social welfare benefits, at least for the majority of employees, is deemed to transgress the profitability ethic, and as a result the State has, in most countries, expanded its role to include this function. This suggests, perhaps, a disconcerting paradox that the more rigorously the profitability ethic is applied, the more likely it becomes that the range of State activities will increase.

(b) The competitive ethic is regarded as creditable in relationships between management of enterprises but wholly disgraceful between leaders of trade unions, although both groups are serving very substantially the same social aggregations.

Such conflicts and contradictions can be circumvented if the responses of the organisation can achieve a variety which stands in some relationship to that of the environment aspirations. These latter are themselves seen to be limited, together with the variety of demand, by an environment ethic. This suggests that for adaptation there is a need for ethical community throughout the organisation/environment system.

Another implication follows, to some extent, from the first. General tendencies in western industrial, essentially consumer, societies seem often to be used uncritically in long range planning for society and industry. But if

the argument proposed here is valid, the extrapolation of these tendencies - however subtle the allowance made for interaction among them - is tantamount to treating symptoms rather than causes. By analogy with medicine, this may achieve short-term relief but ultimate success depends on the viability of the organism.

A Future Tense Imperfect Scenario

Thinking for the future must begin by considering the extent of linguistic and ethical community in a system and the degrees to which these might be altered by appropriate strategies. The effectiveness of matrix organisations is not in question at the present time but it seems doubtful if they will be able to contend with the levels of uncertainty which are implicit in the highly interactive environment anticipated. It is implicit in this type of organisation that future environments are, if not definable, at least reducible to a tolerable degree of definition. This is quite clearly the assumption which underlies the strategies of many large organisations which tailor the environment in strategic forecasting. Monopoly is perhaps the most celebrated variant of this strategy and is generally considered not to be in the consumer's interest. This itself suggests the structural form which may characterise future organisations. This has already become evident in the dynamics of the new economic policies of most countries.

References

Barton, J. B. (1977). *Ethical Approaches to Organisation,* Manila, University of Manila Press.

Cullition, J. W. (1968). "The Problem of Ethics in Business" in Bartels, R. (Ed.), *Ethics in Business,* Columbus, Ohio.

Emery, F. E. (1988). *The Causal Texture of Organisational Environments,* Review Press, Bristol.

De, Nitish R. (1986). *Approaches to Employee Motivation in Public Enterprises,* ACDA, Kuala Lumpur, Malaysis.

Festinger, L. (1987). *A Theory of Cognitive Dissonance*, Peterson, Evanston, Illinois.

Lawler, E. and J. Settle, "Causal Correlation of the Need-Hierarchy Concept", in *Organisational Behaviour and Human Performance,* Vol. 27, No. 7.

March, J. G. and H.A. Simon (1977). Organisations, New York, Wiley.

Rooney, B. M. (1987). *Adaptivity and Human Organisation,* Inter-Bank Research Organisation, London.

Vroom, V. H. (1974). "The Nature of the Relationship between Organisations and Performance" in Schott and Vroom (Eds.), *Individual and the Organisation,* Heritage.

**Personnel Management System of Urban
Local Government in Bangladesh:
A Study on Selected City Corporations and Pourashavas**

- Musleh Uddin Ahmed*

1. Introduction

Bangladesh was part of the Indian subcontinent under British colonial rule until it became the eastern part of Pakistan in 1947. In 1971, it won its own independence after nine months of war with Pakistan. In accordance with the provisions of the Constitution, the function of the government is conducted by a number of ministries responsible for the administration of a general area of government business located in the Bangladesh Secretariat which is considered as the nerve-centre of Bangladesh Public Administration. (GOB, 1976) Beyond the Bangladesh Secretariat, public polices are implemented by the Departments and Directorates as well as a network of the units of administration consisting of 5 Administrative Divisions, 64 Districts and 460 Thanas (formerly known as Upazila), each functioning as the field establishment of central administration. (Ahmed, 1993)

Side by side, the local bodies are organized to correspond to the administrative units of the country as provided in the Constitution. (GOB, 1972) There are two forms of local government bodies operating in the rural and urban areas functioning on the legal basis of their respective Ordinances and Acts. At present, only the Union Parishad at the grass-roots level is functioning. But in the urban areas, two forms of local bodies are functioning with their respective jurisdiction of area and authority i.e., four (4) City Corporations at the four metropolitan cities which are also divisional headquarters and one hundred nine (109) Pourashavas at the sixty district towns and forty nine thana level urban centres. At the national level, their activities are coordinated and controlled by the Ministry of Local Government, Rural Development and Cooperatives (LGRDC). The administrative units, controlling authority and urban local bodies are shown in Table-1.

* Associate Professor, Department of Public Administration, University of Dhaka, Dhaka - 1000 (Bangladesh).

Table-1: Administrative Units and Controlling Authority as well as Urban Local Government Bodies in Bangladesh

Administrative Units	No.	Controlling Authority as well as Urban Local Government Bodies	No.
National Level	-	Ministry of Local Government, Rural Development and Cooperatives.	-
Division	5	City Corporation	4
District	64	Pourashava	60
Thana (formerly known as Upazila)	460	Pourashava	49

Source: Ministry of Local Government, Rural Development and Co-operatives, Government of Bangladesh.

In recent times, the urban local government has been getting increasing importance as are being entrusted with growing responsibility to render service to the city dwellers. (World Bank, 1985) The unique characteristics is that the Mayor who is the chief executive of the City Corporation and the Chairman who is the head of the Pourashava are directly elected by the people. (GOB, 1992) The execution of government policies of a Ministry is carried out by the different field level tiers of administration as well as local government units. (Choudhury, 1987) But how far the urban local government will be successful in discharging its development function and fulfilling the people's aspiration depends to a great extent on its structure and nature of personnel management system, staffing pattern and other related issues. The principal purpose of this paper is to assess these issues with special reference to two selected city corporations of Dhaka and Chittagong and four selected pourashava of Barisal, Bogra, Mymensing and Sylhet. The specific objective of the article is to focus and to analyze on those different aspects as well as inherent complexities on the basis of our field observation.

2. Personnel Management System in City corporations and pourashavas

Personnel management system is the most important feature of any institution. The quality of services depends, to a large extent, on the personnel and staffing pattern. Successful implementation of local activities requires a staff who has the necessary technical expertise, is well motivated and disciplined. The proper recruitment and promotion system, training facilities, pay and service conditions, disciplinary rules, constitute the important features of personnel management system.

157

PERSONNEL MANAGEMENT SYSTEM OF URBAN LOCAL GOVERNMENT IN BANGLADESH:
A STUDY ON SELECTED CITY CORPORATIONS AND POURASHAVAS

2.1 Structure of personnel Management and Staffing Pattern

In Bangladesh, the Ministry of Local Government, Rural Development and Cooperatives is the pivotal agency for the management of city corporation and pourashava services and personnel system. (UNDP, 1992) For this, different statutes and laws are framed. Dhaka City Corporation (DCC) is guided by the Dhaka City Corporation Employees' Service Rules, 1989 and the DCC Ordinance, 1983. But Chittagong City Corporation (CCC), Khulna City Corporation (KCC) and Rajshahi City Corporation (RCC) are guided by the CCC Ordinance, 1982, the KCC Ordinance, 1984 and the RCC Act, 1987 respectively as well as the provisions of the Local Councils Services' Rules, 1968. (GOP, 1968) The personnel system in the Pourashavas of Bangladesh are guided on the basis of the Local Councils Services Rules, 1968 (GOP, 1968) and the provision of the Pourashava Ordinance, 1977.

Under these statutes, all the city corporations and the pourashavas have their own personnel set-up determined by the government. The set-up, however, varies from one city corporation to another depending on their area, population and income. But the personnel set-up varies from one Pourashava to another pourashava depending on their categories from Class-A to Class-C, size, population and income. (GOB, 1990) Under present system, there are four classes of employees which are Class-I, Class-II, Class-III and Class-IV. The Class-I represents senior administrative and professional posts, Class-II includes junior administrative and professional posts, Class-III indicates skilled and clerical employees and those with supervisory responsibilities for non-skilled workers, and all other lower level posts represents in Class-IV. By notification from time to time, the government determines the strength of the officials and employees in all grades from Class-I to Class-IV. It is generally fixed in consultation with the respective bodies keeping in view of the position of existing staff and their workload, financial position and need for services. Besides, the city corporation or the pourashava may also employ some daily basis workers on work-charge basis to meet urgent requirements generally called 'Muster Roll' (Casual) workers. There is also a provision for part-time or temporary appointment with prior approval from the government for a fixed period. (Siddique, 1992).

Furthermore, the respective ordinances authorized the government to appoint a Chief Executive Officer (CEO) from the government service on deputation to all city corporations and pourashavas. The CEO becomes the official head of all the officials, assists the Mayor/Chairman and is responsible

for all the administrative works. Under him, there are so many departmental heads who are officially responsible to him for their activities and for discharging their duties. But the overall functional supervision is the responsibility of the Mayor/Chairman. In corporations and pourashavas, all the departments are headed by respective departmental heads. They may be posted in city corporations and pourashavas on deputation.

2.1.1   Staffing Pattern in City Corporation

The personnel of city corporations and pourashavas are broadly categorised as officers and employees. Their ranks are defined in classes. For example, there are Class-I to Class-IV personnel in city corporations and pourashavas. Numbers however vary between the total posts sanctioned by the government and those actually working. In Dhaka City Corporation, actual number of personnel was 7,008 in 1987-88, but the number of approved posts was 6,995. In the following year, there were 7,185 personnel as against 7,162 approved posts. In 1989-90, it actually had 8,053 personnel against 8,028 approved. In Chittagong City Corporation, there were categories of full-time and part-time personnel. In 1987-88, it had 3,442 personnel in actual full-time and part-time position as against 3,181 approved posts. But in 1988-89, actual personnel was 3,470 against 3,188 approved. In 1989-90, total number of staff was 3,473 as opposed to 3,188 government sanctioned posts.

