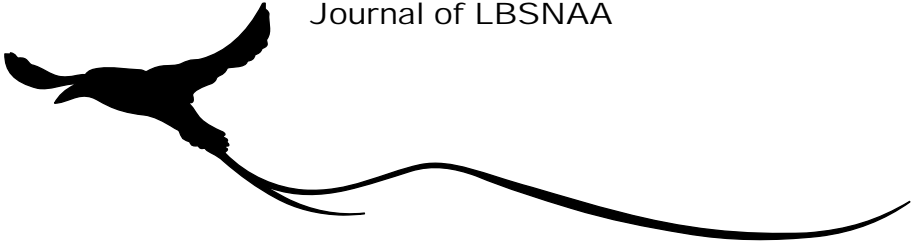


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TOWARDS SOCIAL JUSTICE: A Critical Analysis of Reservation Policies in India

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Abstract

The essay undertakes a critical analysis of the instruments used by the Indian State as part of its policy of positive discrimination. It surveys the principal arguments in literature in support and in opposition of the use of preferential policies by a state as part of affirmative action. Thereafter, it proceeds to examine the impact of various policy instruments in the areas of political representation, higher education and public employment. It concludes by making a case for objectively evaluating the effectiveness of policy instruments while retaining the use of preferential policies. It also seeks to underscore the importance of complementary measures for preferred candidates to enable them to harness the benefits more effectively and to occasion a gradual move towards equality of opportunity from equality of outcomes.

Introduction

“Positive discrimination” refers to the use of preferential policies by governments driven either by a “concern for social justice” or the need to “mitigate political conflict” (Weiner 1983: 36). The Indian State has been among the oldest proponents of such policies as a means of providing upward mobility to preferred social groups and to alleviate the effects of historical discrimination in a multi-ethnic and stratified society marked by strong community identity. To provide legitimacy and commitment to this envisioned social change, “reservation” policies have been embedded in the Constitution and entail “reserving a certain number of seats or positions, in a desirable institution or occupation, for members of groups that were under-represented in such positions” (Weisskopf 2004: 4). The groups favoured by positive discrimination (PD) policies are Scheduled Castes, Scheduled Tribes and a large, disparate mass of “socially and educationally backward” communities called Other Backward Classes.

This essay undertakes a critical analysis of reservation policies in India through the prism of equity and effectiveness. The first part focuses on a theoretical discussion of the merits of affirmative action where I present principal arguments advanced in favour of and against such policies. Thereafter, I examine the development and impact of reservation policies in light of the theoretical discourse and discuss measures for their amelioration. The essay concludes by arguing, on the one hand,

for the salience of continuing such policies and, on the other, for the need to review their efficacy and institute stronger complementary measures to enhance their effectiveness.

Theoretical Considerations

The underlying rationale for PD policies has been the subject matter of much theoretical debate with scholars arrayed both in the defence and opposition of such actions. Nicholas Capaldi lists five broad forms of interventions: “open-search”; “punitive/legal”; “minority set-asides”; “compensation” and “preferential” policies (1996, 68). I begin by a brief survey of the main arguments in order to better anchor the succeeding discussion in the context of the Indian state.

The arguments advanced in *support of* PD policies may be classified into two broad categories, backward and forward-looking arguments. *Backward-looking* arguments ascribe the need for corrective justice to right past wrongs “where paradigmatically the harm doer has to make the restitution to the harmed” based on the assumption that the “actions causing harm were unjust” (Mosley 1996:24). This also underscores a “society’s symbolic affirmation”¹ towards making the preferred-groups equal partners in a nation’s development (Weisskopf 2004:26). Further, preferential treatment provides members of that group with positions of power, prestige, and influence which are a source of defence and advocacy. A slightly different approach of “reparation without affirmative action” recognizes the need for reparations without endorsing strong PD policies.²

Forward-looking arguments, on the other hand, defend preferential treatment without viewing it as a form of reparation with its associated “inter-generational distribution of burden”. These support PD policies on progressive grounds of distributive justice, minimizing subordination and maximizing social utility. Ronald Dworkin advocates broad-basing the societal elite and justifies preferential policies both in terms of “judgement of social theory” and “calculation of strategy” (1991, 178). Social integration is also justified in terms of prospective economic efficiency gains and making democratic functioning more inclusive. Cass Sunstein proposes “risk management” and the “principle of non-subordination” as a means to end social subordination.³ Increased motivation of

¹ See Weisskopf, 2004, pp 25. He quotes Sunita Parikh (1997) who eloquently observes that “Ascriptive policies, despite their obvious problems and potential for controversy, signal as do few other policies recognition by ruling elites that bedrock characteristics of groups are recognized and valued.”

² See Mosley, 1996, pp 38. This approach is presented by Glenn Loury in his book *One by One from the Inside Out: Essays and Reviews on Race and Responsibility in America* (New York: Free Press, 1995).

³ See Mosley, 1996, pp 50-51. Mosley elucidates the two legal concepts of “risk management” and “principle of non-subordination” enunciated by Cass Sunstein (1991) in *The Limits of Compensatory Justice* stating that the former is applicable to cases where injuries are “individually small but collectively large” while the latter seeks to remedy a situation wherein minor starting differences have been turned into systematic disadvantages over time.

preferred-groups for self-advancement is also cited as an argument in support of preferential treatment (Weisskopf 2004:26).

The principal arguments advanced *against* PD policies are based on the primacy of individual rights and treat group entitlement-based preferential treatment as antithetical to modern libertarian values (Capaldi 1996; Nieli 1991). These distinguish *equality of opportunity* from *equality of outcomes* and oppose government paternalism and attempts at “social engineering”, actions which foster what Capaldi describes as a “culture of poverty” marked by complacency and dependency.⁴ Other criticisms of PD policies include the principal charge of “reverse-discrimination” against non-preferred groups; being poorly tailored to help the most-disadvantaged; selection of less-qualified candidates and thereby undermining of productive efficiency and merit;⁵ heightened consciousness of irrelevant differences between social groups; resentment in non-preferred groups and possibility of assertion by such groups to protect their “statistical goals”; and devaluation of achievements of PD beneficiaries by others (Glazer 1991; Capaldi 1996; Weisskopf 2004).

PD Policies in India

PD policies trace their genesis to the 1920s when anti-Brahmin movements in southern India were able to secure reservation in state employment and higher education.⁶ These got further impetus with the Government of India Act, 1935 ushering in political reservation for Scheduled Castes (SCs) and Scheduled Tribes (STs) in federal and provincial legislatures. While drafting the Constitution post-Independence, the Indian leadership stood committed to ameliorate the conditions of the disadvantaged groups, not just “as a matter of *noblesse oblige*”, but to build a more vibrant and inclusive nation through positive discrimination (Weisskopf 2004:22).

The Indian Constitution reconciles the paradox of equality and positive discrimination. The Fundamental Rights, that draw inspiration from the US Constitution, guarantee equality before law (Article 14), proscribe discrimination on grounds of religion, race, caste or sex (Article 15) and assure equality of

⁴ See Capaldi, 1996, pp 103. In order to buttress his argument, Capaldi uses Oscar Lewis’s term “culture of poverty” from the latter’s 1959 work *Five Families: Mexican Case Studies in the Culture of Poverty* to reflect social, moral, and economic disintegration and perpetual dependence.

⁵ See Weisskopf, 2004, pp 35. He quotes from Aditya Nigam (1990), who in an attempt to reconcile the competing demands of efficiency and social justice, contends that “merit and efficiency are largely socially determined and therefore, any consideration on merit alone works inherently against the under-privileged.” A slightly different view is taken by AM Shah (1991) who suggests using other means of affirmative action, i.e. other than quotas, to achieve the goal of social justice.

⁶ See Weisskopf, 2004, pp 10-11. The anti-Brahmin Justice Movement emerged in the Madras Presidency in southern India though it was in the princely state of Mysore that reservation was first introduced for all non-Brahmin communities in 1921. This was followed by similar, albeit less extensive, dispensations in Bombay and Madras Presidencies in 1925 and 1926 respectively.

opportunity in public employment (Article 16). However, Article 46 of the Directive Principles of State Policy concomitantly provides for promotion of “educational and economic interests of SCs, STs and other weaker sections.” In pursuance of this overarching objective, the Constitution incorporates provisos to certain Fundamental Rights; thereby permitting the State to make “special provisions” for the advancement of disadvantaged groups (clause 4 of Article 15) and also make “any provision for the reservation of appointments” for any “backward class of citizens” under-represented in public employment (clause 4 of Article 16). The Constitution also mandates political reservation in federal and state legislatures and in local governments, and provides for special allocation for development of SCs and STs (under Article 275) in national development plans. In 1990, reservation for Other Backward Classes (OBCs) was introduced in federal employment and was extended in 2005 to all government/government-aided educational institutions. Figure 1 provides a tabular representation of the scope of present reservation policies in India.

Sphere of Reservation	Central Government	State Government	Local Bodies
<i>Political</i>	SCs (15%) and STs (7.5%) in seats in Parliament	SCs and STs in seats in State legislature in proportion to population in state	SC, STs, OBCs in seats in local bodies in proportion to population in state and Women (33%) <i>pari passu</i> across all categories
<i>Administrative</i>	SCs (15%), STs (7.5%) OBCs (27%) in public service employment* in Central Govt.	SCs, STs & OBCs in proportion to population in state in public service employment* in State Govt.	State reservation policy applicable
<i>Educational</i>	SCs (15%), STs (7.5%) and OBCs (27%) in all higher educational institutions of or aided by Central Government	SCs, STs & OBCs in proportion to population in state in all higher educational institutions of or aided by State Govt.	State reservation policy applicable

<i>Financial</i>	Targeted budgetary allocation in development plans for SCs & STs under SC Sub-Plan and Tribal Sub-Plan in proportion to population	Targeted budgetary allocation for SCs & STs under SC Sub-Plan and Tribal Sub-Plan in proportion to population	State reservation policy applicable
<i>Enforcement</i>	Oversight by National Commission of SCs and STs under Article 338 & 341 respectively	State Commission for SCs and STs with oversight by National Commission	Oversight by State and National Commissions

**includes recruitment and promotions*

Figure 1 Architecture of India's Reservation Policy

Given its multi-dimensional stratification, Indian society has been marked by “the salience of community identity and therefore also community rights” (Weisskopf 2004:19). It is mostly in the identification of eligible communities for inclusion into the omnibus OBC category that much controversy has been generated. “Dominant castes”⁷ have exercised their political muscle to secure reservation benefits, the recent Jat agitation in Haryana being a case in point. However, political reservation for SCs and STs has seldom been contested even though it is not ad infinitum and requires to be extended every ten years. While upholding reservation for OBCs, the Supreme Court in 1993 introduced the concept of a “creamy-layer” which sought to skim the economically well-off within eligible castes from securing benefits and imposed a 50% cap on all reservations in higher education and government employment. However, it is significant that the “creamy-layer” was not extended to SCs/STs notwithstanding increasing economic differentiation within constituent communities within these groups. Also importantly, unlike the US, reservation policies do not apply to the non-government sector though there is a growing demand to bring private enterprises under their ambit (Borooah et al 2007).

Impact of PD Policies

The progressive expansion of preferential policies since Independence means that effectively around three-fourths of the country's population is subsumed by

⁷ The concept of “Dominant Caste” was articulated by the Indian sociologist MN Srinivas in his essay The Dominant Caste in Rampura based on fieldwork involving the agricultural caste of Okkaligas in Karnataka. Since then it has come to describe various “intermediate” agricultural castes across India such as the Jats, Kunbi-Marathas, Reddys, Kammas, etc., that are characterised by numerical strength and significant ownership of land resulting in social and political dominance.

preferred-groups (Sowell 2004:46). The impact of reservation may be differentiated across these groups in the political, economic, administrative and educational spheres. While political reservation for SCs/STs has provided greater voice to its members and increased the targeted transfers to these groups (Pande 2002:19); it is equally true that incidents of social discrimination especially against SCs, as official statistics suggest, continue to be reported in significant numbers.⁸ On poverty, a more differential impact is discernible; significantly more in the case of STs than SCs (Chin and Prakash 2009:23).⁹ The appropriation of employment benefits has also not been uniform. In general, OBCs have availed of higher education and job opportunities more successfully than SCs/STs, especially in highly-skilled employment.¹⁰ The heterogeneity and wide spectrum of the OBC category, however, has also allowed better-placed landed communities within the omnibus OBC bandwagon to appropriate the benefits more significantly. Further, intra-group appropriation within SCs has been rather skewed where certain castes have captured greater benefits.¹¹ However, no definitive evidence exists of higher-income SC families disproportionately cornering benefits in higher education (Desai and Kulkarni 2008:267).

Recommendations

Any analysis of India's reservation policies must necessarily consider two main questions: One, whether PD policies are better-placed than alternative interventions to create a more just social order (Weiner 1983:51); and, two, how can the dispensation of preferences be better targeted to more-deserving among the preferred-groups. There is also the concomitant need for assessing their costs and benefits (see Figure 2) against the backdrop of the societal goals of social harmony, democracy, productive efficiency and distributive equity (Weisskopf 2004:57).