In DCC, there was no discrepancy between the number of approved and actual officials in Class-I and Class-II grades from 1987-88 to 1989-90. However, there was less number of Class-III and Class-IV level employees between 1987-88 and 1989-90 than those approved. But the number of the muster roll or casual employees was always found higher than the ones approved by the government. In CCC, the number of approved and actual posts was the same in both Class-I and Class-II levels from 1987-88 to 1989-90. But only in1989-90, the number of approved posts was increased to 167. In Class-III category, actual strength of full-time and part-time staff was found less than approved posts from 1987-88 to 1989-90. In Class-IV, the actual number of full-time and part-time employees was higher than the approved posts sanctioned by the government in all the three years under study. In CCC, the position of the muster roll or casual employees was also found much higher than those approved on both full-time and part-time basis from 1987-88 to 1989-90 period. The strength of personnel on the basis of our survey and the classification of the posts in terms of the total approved/sanctioned posts and the actual position from Class-I to Class-IV from 1987-88 to 1989-90 in Dhaka and Chittagong City Corporations is shown in Table2.

PERSONNEL MANAGEMENT SYSTEM OF URBAN LOCAL GOVERNMENT IN BANGLADESH:
A STUDY ON SELECTED CITY CORPORATIONS AND POURASHAVAS

Table 2
Approved and Actual total personnel in Dhaka and
Chittagong City Corporations from 1987-88 to 1989-90

Name of City Corporations		1987-88						1988-89						1989-90					
		Class-I	II	III	IV	C	Total	I	II	III	IV	C	Total	I	II	III	IV	C	Total
Dhaka City Corporation (DCC)	Approved	104	1	2085	1227	3558	6995	107	1	2111	1235	3708	7162	106	1	2106	1248	4569	8028
	Actual	104	1	2077	1221	3605	7008	107	1	2108	1234	3736	7185	106	1	2104	1246	4596	8053
Chittagong City Corporation (CCC)	Approved	104	162	1098	767	1150	3181	104	162	1098	767	1157	3188	118	162	1102	654	1152	3188
	Actual	76	167	706	1024	1189	3162	76	167	730	1024	1195	3192	76	167	729	524	1699	3195
	Part-time	34	1	98	147	x	280	33	1	97	147	x	278	33	1	97	147	x	278

Source: Personnel Records and Files of DCC and CCC.

2.1.2   Staff Position in Different Departments of City Corporations

The actual staff position in different departments of Dhaka and Chittagong City Corporations against the posts approved by the government on the basis of our observation from 1987-88 to 1989-90 are discussed in the following :-

a. General Administration and Establishment Department

The head of this department is the Secretary who is assisted by Assistant Secretary, Administrative Officer, Public Relations Officer, Audit Officer and Law Officer in both DCC and CCC. In this department, twenty approved and actual posts were found in Class-I grade in DCC from 1987-88 to 1989-90. In CCC, there were six incumbents against seven approved posts from 1987-88 to 1989-90 in this department. There were no Class-II officials in DCC whereas only one Class-II officer was posted against two approved posts in CCC. In both Class-III and Class-IV levels, actual strength of the staff was found less than approved posts in both DCC and CCC from 1987-88 to 1989-90. But in CCC, the position of the casual employees was much higher in number than the approved posts.

b. Revenue Department

The head of the Revenue Department is the Chief Revenue Officer (CRO) who reports directly to the Chief Executive Officer (CEO) and the Mayor. Below him is a department of 485 officials and employees. In both DCC and CCC, the CRO has a small staff, and is assisted by a Deputy Chief Revenue Officer, who is also supported by a small personal staff. Below this the Department is split into different sections, called Revenue Circles. Revenue Circles are responsible for Revenue Officers who are assisted by Taxation Officers, Deputy Taxation Officers, Assessment Officers, Estate Officers and Licence Officers. Revenue Circles are exclusively responsible for the assessment and collection of property rental based taxes and rates, market and licensing income. In this department, no gap was found between existing staff and approved posts for Class-I and Class-IV employees in DCC from 1987-88 to 1989-90. But in CCC, it was observed that in all the three years under study actual staff was less than those sanctioned by the government.

c. Social Welfare and Cultural Department/Education Department

In DCC, the name of the department is called Social Welfare and Cultural Department. This Department is headed by Social Welfare and Cultural Officer. But in CCC, the name of the department is called Education Department headed by Chief Education Officer. It is composed of three sections, called Education Section, Social Welfare and Cultural Section, and

161

PERSONNEL MANAGEMENT SYSTEM OF URBAN LOCAL GOVERNMENT IN BANGLADESH:
A STUDY ON SELECTED CITY CORPORATIONS AND POURASHAVAS

Library Section. But the overall responsibility lies with the Mayor and the CEO. All these posts existed in CCC. In DCC, no one was found to be employed in this department. The reason being that the schools during the periods under study were taken over by the 'Pathakali Trust'. In DCC, no record/figure for the position of Class-I and Class-II officials in this department was available. However, from 1987-88 to 1989-90, total number of staff was found always higher than those approved by the government. This inflation was largely due to the employment of 27 muster roll staff. In Class-III and Class-IV, actual and sanctioned posts were same in DCC which included teachers of different Primary Schools run by the Corporation. But in CCC, actual personnel was less than approved staff in Class-I, Class-III and Class-IV levels. But in Class-II, there were more officials than the ones approved.

d. Accounts Department

The head of the Accounts Department is the Chief Accounts Officer who reports directly to the CEO and the Mayor. He is assisted by Additional/ Deputy Chief Accounts Officer, Accounts Officer and Assistant Accounts Officer in both the DCC and CCC. Budgeting, accounting, payments and financial control are the responsibility of the Accounts Department. This Department distributes these responsibilities to the Payroll, Bill, and Budget and Miscellaneous Sections. The approved and actual staff position in DCC from Class-I to Class-IV was the same from the year 1987-88 to 1989-90. But in CCC, the actual staff position was found less than approved posts from Class-I to Class-IV during the period under review. In DCC, it was found that 44 people were working from 1987-88 to 1989-90. They include 4 Class-I, 31 Class-III and 9 Class-IV personnel. Here also no anomaly was found between the actual and approved posts. In CCC, there were 29 people working in 1987-88 against the approved posts of 33, 28 against 33 in 1988-89, and 28 against 38 in 1989-90.

e. Health Department

The Chief Health Officer is the head of the Health Department who is directly responsible to the Chief Executive Officer and the Mayor. He is assisted by Health Officer, Medical officer and other staff drawn from Class-I to Class-IV grades. Below him, there are 13 Class-I and 363 Class-III officials as well as 157 Class-IV and 236 muster roll staff in DCC. But the number of Class-I officials was higher in CCC and all the posts were mainly dominated by part-time employees. In this department, the number of actual and approved posts was the same in DCC from 1987-88 to 1989-90. In CCC, there was no allocation for part-time or casual posts, although both part-time

and full-time personnel were employed. In CCC, the Veterinary Officers and Assistant Veterinary Officers were found while not such posts were actually found in DCC. But a separate department in the name of Veterinary Department is found in the organization chart of the Dhaka City Corporation.

f. Conservancy Department

In DCC, the Conservancy Department is headed by the Chief Conservancy Officer who is assisted by the Deputy Chief Conservancy Officer. But in CCC these two posts were lying vacant during the periods under study and the Conservancy Officer was head of the Conservancy department. In this department for all the three years under study, the actual number of personnel from Class-I to Class-IV grades and other casual staff was found same against approved posts. In DCC, the increasing trend was observed in casual or muster roll position from 1987-88 to 1989-90 both in approved and actual posts. But in CCC, there was a wide gap between approved posts and actual staff where muster roll or casual employees was found higher than approved by the government. In DCC, it was found that 17 Conservancy Supervising Inspectors were working. There are 75 ward Conservancy Inspectors one in each ward. Besides these, 25 Sewerage Inspector and 2845 Sweepers were working for city cleanliness and sanitary purposes. In CCC, below the 20 Conservancy Supervising Inspector, one each for 41 ward is responsible for one Conservancy Inspector, 21 Sewerage Inspector and 1682 Sweepers for city cleanliness and sanitation purposes. In DCC, it was found that 3004, 3152 and 4010 numbers of personnel were working from 1987-88 to 1989-90 respectively. The number of actual and approved posts was found same. In CCC, 1181 actual number of personnel were working from 1987-88 to 1989-90 against the approved posts of 1771.

g. Engineering Department

The head of this department is the Chief Engineer who is assisted by a Additional Chief Engineer, Superintendent Engineers, Executive Engineers and Assistant Engineers. This Department is divided into three divisions/sections, mainly called works, Electrical and Mechanical Division/Sections in both DCC and CCC. In DCC, the actual number of personnel and approved posts in this department was found same during the period under study. But in CCC actual staff was lower than approved posts of the government where

163

PERSONNEL MANAGEMENT SYSTEM OF URBAN LOCAL GOVERNMENT IN BANGLADESH:
A STUDY ON SELECTED CITY CORPORATIONS AND POURASHAVAS

employees in Class-III and Class-IV posts was also found lower than approved by the government.

It is observed from the above tables that no proper system of government approved staffing pattern and personnel management is followed in selected city corporations. In the position of personnel, the actual number of officers and employees were found higher than the approved or sanctioned posts by the government in Dhaka and Chittagong city corporations from the period 1987-88 to 1989-90 covered by our study. In Dhaka City Corporation, the actual total officers and staff were found always higher than the approved posts by the government from 1987-88 to 1989-90. In Chittagong City Corporation, the number of actual personnel was found higher than the approved posts due to the appointment of part-time employees although there was no such provision.

2.1.3 Staffing Pattern in Selected Pourashavas

In selected pourashavas, the personnel are broadly categorised into officers and employees. The Table-3 shows classification of the posts from Class-I to IV as approved by the government and actual personnel in our selected Barisal, Bogra, Mymensingh and Sylhet Pourashavas between 1987-88 and 1989-90. In Barisal Pourashava, the total number of personnel was found to be higher than those approved. The number of actual personnel was 482 against the approved posts of 243. In Bogra, the number of actual staff was 227 in 1987-88 and 245 in both 1988-89 and 1989-90 as against 157 approved posts. Actual number of personnel in Mymensingh Pourashava was 703 in 1987-88 and 825 in 1988-89 and 1989-90 compared to 209 approved posts. In Sylhet Pourashava, a total of 303 actual staff was found between 1987-88 and 1988-89 against 188 sanctioned posts. In the following year, there were 305 actual staff against 188 approved. In all the selected pourashavas, the number of actual personnel was higher than the approved posts during the study period. The actual staff position was three times higher in Mymensingh and double in Barisal than those of the approved posts as sanctioned by the government during the same period. This resulted from the employment of the highest number of people on Muster Roll or on daily basis. However, there was no authorized posts in the category of Muster Roll employees in pourashavas.

In Barisal, actual Class-I and Class-II officers are less than those approved between 1987-88 and 1989-90 period. In Class-III grade, actual strength of the staff was found higher than the approved posts during the same period. But the actual number of Class-IV employees was less than the approved posts between 1987-88 and 1989-90. The number of muster roll or casual employees was found higher than that in Bogra and Sylhet. However, there were higher number of actual Class-I grade officers in Bogra and Mymensingh Pourashavas and equal number of Class-I in Sylhet during the same period. But in Class-II level, highest number of actual officials were found to be 22 in Bogra as against 2 approved posts during the period under study. One reason for this was the appointment of teachers in educational institutions. The actual number of Class-III level employees between 1987-88 and 1989-90 was just as many as approved in Bogra and in Class-IV level, actual strength of the staff from 1987-88 to 1989-90 was found higher than approved posts. As against that, the number of muster roll or casual workers was only 20.

But in Mymensingh Pourashava, the actual number of personnel in Class-I and Class-III grades was always found higher than the approved posts between 1987-88 and 1989-90. In Class-II grade, the number of actual personnel was less than the approved posts during the same period. In Class-IV, the actual number of employees was less than the approved posts sanctioned by the government in all the three years under study. But the position of the muster roll or casual employees was also found much higher than those in other pourashavas from 1987-88 to 1989-90. Similar number of approved and actual officials was found in Class-I grade in Sylhet Pourashava from 1987-88 to 1989-90. But in Class-II level, highest number of actual officials was found in Sylhet. There were 10 against 3 approved posts. Here again, the appointment of teachers in educational institutions contributed to this increase. In Class-III category, actual strength of staff was found slightly higher than approved posts from 1987-88 to 1989-90. But the Class-IV, the number of actual strength of employees was found less than the approved posts as sanctioned by the government whereas the number of the muster roll or casual employees was 130 - higher than Bogra Pourashava but less than other pourashavas. The following Table-3 reflects our survey of the number of personnel from Class-I to Class-IV in the selected four Pourashavas during 1987-88 to 1989-90, the number of posts approved by the government vis-à-vis actual staff position.

Table-3:
Approved and Actual Total Personnel in
Selected Pourashavas from 1987-88 to 1989-90

Name of Pourashavas		1987-88						1988-89						1989-90					
		I	II	III	IV	C	Total	I	II	III	IV	C	Total	I	II	III	IV	C	Total
Barisal Pourashava	Approved	2	2	99	140	0	243	2	2	99	140	0	243	2	2	99	140	0	243
	Actual	1	1	101	132	247	482	1	1	101	132	247	482	1	1	101	132	247	482
Bogra Pourashava	Approved	1	2	46	108	0	157	1	2	46	108	0	157	1	2	46	108	0	157
	Actual	3	22	46	136	20	227	3	22	59	141	20	245	3	22	59	141	20	245
Mymensingh Pourashava	Approved	1	2	90	116	0	209	1	2	90	116	0	209	1	2	90	116	0	209
	Actual	3	1	93	62	544	703	3	1	111	76	634	825	3	1	111	76	634	825
Sylhet Pourashava	Approved	3	3	65	117	0	188	3	3	65	117	0	188	3	3	65	117	0	188
	Actual	3	10	68	92	130	303	3	10	68	92	130	303	3	10	68	92	132	305

Source: Personnel Records and Files of Selected Pourashavas.

2.1.4   Staff Position in Different Departments of Pourashavas

The actual staff position in different departments of selected four pourashavas against the approved posts as sanctioned by the government on the basis of our observation from 1987-88 to 1989-90 are to be discussed in the following:

a. Administrative Department

The head of this department is the Secretary who is assisted by an Administrative Officer in all the selected pourashavas. This department includes the sections of General, Assessment, Accounts, Tax Collection/ Licence, Education/Culture/Library and Poura Market. In this department, there were 114 people working in Barisal, 98 in Bogra, 132 in Mymensingh and 47 in Sylhet against the approved posts of 79, 36, 43 and 32 respectively during the period from 1987-88 to 1989-90 under study with the exception for Sylhet in 1989-90. During 1989-90, 2 Muster Roll workers were employed in Sylhet Pourashava. During the same period, actual personnel of all the posts were found higher than approved by the government. But in comparison to Bogra and Sylhet pourashavas, Barisal and Mymensingh pourashavas employed more employees than actually approved and most of them were employed on temporary and ad-hoc basis. In Barisal, the gap 'between actual' and approved posts were widely observed. In Mymensingh, wide gap was also found between actual and approved posts and the trend of employing casual (Muster Roll) workers was found higher than Barisal and Bogra pourashavas under study.

In this department, equal number of approved and actual posts were found in Class-I and Class-II grades in three pourashavas from 1987-88 to 1989-90 excepting Barisal. There were no Class-I official in Barisal against the one approved post. In Class-III, there were 74 incumbents against 40 approved posts in Barisal, 19 against 7 in Bogra, 66 against 16 in Mymensingh and 22 against 16 in Sylhet during the same period. In Class-IV level, actual strength of the staff was found higher than approved posts in Barisal, Mymensingh and Sylhet from 1987-88 to 1989-90. In Bogra, no gap was found between existing staff and approved posts for Class-IV employees.

In the Education/Cultural/Library section of this department, only 5 approved posts were found in Barisal and Mymensingh, 11 in Bogra and 6 in Sylhet. In Barisal, no staff were found in this Section but the same personnel was found against the approved posts in Mymensingh. In Bogra and Sylhet, 58 and 13 number of employees were found those were mainly employed there on the basis of temporary and ad-hoc appointment. These personnel includes Librarian, Cultural Officer and Assistant Teachers.

167

PERSONNEL MANAGEMENT SYSTEM OF URBAN LOCAL GOVERNMENT IN BANGLADESH:
A STUDY ON SELECTED CITY CORPORATIONS AND POURASHAVAS

b. Engineering Department

The Engineering Department is headed by an Executive Engineer in Barisal, Bogra and Sylhet. But in Mymensingh Pourashava, the department is headed by an Assistant Engineer during the period from 1987-88 to 1989-90 under study. During the same period, it was found that 46 personnel were working in Barisal, 55 in Bogra, 165 in Mymensingh and 94 in Sylhet in this department as against 47, 48, 73 and 81 number of approved posts respectively. This Department comprises of two Sections, called works, Electrical and Mechanical Section, and Water Supply and Sanitation Section. In this department, high gap between approved posts and actual posts were observed in both Mymensingh and Sylhet. The majority of these posts were filled up through temporary and ad-hoc basis. In Mymensingh, we found that the daily basis Muster Roll workers were higher than permanent staff. The similar number of approved and actual personnel as found in Class-I posts in all the pourashavas from 1987-88 to 1989-90. During the same period, actual staff was less than those sanctioned by the government in Barisal in Class-III and in Mymensingh in Class-IV level posts. Similar number of actual and approved staff were found in Class-III level posts in Bogra, Mymensingh and Sylhet Pourashavas.

c. Health, Family Planning and Conservancy Department

The Department is headed by a Health Officer. The number of actual staff in this department was 322 in Barisal, 74 in Bogra, 416 in Mymensingh and 162 in Sylhet against the approved posts of 117, 73, 93 and 75 respectively between 1987-88 and 1989-90. It has two sections called Health and Family Planning, and Conservancy Sections. In this department actual strength of the employees both in Barisal, Mymensingh and Sylhet were found higher than actually approved by the government. These posts were mainly filled up on the basis of temporary or casual appointment. Muster Roll workers were employed in higher numbers in Barisal and Mymensingh Pourashavas compared to Sylhet but no one was found to be employed in this department in Bogra.

It is observed from the above discussion that no proper system of government approved staffing pattern and personnel management is followed in selected pourashavas. In the position of personnel, the actual number of officers and employees were found higher than the approved or sanctioned posts by the government in all the selected pourashavas from the period 1987-88 to 1989-90 covered by our study. In the four selected pourashavas, wide gap was also observed between the actual position of the staff and the approved posts by the government. Among all the Pourashavas, Barisal and

Mymensingh Pourashavas have higher number of actual staff than Bogra and Sylhet in comparison to approved posts by the government. It is also observed that the gap between government approved posts and the actual strength is wider in the case of Class-III and Class-IV posts in all the pourashavas covered by our study. In the selected pourashavas, we found that the majority of the posts were filled up through temporary, ad-hoc or muster roll basis.

2.2   Different Aspects of Personnel Management

2.2.1   Recruitment and Promotion System

Under the existing system there are five types of recruitment, such as, direct recruitment, recruitment by promotion, recruitment by transfer, recruitment by temporary appointment and recruitment by deputation. The government generally appoint some government personnel on deputation. In city corporations and pourashavas, a Selection Committee-I with the Chairmanship of the Mayor/Chairman is responsible for recruiting directly and awarding promotion to the level of Class-I grade officials from Class-II. The other members are the Deputy Secretary of the concerned ministry, the Chief Executive Officer of the corporation/pourashava, the head of the concerned appointing department and the Secretary of the city corporation/ pourashava acts as Member-Secretary of the committee. The Selection Committee-II, on the other hand, is made up of Chief Executive Officer of the respective city corporation/pourashava as Chairman, a Deputy Secretary of the ministry as a member, the head of the concerned department as a member and Secretary of the city corporation/pourashava as Member-Secretary. The responsibility of the Selection Committee-II is mainly for recruitment and promotion of the Class-II (pay scale Tk. 2300 and above but below from Tk. 2850 and Class-III pay scale below Tk. 2300 but above Tk.1125). After the selection, the recommendation of the selection committee is referred to the ministry for final approval. For the recruitment in the posts of Class-IV, the responsibility lies with the city corporation/pourashava which acts on the basis of approval obtained from the Ministry.