⁸ As per statistics of the National Crime Records Bureau of Union Ministry of Home Affairs (see <http://ncrb.nic.in/>), a total of 47064 incidents of violence against SCs were registered in 2014. The number was considerably lower for STs at 11451.

⁹ It may be noteworthy that during 2004-05 to 2009-10, the annual rate of decline in rural poverty has been the highest in STs at 2.95% followed by SCs at 2.25% against a national average of 1.60%. Yet, in percentage terms, rural poverty figures remain very challenging – at 42.26% and 47.37% for SCs and STs respectively. (Source: Draft Twelfth Five Year Plan 2012-17, Planning Commission of India)

¹⁰ See Sowell, 2004, pp 31. He cites a 1996 study by Partha S. Ghosh titled Language Policy and National Integration that only 3% of all engineering and medical graduates in the country at the time were SCs or STs notwithstanding the fact that these groups together constituted almost a quarter of the population. According to a 2011 study by the National Commission of SCs [see [http://ncsc.nic.in/pages/view/172/174-creamy-layer-principle-does-not-apply-to-scs-sts-says-a-ncsc-study-\(12-7-2011\)](http://ncsc.nic.in/pages/view/172/174-creamy-layer-principle-does-not-apply-to-scs-sts-says-a-ncsc-study-(12-7-2011))], there is a literacy gap of 10.69% between SCs and other communities.

¹¹ See Sowell, 2004, pp 33. He asserts that the appropriation of benefits in the preferred-group of SCs have been largely appropriated by the cobbler caste known across India as Jatavs, Ramdasias, Mahars, etc. This is both in terms of higher education and government employment. The highly skewed appropriation has resulted in creation of "quotas within quotas" for other communities within the SC group in some states. In a similar vein, the state of Bihar in the last decade created the category of "Extremely Backward Classes" within the OBCs to escrow benefits provided by the State Government to more backward (and deserving) within the large, heterogeneous group.

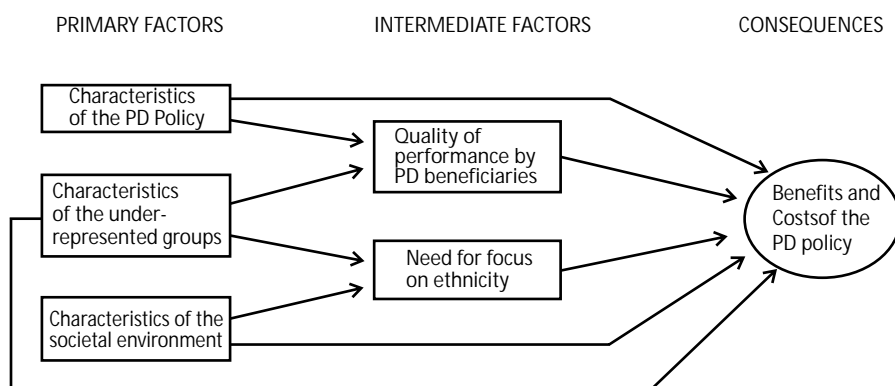


Figure 2 Model of consequences of a PD Policy (Source : Weisskopf 2004)

It may be surmised that the impact of reservation has been variegated and has provided “minimal benefits” to the least-advantaged within preferred-groups (Sowell 2004:49). Yet, compared to *alternative measures* of redistributive transfers or development programmes, PD policies appear less resource-intensive and on balance, more effective (Weisskopf 2004:233). The expansive sweep of PD policies, especially via the heterogeneous OBC category, has weakened their original *raison d’être* and fostered caste-based political mobilization. Therefore, it may be advisable to restrict the preference determinant to ethnicity instead of also including socio-economic disadvantage (as in the case of OBCs).

It is argued that *political reservation* for SCs/STs must retain its continued salience. Attempts to introduce gender-based political reservation have repeatedly been scuttled by backward-caste leaders seeking caste-based reservations within it. Given the strong identity-based political mobilization, it is well-nigh unlikely that a “sunset-clause” to such political reservations can be realistically assigned.

It is ironic that the subject of reservation in *public sector employment* remains politically most inflammable whereas it is here that more nuanced and evidence-based treatment is necessary. It is argued that while it is important to broad-base the selection of beneficiaries, it may not be wise to apply the “creamy-layer” test to SCs/STs in the absence of definitive evidence (Desai and Kulkarni 2008); and that it may adversely impact the quality of performance of PD-beneficiaries by excluding those better-placed within the disadvantaged group (Weisskopf 2004:238).

In *higher education*, given the general widening of inequality despite improvements at primary level (Desai and Kulkarni 2008:267), there is need to focus on the “hierarchy of deprivation” of various preferred-groups as also constraints in the schooling system; and explore “interaction effects” between ethnic-identity and other supply-side factors influencing group participation (Basant and Sen

2009:20). It is a truism that reservation policies have focussed little at “improving the job-related attributes” in members of SCs/STs (Borooah et al 2007). This buttresses the importance of providing complementary resources in university education to enable disadvantaged students to harness the benefits of social policy. It is important that in the din of the larger public debate occasioned by the tragic suicide of Rohit Vemula, a PhD candidate in the Central University of Hyderabad, this important aspect is not again missed. There is, thus, a compelling case to focus PD policies more on access to educational opportunities than on access to jobs which may enable PD-beneficiaries greater opportunity to overcome starting handicaps. The consistent bridging of performance gaps between competitive and preferred-candidates will also convert “quotas” into de facto “preferential boosts”.

Conclusion

Positive discrimination is an effective instrument of social policy used to integrate disadvantaged ethnic groups into the mainstream. It entails a “zero-sum game kind of framework”¹² that modifies *inter-se* distributions “without [necessarily] undertaking an equalizing transformation” of the underlying matrix (Sabbagh 2011:1669). Reservation policies in India represent an experiment in social engineering aimed at fashioning a new social order based on proportionality in distribution of benefits and opportunities (Weiner 1983:50). Social justice is thus sought to be achieved through “individual mobility based on group allocation” without obliterating the opprobrious system of social stratification.¹³

The pursuit of positive discrimination has fostered greater integration of societal elite, though there is also evidence of increased ethnic consciousness undermining “social harmony and democratic vitality” (Weisskopf 2004:244). While there is a strong case for continuation of preferential policies, it is equally important to empirically evaluate the effectiveness of the policy instruments as well as the social costs and benefits of such policies. On the other hand, it is almost paradoxical that while the magnitude of preferences has historically been high, supplementary resources made available to PD-beneficiaries have been significantly lower, often leading to sub-optimal outcomes. Policymakers need to, inter alia, focus on complementary measures for preferred-candidates, including school and university-level interventions, to enable the latter to better appropriate their constitutional benefits. This may also occasion a gradual and welcome move towards “equality of opportunity” from the current *idee fixe* with “equality of outcomes”; an idea whose time may have come.