    The Class-I and Class-II posts are filled up generally on the basis of promotion or on the basis of deputation for a certain period (not more than three years). In the clerical and Class-III services, the overwhelming majority of employees are selected through promotion or direct recruitment, particularly in the posts of Assessor and Tax Inspector. For promotion purposes, the main emphasis is given to seniority in service and experience where the required minimum experience varies from three to seven years. Combination of seniority and merit play an important part in the promotion

to the higher Class-I posts. Below this grade, promotion is given on the basis of seniority of service, service record of the personnel and Annual Confidential Report (ACR). After a decision is taken about the number of posts to be filled up by promotion, the city corporation of the pourashava prepares a panel of eligible persons which will be scrutinized and evaluated by the promotion committee through interview. The committee then prepares an eligibility list of selected candidates in order of seniority in the service. The list is then referred to the Ministry of LGRDC for final approval.

The field study shows that the administrative posts starting with the Class-I category (Pay Grades Tk. 2,850 and above) are filled up by indirect recruitment i.e., through promotion in the selected city corporations/ pourashava. But generally some of these posts namely Chief Executive Officer (CEO), Secretary, Assistant Secretary etc. are generally filled up through deputation from government in DCC and CCC. In DCC, CCC and all selected pourashavas we found the existence of two selection committees but no recruitment was made by these committees from 1987-88 to 1989-90. As per general practice, the post of CEO in the three selected pourashavas are held by officers on deputation. But no CEO was found in Barisal Pourashava during the study period. The post of Secretary in the selected pourashavas are filled up through promotion from the officials of the pourashava. Here again, records are not available on whether any new recruitment took place between the period 1987-88 and 1989-90. Only some temporary employees were appointed on ad-hoc basis and many casual or 'muster roll' workers were employed on daily basis during the period under study. There were many appointments of casual workers perhaps for the purposes of city cleanliness, garbage disposal and sanitation purposes. In Barisal Pourashava, 247 such workers were employed and in Mymensingh their number was 634.

It was also observed that the concerned ministry was not informed of the number of vacant posts that existed in a given city corporation and pourashava at a given time. The posts were however filled up on a temporary basis. In DCC, the CEO, the Secretary and two Assistant Secretaries and in CCC, the CEO and Secretary including other four officers are posted on deputation. The study of two city corporations and four pourashavas reveal that very limited number of promotion took place between 1987-88 and 1989-90. Instances of promotion from Class-III level to the higher ones are few and far between, although there is a considerable number of posts in the Class-II level. In one instance a person was promoted to the post of Secretary in Mymensingh Pourashava after seven years. This practice does tell upon the morale of the employees especially of Class-II and III and this is doubtless

reflected in their overall performance and activities.

It is also observed that in the case of recruitment, selected city corporations and pourashavas give much emphasis on the recruitment of Class-III and Class-IV personnel on the basis of temporary and ad-hoc appointment. They also prefer to recruit muster roll or casual workers on daily basis. Such kind of workers can easily be hired compared to the officers of Class-I and Class-II and by increasing the number of actual strength from the approved strength, recruiting authority can direct the employees of Class-III, IV and muster roll to act on their wishes. Their tenure of services depend on the pleasure of the recruitment authority. It was found that systematic and effective career planning as well as regular basis promotion system was also absent in all the selected city corporations and pourashavas.

It thus appears that recruitment is mainly dominated by temporary appointment as well as those deputed by the government to pourashavas. (Ahmed, 1993) Most of the employees of pourashavas are appointed on temporary and ad-hoc basis. The tenure is invariably extended after the temporary period. But the employees are not made permanent. This creates frustration and insecurity among employees which in turn affects their performance. They generally do not concentrate on the affairs of pourashavas and are usually occupied with serving the interest of the respective Chairman. (Tarek, 1988)

In our selected four pourashavas, only promotion took place from 1987-88 to 1989-90 in Barisal and Mymensingh. In Barisal Pourashava, two promotion cases were considered, one from Secretary Class-II grade to the Secretary Class-I grade because of the change of the gradation of Barisal Pourashava from Class-II to Class-I status. Another promotion in Barisal was from Assistant Assessor to the Assessor. The incumbent in this case had joined the pourashava in 1967 as Assessment Clerk. The third case was that of a Head Assistant in Barisal Pourashava, who was promoted as Administrative Officer. He had joined the pourashava in 1962 as Assistant Clerk. But in Mymensingh Pourashava, one promotion was made in the technical post from Supervisor to Sub-Overseer on the basis of his experience, service record and length of service during 1987-88. In this promotion case, main emphasis was given to his seniority. He joined in 1974 as supervisor and his promotion came after 13 years of service. But no promotion was reported in Bogra and Sylhet Pourashavas during the period under review.

2.2.2 Transfer

Under section 54(F) of the DCC Ordinance, 1983 and the DCC Employees Services Rules, 1989, the government has power to transfer the

171

PERSONNEL MANAGEMENT SYSTEM OF URBAN LOCAL GOVERNMENT IN BANGLADESH:
A STUDY ON SELECTED CITY CORPORATIONS AND POURASHAVAS

personnel of city corporations and pourashavas to the other local bodies whereas their pay and status remain unchanged. Generally officials of the city corporations are not transferable from one to another because their services are regulated by respective service rules. But the personnel of pourashavas are also transferable from one to another as they are under the jurisdiction of the Pourashava Ordinance, 1977 and the Local Councils Services Rules, 1968. The Minister or the Secretary is to concur on any transfer of Class-I and Class-II officers on deputation. The personnel in the Class-III level and subordinate services are also theoretically transferable. Members of Class-IV service can't be transferred from one city corporation/ pourashava to another. But no instances were found in practice. No records are available on such transfer from one selected corporation/pourashava to another. In the two corporations and four pourashavas, no Chief Executive Officer or Secretary was ever transferred from one to another. No other officials had been transferred from one corporation/pourashava to another and there is an absence of records on such matters.

2.2.3 Training Facilities

In Bangladesh, practically very limited scope of training facilities for the personnel of city corporations and pourashavas exists. The National Institute of Local Government (NILG) is the only institution for training of all categories of local government personnel and elected functionaries. It was first established as Local Government Institute in 1969 under the Education and Training Ordinance of 1961. Later, it was renamed as National Institute of Local Government and in 1991 it was recognized as an autonomous body under the legal basis of the NILG Ordinance of 1991. This autonomous institute arrange short courses for commissioners of city corporations and pourashavas from time to time for a week or two. The short training course covers legal, administrative, financial, as well as functional aspects of local government in Bangladesh. During the training period, an employee is granted extra-ordinary study leave with Travelling Allowance and Dearness Allowance by the concerned city corporation. It caters mostly the need of people's representatives at the local level, conducted 255 courses till December 1991 which was participated by 13,637 persons. However, NILG estimated clients were 89,857 persons including people's representatives and local government officials. There are however some other training institutes which provide specialized training, largely managerial and planning, to local government officials. These are, Bangladesh Academy for rural Development in Comilla which provides management training to local government personnel and Rural Development Academy in Bogra to provide training to local development programmes.

During the period of study from 1987-88 to 1989-90, very few staff of the selected corporations and pourashavas underwent some kind of in-service training. The personnel in the clerical levels are sent to the NILG for training purposes on rather rare occasions. But no course is held on a regular basis. Most of the training that the personnel received come through actual work experience in the office or in the field and through personal advises and instruction of the most experienced personnel within a department. There was also no instance of any kind of training for the urban local bodies personnel. During the last three years from 1987-88 to 1989-90, the total number of personnel who went for in-service training has not exceeded four in two selected City corporations and pourashavas studied. During the last three years from 1987-88 to 1989-90, the total number of personnel who went for in-service training has not exceeded four and the number was negligible in the four pourashavas. Lack of institutional initiatives and lack of courses provided by NILG seem to be the factors responsible for the poor conditions of training. There was a provision for training of the directly recruited employees for a period of six months, but such practice was also very rarely materialized and was not observed between 1987-88 to 1989-90.

2.2.4   Conditions of Service and Pay Grades

Conditions of service and gradation of pay scales are prescribed by their respective statutes. Originally, there were 59 different pay scales for the four classes of personnel which later converted into ten but the new national pay scales fixed up twenty pay grades. It has removed anomalies and also introduced certain fringe benefits, such as medical allowance, contributory provident fund, gratuity etc. Personnel in city corporations and pourashavas are appointed with their pay, allowances and other compensations drawn from their respective fund and not from the government fund, development budget of the government or any common fund separately constituted for the purpose. As for the persons appointed in the clerical and Class-IV services or for casual employments, the liability of the salary and other allowances and payment lies wholly with the respective bodies. The rules for contributory provident funds to all such employees are determined by the government. From time to time, the government issues notifications describing the scales of pay applicable to all categories of local government service and the services of city corporations and pourashavas, as well as the subordinate and clerical services.

As per the latest fixation (as on 1st July, 1991) of pay grades, the following scales of pay on the basis of the classification of services are applicable in different classes. These are,

Class -   I   =   Tk. 2,850-7x125-3,725-EB-11x130-5,155

Class -   II   =   Tk. 2,300-7x115-3,105-EB-11x125-4,480

Class -   III   =   Tk. 1,125-7x 55-1,510-EB-11x 60-2,170

Class -   IV   =   Tk.   900-18x35-1,530

All Class-IV employees are entitled to pay scales from Taka 900 but some higher scales are also given to the technical hands.

Personnel appointed in DCC, CCC and selected pourashavas draw their pay, allowances and other benefits from their respective funds as well as from the compensatory salary grants allocated by the government. They also subscribe to contributory provident fund as per rules laid down by the government. From time to time, the government issues notifications describing the scales of pay applicable to all categories of personnel. All Class-IV employees are entitled to pay scales form Taka 900 but some higher scales are also given to the technical hands like Driver, Electricians etc. All of them are also entitled for other allowances including house rent, medical recreation and conveyance allowances.

2.2.5 Performance Appraisal System

The purpose of performance appraisal is to provide a sound information base to the management for adopting corrective, preventive and development measures with a view to upgrading performance level of the individual employees as well as of the organization. The Chief Executive Officer of the respective city corporation or pourashava initiates the Annual Performance Appraisal Report which is simply called Annual Confidential Report (ACR) about the personnel which has to be countersigned by the Mayor/Chairman for Class-I officials. But the ACR of the Class-II officials and Class-III employees are written by the different departmental heads and countersigned by the CEO. But the ACR of the CEO is written by the Mayor/Chairman and countersigned by the Secretary of the Ministry of LGRDC. In the selected city corporations, we found that the Chief Executive Officer initiated the ACR countersigned by the Mayor/Chairman. But the ACR of the Chief Executive Officer or the Secretary who are posted on deputation is initiated by their concerned ministry. The Mayor/Chairman has nothing to do with judging the performance of them. Whatever performance appraisal is done in the proforma set by the government is not related to the reality and is done in a mechanical fashion. The reports are usually vague and cryptic as there is no attempt to assess the level of intelligence, devotion to work and other qualities of the employees. In city corporation and pourashavas, there are non existence of any strict job description and persons are selected without

any job specification. So, performance appraisal seems to have little effect.

2.2.6 Conduct and Disciplinary Measures

Uniform rules of discipline applied to all categories of personnel in city corporations and pourashavas and those are guided by the Bangladesh Local Councils Servants (Efficiency and Discipline) Rules, 1968 and the DCC Employees' Service Rules, 1989. (GOB, 1989) These rules contain grounds for penalization as well as minor and major punishments. All disciplinary actions are subject to appeals to the next higher administrative level and are taken with the approval of the ministry. In the case of officers on deputation from the government service, all disciplinary control lies with the government. The CEO has no authority to take any disciplinary action against any personnel, but he can only refer the cases to the ministry with his comments. The Mayor of the city corporation may be awarded minor punishments like withholding of increments but the rules required that major punishments like demotion, degradation, suspension and dismissal can be awarded by the ministry only. The personnel appointed in the clerical and in the Class-IV service were under the control of the corporation/pourashava concerned for their activities.

In our field study, no record was found to take any disciplinary action against any personnel. No instances were also available that would award any minor punishments like withholding of increments. No record was also found that the ministry awarded any major punishments like degradation, demotion, suspension and dismissal. No punishment record was found in case of Class-IV employees given by the city corporations and pourashavas. The employees who belong to the clerical and the Class-IV are supposed to be dismissed, removed or otherwise punished by their appointing authority in accordance with the rules i.e., the city corporation and the pourashava with the approval of the ministry. But no such action was found during the period from 1987-88 to 1989-90. In the context of motivation it was also observed that no adequate and properly practicable mechanism was developed to motivate personnel or workers by increasing salaries, good working environment, pension scheme, attractive fringe benefits etc. which would increase the morale of the personnel.

2.2.7 Leave and Retirement Rules

The leave matters of city corporations and pourashavas are guided by the Bangladesh Local Councils Servants (Leave) Rules, 1968 and other provisions described in the respective statutes. Under these rules, the employees of the respective bodies can enjoy casual, earned and extraordinary leave, leave preparatory to retirement and other kinds of leave. In matters of retirement,

175

PERSONNEL MANAGEMENT SYSTEM OF URBAN LOCAL GOVERNMENT IN BANGLADESH:
A STUDY ON SELECTED CITY CORPORATIONS AND POURASHAVAS

the members of the service are governed by the Municipal Committee Servants (Retirement) Rules, 1968. The other conditions are more or less the same as those of government employees.

3. Problems of Personnel Management System

The personnel management system in the Urban Local Government of Bangladesh suffers from the legacy of the past. There have been practically no attempts to introduce a system whereby persons who are competent, dedicated and readily responsive to the needs of urban local administration can be recruited and trained. (Tarek, 1988) Failure to pick up right man for the right job has by and large turned into the failure to build up a positive image of itself. Within urban local administration there are practical constraints, for example, managing a high number of unskilled and casual personnel. But tensions build up within urban local government when it comes to internal promotion and transfer of personnel from one department to another. Employees posted in taxation and licence departments are normally reluctant to shift to any other branch or section. The top management have to live with this kind of tensions generating from within urban local institution and such tensions are very often linked with local politics. However, the real tension in the urban local management revolves round the generalist-specialist relation. As opposed to a generalist administrator, specialists like Engineers and Medical Officers enjoy better scales of pay. They are under the administrative control of Chief Executive Officer. The specialists invariably resent any attempt of the generalist administrator to check the payments sanctioned by them or estimates of expenditure prepared by them. Because of their technical expertise, Engineers consider themselves as more important and influential officials in urban local government and seek to resist any supervision by the generalist officer. Secondly, Engineers and Medical Officers claim that their specialization cannot be comprehended by generalist officers. Hence, they never want to accept any suggestion which might be offered by the generalist officer.

The present study revealed that there had been occasions when an Engineer flatly refused to accept any direction, even of administrative nature, from the Secretary. The generalist officers have mentioned that they are entrusted with the responsibility to look after the interest of urban local activities in general. Hence, they are competent to scrutinize the bills for payments submitted by the Engineering or Health Department. Moreover, the control over finance is traditionally regarded as part of general administration. It is observed that the rules and regulations make it fully clear that the CEO, usually a generalist, is the head of the entire hierarchy of urban local government under the Pourashava Ordinance of 1977, the DCC

Ordinance of 1983 and the CCC Ordinance of 1982. Therefore, there cannot be any question of a technical officer's overstepping the CEO and getting away with whatever he tries to do. The CEO and other government deputed officers normally serve a particular city corporation for a certain period of time. They understand the local people and local situation as do any other people concerned with it. Hence, the officers generally prefer to avoid administrative tension among themselves.

Tension reflects the atmosphere of the organization concerned. But there had been conflicts within the urban local bodies between the administrative personnel and elected leadership. First, conflict invariably surfaces when the elected local leadership wants to win over urban local officers for the purpose of sanctioning building plans, assessing valuation of house property, collecting arrear taxes, or extending facilities in matters of road-repair, drainage, street lighting or domestic water-supply beyond rules. Heads of departments and the Mayor or Chairman and Commissioners of the city corporations and pourashavas go on collision courses on these issues. Another issue of conflict found to be common in both city corporations and pourashavas is the appointment of lower grade and Class-IV employees in all the organizations. Such recruitment are done locally and there are some natural tendencies on the part of elected local leadership to induct as many of their own people in urban local service as possible. Another issue of possible conflict is lease or sale of urban local lands. Experience shows that elected leadership in the urban local body and in the standing committee invariably press for lease or sale of urban local land to particular person and conflicts arise whenever such pressures are resisted by the CEO. Tensions also occur due to temporary appointments in some of the departments and recruitment of casual employees against the sanctioned posts.

No urban local plan or programme can be made more effective than the employees who help to device and execute it. Any administration, for its success depends largely on the quality of the personnel managing the organization. Lack of proper training of this personnel is one of the key problems confronting the city corporations and pourashavas. The main problem of NILG which provides training to local government officials is the dearth of motivated trainers who would like to build up career in training. The reasons are the absence of adequate career opportunities and incentives. (Tarek, 1989) A professional man often finds himself in the same position for much larger period than a non professional. In NILG, a professional trainer retired without any decision in respect of Leave Prior to Retirement on pension, because the Institution could not finalize its recruitment and service rules in 1980s.

We have observed that only very senior officers have received formal training. With some exceptions, training has been provided by local bodies but some courses have only been of two to three weeks duration. It was also observed in city corporations and pourashavas that very few of the senior staff in the Department/Section of Accounts and Revenue had received formal training and no regular formal training programme was operated. Only day to day training of staff in their duties by supervising officers exists. In the absence of regular training programmes there is some evidence that a gradual lowering of standard of urban local services is taking place as temporary shortcuts and other expedients become accepted as standard practice. This trend may continue unless proper procedures are fully documented in training courses organized and operational manuals, to teach best practice.

4. Evaluation and Conclusion

Ever since the British period, there have been many reform attempts relating to the urban local government bodies in the area now known as Bangladesh. These reforms brought about little changes in the functional jurisdiction, personnel management system and financial ability of the local bodies and their relationship with the government. (Ali, 1987) This means that the basic problem experienced during the British Raj still continues. The urban local government has a positive role to play in the country's overall framework of administration. But in order to be effective, these local bodies must have systematic personnel system and a properly framed personnel policy. (Siddique, 1992) For ensuring efficient personnel system, job description and work distribution for all classes of officials and staff must be clearly defined. To achieve higher administrative efficiency, importance of ensuring supervision and control by the immediate supervisor in each level must be realized. The administration of personnel matters is seen as a major impediment for the efficiency in the services of city corporations and pourashavas. It is considered necessary to delegate more powers to these units. These should include disciplinary actions, transfer and posting, sanction of leave and pensions, and incentives connected with efficient collection of taxes.

Under the present arrangement, all powers for taking formal disciplinary action against the officials lie with the ministry. This is a gross anomaly because the officers are posted in city corporations and pourashavas and they draw their salaries and fringe benefits from these bodies. Ministry has also the power to sanction pension of all personnel posted in these bodies. City corporations and pourashavas have no power in this regard which weakens their authority, personnel in these bodies do not often know who is responsible for doing what and there is a lack of supervision and follow up

to ensure accountability of officials responsible for a specific job.

The departments and their staff are the key elements in the execution of the programmes. Without well-trained and well-motivated personnel, implementation of programmes will continuously fall short of expectations. As a result, the development of professionalism and technical expertise has lagged behind. One shortcoming in the existing system is that there is no officer specifically assigned for the purpose of training. Sometimes heads of departments can not spare their personnel for training. A recommended solution of this problem is the creation of a training reserve posts in the important job categories in each department. Another weakness is the lack of sufficient skilled trainers in the training institute. It requires a high degree of skill to organize practical, troubleshooting types of training.