¹² See Sabbagh, 2011, pp 6. According to Sabbagh, PD policies tend to be viewed in terms of winners and losers. Sowell, however, presents a different perspective and contends that the costs of such policies are borne by society as a whole and include loss of efficiency and increased inter-group hostility (2004, 47).

¹³ See Weisskopf, 2004, pp 36. He quotes Aditya Nigam (1990) who writes that reservation policies result in “a democratization of patronage distribution without so much as touching the frills of caste-exploitation.”

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Converting India Post into Post Bank of India: A Paradigm Shift in Indian Financial Inclusion Story

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Abstract

The idea of converting India Post into a bank has been mooted for quite a few years. The Union Finance Minister in his budget speech for 2015-16 has expressed hope of having the postal network included in the new payment bank system in the current year. India Post has applied for the new bank licence. Dr. Raghuram G. Rajan, Governor, Reserve Bank of India at the Financial Inclusion Conference on April 2, 2015 has indicated that the country will see many new banks in the coming years, including a postal bank promoted by the postal department.¹ Entry of Post Bank of India will not only change Indian banking landscape but will also challenge the predominance of large public sector lenders in smaller towns and rural India and thus, promote competition and increased financial inclusion in erstwhile excluded areas.

History of Postal Financial Services

Postal financial services are not a new idea in the field of finance. The first postal savings bank was opened in 1861 in the United Kingdom to encourage poor people to save. Later Post Department of British India also launched similar schemes. Since then, Indian Postal Department has started many financial services like savings, insurance etc. Brazil also experimented by creating a partnership of Postal Department with an existing financial institution called as Banco Postal which opened more than 10 million bank accounts between 2002 and 2011. Other countries like Sri Lanka, Egypt, Vietnam, Namibia, Kazakhstan, Uganda, Romania, Trinidad and Tobago, Caribbean countries have also been using postal department for expanding financial inclusion. India is in the process of converting India Post into a Payments Bank by the end of this year. As per an International Survey, there are 19 developed and 41 developing economies which use Post Department for some kind of financial services like merchant payments, deposits, government remittances etc. as shown in the following table-

¹ Opening remarks by Dr. Raghuram G. Rajan, Governor, Reserve Bank of India at the Financial Inclusion Conference, April 2, 2015

Table 1- Economies offering Postal Financial Services by Postal Business Model, 2011

Business Model	Developed Economies		Developing Economies		All Economies	
	No.	Share (%)	No.	Share (%)	No.	Share (%)
Licensed Postal Financial Services	3	16	4	10	7	12
Unlicensed Postal Savings	5	26	24	58	29	48
Partnership with Financial Service Provider	11	58	13	32	24	40
Total	19	100	41	100	60	100
Cash Merchant						
For Remittances	18	95	25	61	43	72
For Govt. Payments	11	58	29	71	40	67

Source: Berthaud and Davico, 2013

Network of India Post

India has the largest Postal Network in the world with over 1.54 lakh post offices as on 31st March 2014 of which approximately 90% are in the rural areas. At the time of independence, there were 23,344 Post Offices, which were primarily in urban areas. Thus, the network has registered a seven-fold growth since Independence, with the focus of this expansion primarily in rural areas. On an average, a Post Office serves an area of 21.22 Sq. Km and a population of 8221 people. Thus, setting up of Postal Bank of India can fill the gap that exist in the availability of commercial bank services in rural areas. With this one step, India will see 1.54 lakh branches catering to the unreached and excluded population. The balance sheet of Department of Posts is worth Rs.6.2 lakh crore, out of which deposits include around 5.5 lakh crore from around 30 crore Post Office Saving Bank Accounts which largely cater to rural clientele. In a way it is already a savings bank. All that we want to do is make it a commercial bank.

Customer Base for Postal Financial Services

In India, approximately 90 per cent post offices are located in rural India and therefore in case of Post Bank of India becomes a reality, the biggest beneficiary will be rural populace. In general, women, poor adults, and rural residents in developing economies are significantly less likely than their counterparts to have a formal account (Allen et al., 2012). It has been observed in Global Findex surveys that those who have an account at the post office are likely to be significantly

poorer, older, less educated, and less likely to be employed than those who have an account at a commercial bank. This suggests that post offices may play an important part in providing financial services to segments of the population that are particularly likely to be financially excluded. The results also suggest that posts could play an important role in bridging the gap in account penetration between rural and urban areas.

India Post has very deep penetration in rural areas which can be tapped effectively by converting these post offices into full-fledged bank branches. The wide distribution network of India Post can fill the vacuum of banking services in small towns and particularly in rural India. Setting up of Postal Bank of India will not only serve rural areas by providing access to financial services in rural areas but will also provide much necessary competition to public sector banks which so far have not faced any competition from private sector in Indian hinterland. Decision to set up Postal Bank is also economically more efficient as these 1.55 lakh post offices can be converted into banks without much capital cost as building, assets and other infrastructure is already available. The only major investment will be of CBS platform, computerisation and some HR cost in providing training etc. Thus, financial inclusion will get critical boost with coming up of Postal Bank of India. With growth of financial inclusion, government can extend all its benefits via Direct Benefit Transfer (DBT) into bank accounts which will reduce leakage and corruption and will ensure better targeting. Thus, Postal Bank of India can be a key factor in rolling out of DBT for all government schemes. This will alleviate poverty and expand economic opportunity in rural areas.

Harnessing India Post for Financial Inclusion

The Government set up a task force under retired civil servant Shri T.S.R. Subramanian which suggested ways to leverage the post office network by setting up a holding company under the Department of Posts for immediate roll-out of banking, insurance and e-commerce services through India's 1,55,000 post offices. The task force had submitted its recommendation in December 2014. The Government of India had also set up an Expert Inter-Ministerial Committee on Financial Inclusion under the Chairmanship of Ajay Shaw to examine potential synergies between the efforts at broad based banking and financial services delivery at India Post and the larger policy goal of financial inclusion. The Committee has submitted its report titled "*Harnessing the India Post Network for Financial Inclusion*". The key recommendations of these reports are as following:-

India Post should deliver lightweight, low cost bank accounts to all the Indian citizens and especially to the financially excluded population.

India Post should look for ways to leverage its low cost platform by providing the India Post branded accounts to other strategic partners, such as MFIs, mutual fund and insurance companies, and telecom operators.