The personnel problems need to be solved if we aim for a desired level of efficiency for the urban local bodies. For tapping of local resources, the services of qualified and necessary staff are essential. (Ali, 1981) Plans or programmes can be effective only when the concerned employees are capable and motivated. Introduction of a separate or unified cadre service is one ways of solving such problems. It will certainly attract better and qualified persons, and strengthen the personnel system of urban local government in Bangladesh.

Cities are the never-centre of political, economic, educational, developmental and recreation activities and the urban local bodies are charged with the responsibility of providing an efficient civic and administrative assistance suited to the local needs, assuring planned development and utilization of local resources to the best advantages of the community. For the welfare of the respective areas as well as for the socio-political development of the whole country, the existing problems of urban local bodies need to be resolved and they should emerge as autonomous but accountable and financially solvent local self-governing bodies. (Westergaard, 1979).

An effective system of urban local government, financially independent, free from administrative and political interference, having sound personnel policies, operational autonomy and well-defined relation with other urban development agencies and autonomous bodies as well as government will enhance the quality of civic facilities and development activities rendered towards urban welfare and development.

References

Ahmed, M.U. (1993), '*Urban Local Government Administration in Bangladesh Study of Municipalities and Municipal corporation*' Ph.D

179

PERSONNEL MANAGEMENT SYSTEM OF URBAN LOCAL GOVERNMENT IN BANGLADESH:
A STUDY ON SELECTED CITY CORPORATIONS AND POURASHAVAS

Dissertation, Dhaka: University of Dhaka.

Ali, A.M.M.S. (1987), *Politics, Development and Upazila, Dhaka:* NILG.

Ali, Sheikh Maqsood. (1981), *Decentralization and People's Participation in Bangladesh,* Dhaka: NIPA.

Choudhury, L.H. (1987), *Local Self-Government and its Reorganization in Bangladesh,* Dhaka: NILG.

Government of Bangladesh. Ministry of Law and Parliamentary Affairs. (1972), *Constitution of the Peoples' Republic of Bangladesh,* Article-9, Part-II. Dhaka: Bangladesh Government Press, 1972. p. 9.

Government of Bangladesh. Cabinet Division, President's Secretariat. (1976), Secretariat Instructions, 1976. Dhaka: B.G. Press. pp.2-3.

Government of Bangladesh. (1989), *The Dhaka City Corporation Employees Services Rules, 1989*, Dhaka.

Government of Bangladesh. (1990), *Report of the Pourashava Commission*, Dhaka.

Government of Bangladesh. (1992), *Report of the Commission for the Review of Local Government Structure*, Dhaka. (Unpublished)

Government of Pakistan. (1968), *The Local Councils Services Rules*, 1968, Dhaka.

Siddique, Kamal. (ed.) (1992). *Local Government in South Asia A Comparative Study*, Dhaka: University Press Limited.

Tarek, M.A. (1988), *Development Administration Concepts and Issues,* Dhaka: Organization for Development and Research.

Tarek, M.A. (1989), "*Role of Local Government Institutions in the Development Process of Bangladesh: An Analysis*", in South Asian Studies, Lahore. Vol. 6, No.1, January. pp. 1-11.

Tarek, M.A. (1989), "*Legal Aspects of Municipal Administration in Bangladesh: The Case of Chittagong Municipal Corporation*", in Management Development, Dhaka. Vol. 18, No. 1 and 2. pp. 23-44.

UNDP, (1992), *Report on Human Development*, UNDP Dhaka Office, 1992.

Westergaard, K. (1979), *Local Politics and its Relationship to State Power,* Copenhagen: Centre for Development Research.

World Bank, (1985), *Urban Local Government Finance and Management Issues in Bangladesh*, Washington, D.C.

Records and Files of Selected City Corporations and Pourashavas.

Towards the Third Millennium - A Vision for North-East India

- Archbishop Thomas Menamparampil*

One may ask: What is the most urgent task of a social worker in North-East India today? There is no doubt, in the present context of tension and violence, it is a mission of peace. A message of peace and the service of reconciliation are what are most needed among our people in our times. It is in a peaceful atmosphere that prosperity can be built up.

Reasons for the Disturbed Conditions

The reasons for the present disturbed conditions are many. North-East India has had a very brief shared history with the rest of the country. The Partition isolated it further, disrupting communication lines and cutting off markets from producers. The Chinese clash in 1962 ended the traditional North-Eastern trade with Tibet. The hills of North Myanmar have been a source of drugs, arms and training in guerrilla warfare to dissidents.

The recent stir among our tribal communities is easily understandable. Education and development brought a better self-understanding within communities; it also stimulated self-assertion and a desire to carve out a place for their communities in the future order of things. Unfortunately the exaggerated self-assertion of some communities led to similar exaggerations in others, setting in motion a chain-reaction with no end in view as yet. It has led to heightened political consciousness in every ethnic group, with little readiness to concede to others.

Popular movements in modern times have been ways by which communities grew conscious of themselves and of their strength, and became capable of taking their future into their hands. Thus political movements have brought life and direction to mute isolated millions. Each ethnic group in our region today has grown conscious of the power it can exert, it is aware that it counts for something and that it can exert some influence to shape its future. However, in making various claims, some groups went too far in the view of others.

---

* Don Bosco & Youth Educational Services, Guwahati.

The Tragic Situation

It is for the average person that all parties concerned are fighting. But his/her situation is the most pitiable. If he is a peace-loving person, his troubles are all the greater. He may be paying double 'taxes'. If he does not pay, his life is at risk. If he pays, he can be caught for subsidizing insurgency. He is buying over-priced goods. Prices rise because of local 'taxes' imposed by youth groups on the roads, collection by the police, facilitation money to politicians, to officers and others. He is forced to observe bandhs despite the losses he suffers on his daily earnings. If he does not observe the bandh, he is threatened by the movement leaders; if he does, he is harassed by the police. If he is an able-bodied youth, he is sought after by either side, and tortured in case of suspicion.

Extortions have broken the backbone of the economy. Insecurity keeps investors and technicians at a distance from the region. The disturbed conditions have destroyed the academic atmosphere among students. Development programmes are indefinitely delayed and cost more. Nothing is decided solely with the view to the effective carrying out of a work but more for the promotion of political goals of contending parties.

In different parts of the region in turn, bridges are blown up, public buildings are damaged, telephone wires are cut, electric lines are stolen and sold, travelling by road and rails is made unsafe. Shops close early, picnic spots are unfrequented, small business drags on and fumbles, and big impersonal business managed from a distance plays with the prices. Money poured into the region flows back to producers of consumer goods in other parts of the country. Remedial voices are silenced, media men are warned, judiciary is threatened. No defense is offered against extortioners, but the law comes down heavily on those who have yielded to their threats. A circular witch-hunt is launched.

The most tragic aspect of the situation is the growing insensitivity to human suffering. The harsh examples of the cruelty of one group are picked up and imitated by other groups. Lives of innocent persons including those of women and children are sacrificed for promoting political causes or even for merely winning general attention.

How an Economy Works

Since much of the grievance of our young people is concerned with the economic problem, it is worth reflecting further on this topic. We in India have to face the reality that we are taking the first timid steps out of a 'socialistic pattern of society', with all the difficulties involved. By and large

we have followed the East European system, except that we did not use force and that we tolerated a parallel private economy. We lived by the same economic philosophy that governed most East European nations, with which we maintained very good relationship. It would be educative for us to study the experience of some of those countries in trying to emerge from the socialistic system.

Recent reports on the East European countries reveal that during the transition to a free-enterprise economy, things go into chaos. Earlier, people had no motivation to do an efficient job. They did not have to struggle to make a living. Wages used to come whether they worked or not. When they go into free enterprise for the first time, they cling to unrealistic hopes and expect miracles without effort. They are likely to work less and demand more. The prices go up. Money value comes down. Living standards fall. Production trails behind. Unemployment rises. It becomes impossible to stimulate initiative. People do not know how a real economy works. Everyone expects the Government to perform the impossible and wait for ready-made solutions to problems. Those who are smarter, manipulate the market to their own advantage, mostly through political pressure and dishonest devices, and not by economic effort or creative venture.

Our young people must move towards dynamic entrepreneurship. We may have to come to admit that it is honest to make profits by working hard, or being innovative, or providing superior quality goods or services, or offering better after-sale services, and ensuring on-going customer satisfaction. Where there is little scope of making profits in this legitimate manner, the other category of business men take over: people who make profit through exploitation of workers and defrauding of customers, e.g., through adulteration, providing inferior quality or duplicate material, or who maintain a local monopoly of transaction using thugs or through other unethical practices.

A Case Study

Development is not merely a matter of raw materials and good plans. National determination is equally important. Let us take up one example for careful study. The near miraculous recovery of Germany after World War II is a wonderful illustration of what a nation can achieve when it makes up its mind.

The Example of West Germany's
National Determination after World War II

Alan Watson in his *The Germans: who are they now** describes the state

---

* *Information about Germany in this paper is closely dependent on Watson's book*

into which Germany had been reduced during World War II. All important cities had been bombed. Not less than 80% of the central zone of Munich was mere rubble in 1945. Frankfurt was in ruins. About 70% of Cologne's buildings had been destroyed. In Dusseldorf 90% of the city's buildings were unusuable. Essen was brought low. Berlin, the capital of Hitler's mighty empire, was reduced to a ghost town. The Germans could have held out grudges against those who defeated them for all time. But that is not what they chose to do. They made up their mind to join hands with their conquerors and build up their nation.

The only asset the Germans had was a determination to succeed. Adenauer and Erhard were down-to-earth realists. They did not believe in doctrinaire capitalism. Their economic policy was influenced by the Catholic social programmes of the old Centre Party and was shaped by a healthy pragmatism. Adenauer did not want to waste German energy on conflict between management and workers. From the beginning the new German Government sought to establish capital and labour as social partners. Laws were so framed as to favour consensus and co-determination than confrontation. These contributed a great deal towards strengthening the Post-War German system.

Reaching Consensus on Basics

The consensus the Germans tried to reach was not on details, it was on basics. Both the entrepreneurs and workers felt responsible for their common success. They knew; Watson says, they could not eat the same cake three or four times. Industrialists did not look at trade union leaders as class opponents. They were happy to discuss together.

Both could turn tough as they negotiated. But there was a basic consensus otherwise it could not grow and give jobs. We in India and in our region have a lot to learn from this experience of achieving consensus, despite conflicting interests. Could clashing ethnic and regional interests also be led to a consensus through mutual accommodation?

Alan Watson points out how the German trade union leaders go to the discussion table very well prepared. Their economists and experts are as competent and as committed to the success of the industry as their employers. They have a vested interest in the success of the national economy as the management itself. They have no desire to wreck it or weaken it. And once a conclusion is reached in a collective bargain, it is assuredly honoured by both sides.

Common Commitment to First Quality Products.
Young People's Love and Esteem for Work

Both the **management and the workers are equally committed to producing first quality goods** and providing excellent after-sales services.

It is the approach. It is the attention to detail. Around 70% of the Germans receive occupational training. In the factory or shop where they are trained, they not only learn the skills but also become familiar with the culture of the business and the atmosphere at work.

Watson emphasizes that German youths love and esteem work. Some 64% go in for vocational training, while only some 20% proceed to the University. The system of apprenticeship inculcates an attitude of self-reliance and a sense of self-worth. The on-going dependence our systems have fostered in our country have made our youths even more dependent and unrealistic on the one hand, and more vociferous about their claims on the other.

Product Improvement through Innovation

German industry seeks continuous product improvement through innovation. Innovation and research is focused on customer need. There is a continuous exchange of ideas between companies, and between industry and the university. Thus creativity spreads and general enthusiasm for innovation grows from person to person, from group to group. Interest builds up, and motivation constantly remains high. The Germans know for certain that the future belongs to those who cultivate technological creativity. As in Germany, adults in our country too have a big role to play in guiding the youth to worthwhile and realistic ideals.

East Germany: Death of Initiative, Growth of Dependence

We may look briefly at East Germany by way of contrast. The centralized economy of East Germany was considered the best in the Socialistic bloc in the early years. But gradually it sank. Private initiative died out, and the all-powerful bureaucracy interfered and blocked every economic effort. Dependence grew. Alan Watson tells how the national income fell from 5.5% to 2.8% and then lower. Foreign debt rose. Productivity fell. Pollution level rose. Slums expanded. Buildings decayed. For decades the Party bosses running East German enterprises had lied about performances. Statistics had been manufactured with far greater skill than the products of the plants themselves. Reality and illusion became totally confused.

Did something similar happen in our country too?

Meanwhile the East Germans watched the prosperity of West Germany. They knew it was the fruit of West German effort and not built up at East Germany's expense. They longed for the day when Germany would be united. There was great rejoicing at the unification of Germany. But it was soon followed by great disappointment.

The working habits of the East Germans refused to change. West Germans accused their Eastern brethren of 'immobilisme', passivity, dependence, 'subsidized laziness', inability to venture or take risks. The Easterners responded by a claim that after decades of deprivation they were owed a standard of living by the their more fortunate Western cousins! All Government assistance to East Germany was wasted on consumer goods and not used for intelligent investment. Money flowed back to the West, and the Eastern industries collapsed. East Germans were simply not prepared for competitive markets.

Germany has gone through difficulties in recent years. But the Germans continue to be optimistic. The Easterners can pick up new habits gradually, and Germany can emerge true to itself.

Development Depends on the Social will of the People.
Creating a New Mentality

The experience of one nation cannot be fully applicable to another situation. But the German experience can teach us a few lessons. It is important to recognize that **development depends not only on the funds available, but even more on the social will of the people,** and on the habits that they consciously cultivate. An experience of success can be built up through consistent endeavour. A collective mood can be created that prepares people for change. And the community can gradually be led to learn from the experiences of others.

A planned and positive approach to problems, and an eagerness to earn, save, invest and diversify, are the result of the ideals that the leaders of the community place before a people over a period of time. Writers, thinkers, teachers and artists play a big role in building up a new mentality. Parents and elders bring these concepts to every home. And society makes up its mind to succeed. That was exactly what happened in Germany after the War. Their leaders and writers spoke of the past as a wound to be healed. Not as a reason for an on-going grouse to be cultivated and preserved. They looked to the future. They worked on a task of reconciliation and reconstruction. And what the world saw was nothing short of a miracle. German economy won what German arms had failed to do. Peace earned for Germany the position that War had not succeeded to win.

Transmuting Political Energies into Economic Performance

One thing is certain: capital flies disturbed areas. Even if funds are poured into such areas, it will flow back again to settled zones. Violence can attract neither investors, nor technicians, nor scientists, nor other experts in matters

related to health, education or development. And in today's world of rapid innovation and change, being out of touch with the latest competence and skill leaves you far behind.

Speed of information, decision and action itself has become a determinant in economic success. Short-term political gains will in no way compensate for long term economic benefits. In fact, time has come for us to transmute some of our political energies into economic performance. Politics have become a national game which we eagerly wait for in the media. Time has come to return to work.

We have reasons to be optimistic. If North-East India is disturbed today, it was not always so. It was singularly known to be a zone of peace. Writings of even a few decades ago spoke of the people of the region as most peace-loving. If the situation has changed, it can change once again, and peace and serenity can return. Structures do exist and others can be created, through which social differences and economic grievances of different communities can be identified and given attention.

Politics of Reconciliation

An attempt must be made to reach some measure of consensus on certain central issues. It should be possible to arrive at commonly acceptable conclusions with regard to community health, basic education, common development projects, essential infrastructure like roads, bridges, power, telecommunications. If I can emphasize my difference in political point of view only by blowing up a bridge. I become like a member of a family who pulls down a pillar of the house to protest a home quarrel. If hundreds must die at every election, we still have a lot to learn about the true meaning of democracy.

What we truly need is what someone has called "Reconciliation Politics", which proposes that a healing of relationship takes place in every direction: management-labour, adult-youth, movements-government, majority-minority, one ethnic group and another, one religious community and another, armed outfits and administration. What is needed at this point is a system that emphasizes healing and wholeness instead of more upheaval and disruption.

Such politics would encourage consensus-building and a quest for common ground. It would emphasize inclusion rather than exclusion. Unlike a win/lose approach 'reconciliation politics' would adopt ways in which there are no total winners or losers, but everyone makes some gain, and all of us win together. Such a policy would prevent the fear of the dictatorship of the

stronger group which happens to win at one moment, and which always lives in equal dread of the other group (a fact that makes every election a life-and-death struggle, leading to political murders, media manipulation, distortion, buying of votes, large scale corruption).

Politics of Cooperation

What we are pointing to is politics of cooperation. It greatly differs from cut-throat politics and its sloganeering and campaigns which merely reopen ancient wounds and further reinforce mutual resentments, incompatibilities, fears, and suspicions. Cooperation means arranging our relationships in such a way that our benefit becomes the benefit of others, and theirs ours: by helping others we help ourselves. Not long ago Mohammed Mohathir of Malaysia said that the time had come for us to adopt a 'Prosper thy Neighbour' policy. It is mutually beneficial. He was speaking from actual experience derived from his peace settlements, externally with Indonesia and Singapore, and internally with the economically advanced Chinese community. He learned to combine his 'sons of the soil' policy in behalf of the Malays with sound economic wisdom.

Reconciliation politics arises from what may be called 'interest negotiations'. India had developed this skill to an admirable extent during the period immediately preceding Independence and soon after. We had found ways of accommodating the claims of various groups, regions, interests, and ideologies. When, today, almost continuous 'interest negotiation' is required in a region like ours, our leaders will need to become rather 'interest mediators' than demagogues who threaten the life and existence of opposing groups. All perspectives and shades of opinion are to be discussed. Through intensive, at times delicate, consultation, and common vision can emerge. It is thus that a social healing takes place, and a spirit of cooperation arises. Such politics paves the way for long-term effectiveness rather than short-term appearance of success, and is in keeping with the cultural traditions of the region.

From Dependence to Independence, and then to Interdependence

We have just celebrated the Golden Jubilee of our Independence. And we rejoice. But we know that meanwhile the world has moved on to interdependence. Even the mightiest nations on the planet today are highly dependent on others. We all belong together. The countries of the European Union, after having attempted to perfect their notion of sovereign nation-states for centuries, and having clashed with each other in mortal conflicts, are beginning to unlearn the attitudes of fierce independence. They now emphasize their interconnectedness and interdependence in the interest of

common economic benefit.

We too, as regional or ethnic groups, should build up mutually rewarding relationship. Communities with varying skills complete each other and promote each others' welfare. We should recognize our inter-connectedness with neighbouring countries.

A 'Consensus Paradigm' Rooted in the Cultural Traditions of the Region

This 'cooperation and consensus paradigm' has deep cultural roots among the communities of North-East India. Most tribal communities emphasize the community rather than the individual. Everything is discussed at length and a consensus is reached before the community goes into action. In the old days the matters concerned, possibly, sowing or harvesting, or similar activities. We need to revive some of these practices of reaching consensus in new contexts with a new content. We need to build up strong neighbourhood communities and develop local responsibility.

Even if the people in a place belong to different ethnic groups, all are interested in matters of common benefit: e.g. Maintenance of roads, bridges, telephone lines, electric supply; flow of essential goods; good functioning of schools, health centres, institutions of public interest: security of banks, of homes and safety of persons. Even advanced countries have begun delegating responsibility for local security and economy to the local community.

People know their neighbours and they are best placed to watch movements and activities that threaten peace. They are in a better position to judge the performance of local public servants: Officers, teachers, health workers, bank employees, development personnel. If the public is vigilant and demand accountability and performance, the standard of honesty and efficiency will keep rising. As Amnesty International and Transparency International contribute to beneficial changes at the world level, public alertness will ensure security and performance at the local level. Constant watchfulness will prevent the need for a sudden outburst of violence to safeguard public interest.