India Post should apply itself towards the challenge of achieving high volumes of money orders where payments of as little as Rs. 10 are achieved at a charge of less than Rs. 0.1 while requiring no subsidy from the exchequer.

India Post should evolve the money order to become a mechanism for transferring money from one POSB account to another, instead of just being a Mechanism for delivering cash from one person to another.

India Post must build a payments infrastructure, through an array of contracts with partners, connecting up all POSB accounts and accounts of its partners, to effectively become a person to person money order capability (through an array of contracts with partners, connecting up all POSB accounts and accounts of its partners, to effectively become a person to person money order capability (through mobile phones or web browsers) for a large swathe of India.

India Post must elicit a large number of partners in terms of financial inclusion players, mobile service providers and innovative new technological choices in order to increase the size of the network.

India Post must work closely with a diverse array of government agencies so that their G2P payments requirements are met through a combination of the POSB accounts held by citizens and money orders delivered by government to those POSB accounts. The Ministry of Finance should work with India Post in rapidly rolling out this platform and network, given its important implications for direct, targeted delivery of government subsidies.

India Post should play a role in the emergency credit aspect of financial inclusion, through a platform building approach where private lenders deliver credit to the poor through a competitive framework.

India Post should request the addition of its financial inclusion project into the Terms of Reference of the recently announced Technology Advisory Group for Unique Projects, and the leadership team of the India Post financial inclusion project should closely engage in the work of this Group, so as to bring in the best practices for project management.

The role of the Post Office Savings Bank (POSB) as an agent of the Ministry of Finance should be revisited and expanded to enable India Post to play a larger, direct role in financial inclusion and build appropriate enabling architecture.

Expectations from Post Bank of India (PBI)

The road ahead for the Post Bank of India is not going to be easy as it has to meet the humongous expectations of financial inclusion, technological upgradation, customer service, and all this in fiercely competitive and multifarious Indian banking sector. A few of the expectations that appear to be looming large over PBI are discussed below-

It is perceived that the rural banking subsidiary will be able to make a visible dent on the problem of financial exclusion in the country. PBI has an advantage over commercial banks as far as geographical coverage is concerned. However, PBI shall not only take care of the banking needs of the rural poor but shall also converge with micro-insurance and micro-remittance services of the Department of Posts. There will be expectations of Insurance and Pension regulators also in

addition to RBI. Thus, PBI in true sense, has to be a harbinger of financial inclusion which provides not only credit but also insurance, pension, remittance, investment and depository services to the erstwhile excluded sections.

The postman is regarded as a friend, philosopher and guide to the rural folk. Banks have not been able to penetrate into remote areas due to their several internal and external rigidities. Now, PBI has to ensure that the good will and the brand image of India Post does not under any circumstance get negatively affected and this is not a small burden. The burden of 'brand image' will always linger upon PBI.

India Post has been doing an excellent job as far as mobilisation of small savings is concerned. Latest statistics indicate that there are some 26 crore deposit accounts worth around Rs 4-lakh crore (excluding NSC VIII and KVP). MIS and RD together command almost 70 per cent of the balance outstanding. Besides, it has been doing well in providing diversified financial services, such as life insurance, mutual fund, e-money order and forex services. Its deposits plus the capital mobilised can be on-lent to the financially excluded.

PBI will require intensive training for its staff before moving on to full-fledged banking. And till such time, it should practise what is known as "narrow banking", that is, investing the deposits mobilised in 100 per cent secured government and public sector debt securities. Small-scale lending is not knowledge-intensive and, therefore, the existing staff can very well manage it. However, for some time to come these branches should not resort to medium- or large-scale lending because that would require intensive credit knowledge, risk management techniques, and so on, which the existing staff would not know.

Besides savings products, small credit and other remittance services, India Post Bank can render insurance services too as it has vast experience running the Postal Life Insurance (PLI) and Rural PLI schemes. PLI is the first life insurance scheme introduced way back in 1884 and today it has around 46.86 lakh active policies with a sum assured of Rs 64,077 crore. The corresponding figures for RPLI are, respectively, 1.22 crore and Rs 66,132 crore.

Around 38 crore MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act) accounts are with India Post through which beneficiaries receive their wages. PBI can be a catalyst in extending Direct Cash Transfer of all government benefits like ration, national social assistance benefits etc. and thus help in reduction of leakages, corruption and bogus beneficiaries.

PBI has to make investments in modernising its offices and branches with state of the art infrastructure and technology. It has to provide two-wheelers, hand-held devices and smart phones to its marketing staff to do business in remote areas.

PBI should make attempts to conserve the good and guard against the evil through various risk-management techniques, HR interventions, good corporate governance, customer relationship management, and so on.

The Annual Report 2014-15 of the Department of Posts says, "*Core Banking Solution (CBS) Project will bring facilities of ATM Banking, Internet Banking, Mobile Banking and*

Phone Banking to the Post Offices Savings Bank (POSB) customers to perform transactions 24×7 in ATMs and to transfer money from their account to any bank account through National Electronic Fund Transfer (NEFT) and Real Time Gross Settlement (RTGS)." As of December 2015, a total of 12150 Post offices including 805 Head Post Offices and 11345 Sub Offices have been rolled out for CBS and it is expected that all Post Offices in India will be migrated to CBS by the end of March 2016.

Going Forward

The increasing use of digital communication technologies and falling mail volumes since the 1990's are already posing existential threats before Post Department. Therefore, government's decision to convert India Post into payment bank by March 2017 has come at a right time and is critical for its future survival. With its widespread presence across every nook and corner of India, PBI is likely to play a pivotal role in extending financial inclusion and providing access to financial services in rural and poor areas. PBI is expected to have a comparative advantage over other banks in access and affordability at providing financial products and services. However, leveraging the large physical network of the post is not without challenges. Banking has gradually become a very sophisticated sector with international standards of risk management, capital norms, securitisations, accounting, book-keeping, digitisation, universal banking etc. India Posts has to meet these challenges with deft professional management, missionary zeal towards financial inclusion and garnering expertise by capacity building of its staff. It will initially require government and regulatory support and the business model and values that it will adopt in the beginning may be critical to its success.

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Perspectives and Horizons of Inclusive Economic Development and the Indian saga

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Abstract

Inclusive Economic Development is the most cherished and desired objective of any nation – especially in a democratic set-up like India. While economic development has its own trajectories and patterns, inclusiveness of such development holds the key for ensuring maximum welfare of maximum number of people. This paper brings the various perspectives and horizons of inclusive economic development with changing paradigms over the period of time. It also discusses the main issues related to the inclusive economic development in India with experiences of the Eleventh Five Year Plan and the strategies of the Twelfth Five Year Plan.