Singapore would be an example of consensus on a national scale. The internal discipline and the economic success that island nation has achieved is a miracle in our times, and that with least pollution and almost no street crimes! Singapore shows how each country, sub-region and neighbourhood has a uniqueness of its own. If the people and their leaders know how to exploit that 'uniqueness', they can move to the centre of the economic stage.

A New Breakthrough, First at the Local Level

A new breakthrough is needed in the field of economy. That is what we are

earnestly seeking. John Naisbitt in his 'Global Paradox' says that Deng Xiaoping began reform in China with the farmer. The farmer's output improved dramatically when his products were assured price. "In the decade of the 80's the productivity of the Chinese peasant increased more than that of any other workers in the world". More than 150 million people emerged from absolute poverty. The number of people on land declined. "By turning farmers into entrepreneurs, Deng was able to ensure a source of capital for future industrial development by generating a surplus of rural savings".

What was more interesting was the way that one village began competing with another village, neighbourhood with neighbourhood, state with state. **Economic achievement brings a sense of pride, a consciousness of self worth.** Dependence begins to shake of, a sense of personal responsibility for neighbourhood and public well-being grows, work ethic deepens. Local economy begins to take interest in the local school, hospital, and public works. Related inter-actions become mutually stimulating. Truly, until a measure of 'Economic Sense' is awakened in a group of people, all discussion on growth and development is futile. The game is to be learned by playing it.

It is being increasingly recognized that the strength of the national economy depends on the strength of the local economy in which a spirit of entrepreneurship, initiative and venture grows, and economic skills develop. It is at the local level that people learn to build on their traditional economic strengths, e.g. paddy cultivation, eri or muga, or tea. It is at the local level people learn to increase production through more intense economic effort, search for markets, attend to customers' needs, make profit, save, cooperate with others in similar efforts, re-invest and diversify. **People at the local level are very interested in the maintenance of the communications systems and in the security of life and property.** They become the guardians and protectors of the things of public benefit.

If the farmers and rural workers of south China and South-East Asia could move on to become amazingly great entrepreneurs in a couple of decades, greater opportunities are before us. We are not far from those geographical zones of the world that have made a convincing breakthrough.

Impatience with Economic Stagnation, A Possible Ground for New Motivation

What is often considered an obstacle. I would consider a singular advantage. Our young people in the region are impatient of the economic stagnation in which they find themselves. They are aware of greater economic possibilities, which are still considered beyond their reach. Their very impatience is a sign of their eagerness for change. **An open and progressive view of things**

is part of their present mental outlook. Naisbitt speaks of South-East Asians making their very condition of deprivation a motivation for economic performance. What we need to do is to show '**how an economy really works'.** Will cessation from work (agitations and bandhs) work the miracle? Or do we need to take a full round, put the shoulder to the wheel, and **compete with each other in strenuous economic effort?**

There must be many reasons why we find ourselves busy with other things than economically profitable tasks. Our version of socialism did not encourage 'self-help communities', it rather made everyone look to the Centre for answers. Leaders and parties competing for electoral advantages have been feeding the people on illusions. It is evident that political tussles do not produce wealth, but economic effort does. We also cannot ignore the fact that regions, groups and sub-groups have had legitimate grievances, and a consistent policy of attention and assistance has not always been evident. Planned isolation of our region also has not helped.

The Silver Lining

Every cloud has a silver lining. Even in the midst of difficulties, people have been thinking, reading, watching, comparing, reflecting and hoping. It is interesting to note that economically advanced countries have been able to avoid war among themselves for half a century even over the most serious differences. **They have understood from experience that peace is a pre-condition for on-going economic prosperity.** It becomes evident that constant reconciliation of conflicting interests (related to ethnic identity, political power sharing, and what have you!) within a country or region is possible and vital for making a breakthrough.

We noticed that all the countries that emerged successful did so, by means of **hard work and sustained effort.** Success gives a sense of dignity and destiny, and one applies to one's task with redoubled effort. It is not right to afflict ourselves with the thought that a 'Work Ethic' is not in our tradition. It is, in the old days, in the sowing or harvesting season no one worked harder than our people. It is said that even the Ahom Raja happily joined his people in their seasonal work. When an agricultural society moves into new activity and adopts a new way of organizing itself, there is bound to be a strain on its rhythm of functioning. We should not call it lack of 'work Ethic', rather teething troubles before a new life-pattern emerges. But pioneers must **propagate the value of self-rewarding thoroughness and speed in work.**

A new sign of hope on our horizon is the arrival of ASEAN** to our doorstep. With the entry of Myanmar into ASEAN, the super-dynamic economic zone of South-East Asia gets closer to us. We are sure to benefit from its vibrations. This new development not only opens out new possibilities for our young entrepreneurs, but offers to the entire region an opportunity to serve as an economic bridge between the subcontinent and the ASEAN countries. If in the meantime there is no social preparedness to profit by the opportunity, we will be the losers.

** The economies of SE Asian countries have been growing at the rate of about 7.8% a year; Indonesia 8.1% in 1995; Phillipines 7.1% in 1996; Thailand 8.5%;Vietnam 9.5%; even Mayanmar 7.5% (Far Eastern Economic Review, Asia 1997). It is true ASEAN is in trouble today. But it will recover.

John Naisbitt and Patricia Aburdene in the their 'Ten new Directions for the 1990's says. "Today the Pacific Rim is undergoing the fastest period of economic expansion in history, growing at five times the growth rate during the Industrial Revolution". The special strong point of these countries is that **they gave importance to education** "Asia's Pacific Rim has demonstrated for all to see that a poor country can develop, even without abundant natural resources, so long as it invests enough in its human resources".

In a world where information is going to be the propelling force of economic growth, education cannot be neglected: **literacy, general education, experience based education linked with specific economic enterprise, specialized training, research.** The future belongs to those who give importance to these.

Only one caution is sounded by observers about Asia. They say, Asia's economic future is largely dependent on the ability of Asian nations to resolve their problems in an non-military manner. The same would be true to our region. We have to give up insurgency and violence, if we have to make a breakthrough.

A Common Commitment to Prosperity

Until recently people thought that the more prosperous communities and wealthier nations would not allow the emergence of less fortunate ones. Today, economic wisdom, if not genuine altruism, is telling them that unless the poorer societies and nations rise, their own markets are going to shrink. The markets that the richer countries offered to each other are reaching a saturation point. Their own continued prosperity depends on the emergence of others. The mystery of human affairs is that the very effort that the less privileged ones make to rise from their condition, often gives them enough dynamism to outstrip early achievers. There is, then, great scope for growth for anyone who is willing to pay the price. 'Paying the price' is a necessity. **Economic advantage cannot be delinked from economic effort.** Whenever anyone tried to do that, they built up systems that failed: the failure of Socialism in East Europe, and the strains that Welfare State is going through, give ample evidence.

As violence chases out financial resources from a place or a region, various forms of **extortion breaks the backbone of the economy.** Very late did our policy-makers learn that lower taxes stimulate the economy and yield better revenue. Just when this awareness is dawning on leaders' minds, is it possible that another form of taxation has come from below to kill initiative and throttle the economy? We all have a common commitment to prosperity.

A Culture of Mutual Trust and Ethical Behaviour

Francis Fukuyama in his book "Trust: Social virtues and the creation of prosperity" establishes beyond doubt that a culture of trust and of other social virtues is absolutely important for economic success. Neither rigid laws nor a strong law-enforcing machinery will suffice. Even these will have to operate within the context of a general favourable atmosphere and a stimulating culture. Ethical habits and reciprocal moral obligations that have been

internalized by the members of a community alone give ground for mutual trust, assistance and healthy competition. "A thriving civil society depends on a people's habits, customs, and ethics", argues Fukuyama.

Many international companies have begun appointing 'Ethics Officers'. But ethics needs to have deeper roots in culture in order to exist and survive. Trust, for example, becomes possible when people are generally honest with each other. **In a high-trust society, collaboration and risk-taking become easier.** The traditional societies of North-East India, with a strong tribal background, where honesty was greatly valued, may be called high-trust societies. A strong sense of community and a tradition of mutual trust existed here from ancient times. Collaboration came almost spontaneously. These are values to be cherished and preserved. They may need new forms of expression. But they remain most relevant.

May be, some of the above mentioned values are under threat today. They are to be fiercely defended. There is nothing more precious than these. Building on these, if one plays the economic game correctly, something is surely going to happen in due course. That will mean choosing a "culture of responsibility and work" rather than a "culture of rights and claims", and working together in a disciplined, trustful and organized manner.

Self-Help Groups and Communities

Any new venture begins with some daring persons. There are already several self-help groups in our region that have launched one or other income-generating activity like cultivation of eri or muga, bee-keeping, chicken or rabbit rearing: piggery or dairy: cultivation of tea, coffee, rubber or tamul trees or fruit-trees or spices. They have been saving up money together and entering into non-traditional type of economic activities to the benefit of all Success stimulates success.

A sound sense of economy will not allow you to limit yourself merely to self-centred activity. Your personal success is for the benefit of others as well. A sense of true stewardship will make you administer the capital you have gathered with a sense of responsibility to society. You will be glad to share benefits with public institutions, especially those destined for good health, education and training. All people have a right to a share in the common prosperity. The less fortunate members call for special attention.

The Ultimate Asset

Economics was once defined as the science of scarce commodities. Today it is defined by some forward looking Economists as the 'Science of Unlimited Wealth'. **Capital is no more land, buildings, tools or equipment. It is, rather, skills, knowledge, social cohesion, motivation, information.** We are in the information age. Those who are more knowledgeable and innovative will own the morrow. 'Information Superhighway' points the path of great destiny. There is no limit to the wealth that is open to the creative person.

If Bangalore and Hyderabad could make a mark on software production at the international level, does North-East India need to feel timid about what it is able to do, possible, in the area of Information? Great possibilities lie ahead. And blessed are those who profit by them!