Economic Development

'Development' is a normative concept and is therefore subject to value judgments (Griffith 2011). Development is a multi-dimensional and continuously changing concept. Development itself, has always been a moving target, thus constantly generating demands for new approaches. Development is a complex phenomenon comprising many dimensions – social, political, economic, administrative and so on. While defining the concept of development, it is necessary to take an integrated approach (Goel 2009: 4). Economic development means growth plus progressive changes in certain crucial variables which determine the well-being of the people. Economic development implies progressive changes in the socio-economic structure of a country with the objective of reduction in unemployment, poverty and inequalities (Misra and Puri 2008).

Amartya Sen in his book 'Development As Freedom' (Sen 1999) has stated that 'development' should be viewed not in terms of economic measures (e.g. GDP growth, average annual income) but in terms of the real 'freedoms' that people can enjoy. Sen describes human freedom as both the primary objective and the principle means of development; economic measures are merely the means to this end. He argues for the need for an expanded definition of development to include real human freedoms such as political

freedoms, economic facilities, social opportunities, transparency guarantees and protective security. He argues that development should include a broad range of freedoms or rights such as the basic capabilities to avoid starvation, undernourishment or premature mortality, as well as rights to education and being able to engage in participation in the political process (Hyden and Court

2002). It emerges from the above that a rights-based approach to governance and development has certainly many advantages.

Thus development in any realistic sense of the term is a multi-dimensional normatively understood social/notional phenomenon whose content, processes, agencies, quality, contributing factors, direct and indirect, intended and unintended costs and benefits as well as their intra and inter-generational, and intra-national and international sharing present a great deal of diversity (Alternate Economic Survey). A body of alternative thinking has developed in recent years, who define development in different ways like development as freedom (Amartya Sen) and development in terms of Gross National Happiness (in Bhutan) etc.

Inclusive Economic Development

The concept of inclusive development, though a catchphrase in recent policy and political domains across the globe, has its roots in almost all major ancient civilizations, across different parts of the world. “Vasudev Kutumbakam” is a symbol of that. Gram panchayat, which has existed in India for centuries, is a form of inclusive development. Adam Smith in his *Wealth of Nations* also spoke about inclusive development when he said “No society can surely be flourishing and happy of which by far the greater part of the numbers are poor and miserable.” Mahatma Gandhi also observed “No culture can live if it attempts to be exclusive”. There has been also better and wider understanding about the concept of inclusive development. The philosophical understanding of development has undergone massive change in the last few decades. In recent years, the inclusive development approach is the thrust area of United Nations, the World Bank, the Asian Development Bank, The Economic and Social Council of the United Nations etc.

The Meaning of Inclusiveness

In addressing the question of what is meant by inclusive development, two issues arise. First, the distinction between growth and development, and second, the import of the term ‘inclusive’ (Rauniyar and Kanbur 2010: 5). The first issue has been discussed above. The dictionary meaning of the term ‘inclusive’ is ‘comprehensive’, ‘including all extremes’ and ‘not excluding any section of the society’. Inclusiveness has four attributes- Opportunity; Capability; Access; Security. (Thakur and Singh 2009: viii)

Inclusive development has all the above four components. Inclusive development must provide equal opportunities to all the sections of the society. It must provide ways and means to increase the capabilities of the marginalized groups. It must help all communities to have equal access to resources, especially access to the benefits that growth generates in the economy. Moreover, the people of the country should have enough socio-economic safeguards against possible adverse effects due to structural and other various social and economic uncertainties. Inclusive Development puts people first and empowers the weaker groups in society to gain access to assets and opportunities. Inclusive development means

that the benefits reach to the poor, women and children, minority groups, rural areas, and those pushed below the poverty line. Inclusive Development is all-encompassing development which focuses attention on the distribution of wellbeing in society. It includes access to productive assets, capacities, and resources that will enable every person to participate in the growth process (Vishwanatha and Ramakrishnappa 2010: 29). Promoting greater access to opportunities would require expanding human capacities, especially for the disadvantaged sectors of society, through provision of social services such as education, health, and social protection; and improvement in policies and institutions. Inclusive development promotes human wellbeing by imparting a sense of belonging and respect, and by building capability, enhancing choices, and freedom. It refers to development with a sense of belonging. Inclusive economic development implies quantitative and qualitative development of all sections of society especially the poor and underprivileged ones, of all regions places (rural and urban), categories, sectors, strata of a nation. It includes progressive reduction in poverty and inequalities in terms of incomes, assets as well as in vertical inequalities (individual inequalities) and horizontal inequalities (group inequalities).

Twelfth Five Year Plan and 'Inclusive' Growth

Continuing with the trend of the preceding Five Year Plan, the Twelfth Five Year Plan gives huge emphasis on inclusive growth as suggested by its title 'Faster, More Inclusive and Sustainable Growth'. It defines and explains the term 'inclusiveness' exhaustively citing examples of inclusive growth achieved in India during the recent period. As per the Twelfth Five Year Plan, inclusiveness means many different things and each aspect of inclusiveness poses its own challenges for policy.

Inclusiveness as Poverty Reduction

Distributional concerns have traditionally been viewed as ensuring an adequate flow of benefits to the poor and the most marginalised. This must remain an important policy focus in the Twelfth Plan. It is worth noting that the record in this dimension of inclusiveness is encouraging. The percentage of the population below the official poverty line has been falling but even as that happens, the numbers below the poverty line remain large. According to the latest official estimates of poverty based on the Tendulkar Committee poverty line, as many as 29.8 per cent of the population, that is, 350 million people were below the poverty line in 2009–10. The rate of decline in poverty in the period 2004–05 to 2009–10 was 1.5 percentage points per year, which is twice the rate of decline of 0.74 percentage points per year observed between 1993–94 and 2004–05. According to some non-official estimates, the rate of decline in poverty between 2004–05 and 2011–12 will be close to 2 per cent per year, which was the Eleventh Plan target. If this turns out to be the case, it can be claimed that the Eleventh Plan has indeed delivered on inclusiveness.

Inclusiveness as Group Equality

Inclusiveness is not just about bringing those below an official fixed poverty line to a level above it. It is also about a growth process which is seen to be 'fair' by different socio-economic groups that constitute our society. The poor are certainly one target group, but inclusiveness must also embrace the concern of other groups such as the Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Classes (OBCs), Minorities, the differently abled and other marginalised groups (GoI 2012).

Inclusiveness as Regional Balance

Another aspect of inclusiveness relates to whether all States, and indeed all regions, are seen to benefit from the growth process. The regional dimension has grown in importance in recent years. On the positive side, as documented in Chapter 11, many of the erstwhile backward States have begun to show significant improvement in growth performance and the variation in growth rates across States has narrowed. Improvement in infrastructure must therefore be an important component of any regionally inclusive development strategy.

Inclusiveness and Inequality

Inclusiveness also means greater attention to income inequality. Some increase in inequality in a developing country during a period of rapid growth and transformation may be unavoidable and it may even be tolerated if it is accompanied by sufficiently rapid improvement in the living standards of the poor. However, an increase in inequality with little or no improvement in the living standards of the poor is a recipe for social tensions. Static measures of inequality do not capture the phenomenon of equality of opportunity which needs special attention. Any given level of inequality of outcomes is much more socially acceptable if it results from a system which provides greater equality of opportunity. As a society, we therefore need to move as rapidly as possible to the ideal of giving every child in India a fair opportunity in life, which means assuring every child access to good health and quality education. While this may not be possible to achieve in one Plan period, the Twelfth Plan should aim at making substantial progress in this dimension.

Inclusiveness as Empowerment

Finally, inclusiveness is not just about ensuring a broad-based flow of benefits or economic opportunities; it is also about empowerment and participation. It is a measure of the success we have achieved in building a participatory democracy that people are no longer prepared to be passive recipients of benefits doled out by the Government. They are slowly beginning to demand these benefits and opportunities as rights and they also want a say in how they are administered. This brings to the fore issues of governance, accountability and peoples participation to much greater extent than before. This also covers areas like access

to information about government schemes, knowledge of the relevant laws and how to access justice.

Each of the dimensions of inclusiveness discussed above is relevant, and public attention often focuses on one or the other at different times. We should aim at achieving steady progress in each of these dimensions. Accelerated growth in recent years has yielded distinct benefits to many and the prosperity which this has generated is visible to all, raising the expectations of all sections of the population, and creating a demand for a fair share of the benefits of growth. Policymaking has to be watchful of developments in each dimension of fairness and be quick to take corrective steps as soon as the need arises. It provides an assessment of trends in some key variables which point to the greater inclusiveness of growth in recent years.

Thus, inclusive development aims to reduce the following gaps:

Inter-group (general, SC, ST, ethnic groups, tribals etc.)

Inter-person (BPL/APL)

Inter-region (North, South)

Inter-State

Intra-State

Inter-sector (agriculture, industry, services)

Intra-sector (rich & poor farmers, small/large industries)

Inter-category (organized/unorganized labour)

Inter-gender (male/female)

Intra-gender

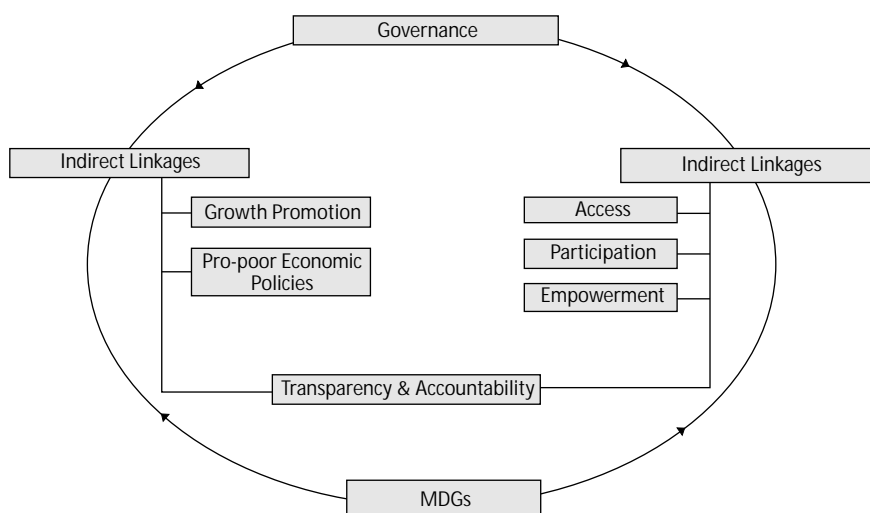
In the context of developing countries, inclusive development should have the following characteristics:

It should include the poor and lagging socio-economic groups as well as lagging regions as partners and beneficiaries of growth.

Inclusion needs to be embedded in the growth process and not as an after thought.

Inclusive development is expected to reduce poverty faster in the sense that it has to have a higher elasticity of poverty reduction. It also has to ensure access of people to basic infrastructure and basic services/capabilities such as basic health and education. This access should include not only the quantity, but also quality of these basic services (Hirway 2012: 64).

The three distinct processes of inclusion are: (i) social inclusion, (ii) economic inclusion, and (iii) political inclusion.



Source: Rahman (2010)

Inclusive Economic Development in India

Inclusive development has been promoted in many countries through affirmative action. In India, a few important inclusive development measures taken by the government are discussed below. The Constitution of India has various inclusive clauses. Article 15, Article 16, Article 16(4) many Commissions and Organizations such as the National Commission for Women, the National Council for Empowerment of Women, the National Commission for SC/ST/Minorities etc are all tools for inclusive development. Besides, the reservation of seats in the Local Self Government Institutions is a step for gender inclusiveness. The reservation of seats in the Parliament and State Assemblies for the SCs and STs is another example of political inclusion.

There is a need to look beyond economics and growth rates to focus on good governance as social unrest is bound to grow unless issues of poverty, nutrition and education were addressed (The Hindu 2010). People who are continuously marginalized and are unable to get the benefits of development are losing hope in the system of governance and argue forcefully that the system which we have created for governance has helped only a few sections of the society (Palanithurai 2009: 17).

Achieving Inclusive Growth in India-perspectives from the Twelfth Five Year Plan

As mentioned earlier, the Twelfth Five Year Plan keeps 'Faster, More Inclusive and Sustainable Growth' as its mandate for the years 2012-17. With these pious objectives, it lists out the various perspectives and strategies to achieve the above.

The Need for Faster Growth

Planners are sometimes criticised for focusing too much on GDP growth, when the real objective should be to achieve an improved quality of life of the people across both economic and non-economic dimensions. The Twelfth Plan fully recognizes that the objective of development is broad-based improvement in the economic and social conditions of our people. However, rapid growth of GDP is an essential requirement for achieving this objective.

Box 1

Eleventh Plan Achievements on Inclusive Growth

The following are some important indicators showing the extent to which the Eleventh Plan succeeded in fulfilling the objective of inclusive growth. (In some cases, where the data relate to the NSSO surveys, the time period for comparison is before and after 2004–05.)

- GDP growth in the Eleventh Plan 2007–08 to 2011–12 was 8 per cent compared with 7.6 per cent in the Tenth Plan (2002–03 to 2006–07) and only 5.7 per cent in the Ninth Plan (1997–98 to 2001–02). The growth rate of 7.9 per cent in the Eleventh Plan period is one of the highest of any country in that period which saw two global crises.
- Agricultural GDP growth accelerated in the Eleventh Plan, to an average rate of 3.7 per cent, compared with 2.4 per cent in the Tenth Plan, and 2.5 per cent in the Ninth Plan.
- The percentage of the population below the poverty line declined at the rate of 1.5 percentage points (ppt) per year in the period 2004–05 to 2009–10, twice the rate at which it declined in the previous period 1993–94 to 2004–05. (When the data for the latest NSSO survey for 2011–12 become available, it is likely that the rate of decline may be close to 2 ppt per year.)
- The rate of growth of real consumption per capita in rural areas in the period 2004–05 to 2011–12 was 3.4 per cent per year which was four times the rate in the previous period 1993–94 to 2004–05.
- The rate of unemployment declined from 8.2 per cent in 2004–05 to 6.6 per cent in 2009–10 reversing the trend observed in the earlier period when it had actually increased from 6.1 per cent in 1993–94 to 8.2 per cent in 2004–05.
- Rural real wages increased 6.8 per cent per year in the Eleventh Plan (2007–08 to 2011–12) compared to an average 1.1 per cent per year in the previous decade, led largely by the government's rural policies and initiatives.
- Complete immunization rate increased by 2.1 ppt per year between 2002–04 and 2007–08, compared to a 1.7 ppt fall per year between 1998–99 and 2002–04. Similarly, institutional deliveries increased by 1.6 ppt per year between 2002–04 and 2007–08 higher than the 1.3 ppt increase per year between 1998–99 and 2002–04.
- Net enrolment rate at the primary level rose to a near universal 98.3 per cent in 2009–10. Dropout rate (classes I–VIII) also showed improvements, falling 1.7 ppt per year between 2003–04 and 2009–10, which was twice the 0.8 ppt fall between 1998–99 and 2003–04.

There are two reasons why GDP growth is important for the inclusiveness objective. First, rapid growth of GDP produces a larger expansion in total income and production which, if the growth process is sufficiently inclusive, will directly raise living standards of a large section of our people by providing them with employment and other income enhancing activities. The second reason why rapid growth is important for inclusiveness is that it generates higher revenues, which help to finance critical programmes of inclusiveness. There are many such programmes which either deliver benefits directly to the poor and the excluded groups, or increase their ability to access employment and income opportunities generated by the growth process.

The Twelfth Plan's strategy for growth depends crucially on productivity gains as one of the key drivers of growth. Productivity improvements among all constituents: big businesses, MSMEs, farmers and even government. The Twelfth Plan should aim at a growth process that preserves emphasis on inclusion and sustainability while minimising downside effects on growth. Twelfth Plan's overarching priority on developing human capital can, with the proper prioritization of infrastructure and with innovative use of technology and finance, unleash a truly inclusive growth story. This inclusive strategy involves a much greater role of the States, and closer coordination between the Centre and the States.

Developing Capabilities

The Twelfth Five Year Plan gives a lot of focus on the capabilities to develop to achieve the objective of faster, more inclusive and sustainable growth. We first consider the development of human capabilities, which are in many ways the most important. Then we focus on institutional capabilities and the development of infrastructure which is a general capability enhancer for all agents.

Development of Human Capabilities

The development of human capabilities must be the first priority, for three reasons. First, these capabilities are actually ends in themselves. Second, they are also important instrumentalities which interact positively with others to raise the productive capacity of our economy and therefore its ability to satisfy the material needs of our population. Third, proper development of human capabilities will also ensure that our growth is more inclusive in the sense that the marginalised and disadvantaged sections of our society will be more able to access the opportunities thrown up by the growth process.

Development of Institutional Capabilities

The Twelfth Plan also needs to focus on developing the capabilities of our institutions to perform the increasingly complex and demanding tasks expected of them. We have three pillars of governance (Legislature, Executive and Judiciary) and three tiers of government (Centre, State and Panchayats/ULBs). The capabilities of these institutions to deliver on their mandate need to be greatly

improved. The gaps are most evident at the lowest level of PRIs and ULBs, where trained personnel are lacking and the training systems are also inadequate. It is also true at higher levels, where trained personnel may be available, but the capability of the systems is poor because they are not performance oriented and motivation is low.

Implementation Capability

The consultations undertaken by the Planning Commission in the course of preparing the Twelfth Plan have revealed a near universal perception that the capacity to implement is low at all levels of government. The government simply does not function with the efficiency that is required in the twenty-first century. This is partly because of the lack of motivation at various levels, but it is primarily because governmental systems and procedures are largely process-driven. They are not outcome oriented. Accountability is often viewed as adhering to procedures with no incentive to depart from procedures to secure better results. Unless this weakness is overcome, mere provision of more funds for programmes implemented in the same old way will not help.

Where implementation rests within one Ministry, there are problems of (i) insufficient attention to evidence-based analysis in the design of policies and programmes, (ii) insufficient concurrent evaluation that would give feedback on outcomes achieved and (iii) lack of willingness or ability to bring about systemic changes needed to improve outcomes. Even when it is known that a change in procedures will help, it takes very long to bring about that change. The problem is greatly multiplied when the effectiveness of a programme depends, as it often does, on actions that have to be taken by several different Ministries. Inter-ministerial consultations take far too long, and more importantly, are typically not oriented to resolving problems. This is because each Ministry works in a silo, applying its own rules and procedures. The effort is to seek a consensus if possible, with little ability to overrule positions taken by individual Ministries in the interest of a holistic problem solving approach. Resolving conflicting stands by consensus is of course desirable if possible, but beyond a point, it may not be possible, and some systems for conflict resolution are needed.

To deal effectively with these problems it may be necessary to redesign governmental decision making systems. There has been a great deal of system redesign in the private sector in response to the new environment created by economic reforms. A similar redesign of government is needed. For example, one way of accelerating the processing of Large infrastructure projects is to set up a National Investment Approval Board chaired by the Prime Minister and including all key Ministers and to amend the Transaction of Business Rules so that statutory clearances under various Acts for all infrastructure projects above a given size are given by the Board, taking into account the views of all Ministries. The allocation of business rules could provide that such clearances would be issued by the Cabinet Secretariat based on the decision of the Board. This would be a systemic change which would ensure a holistic consideration of complex issues and greatly accelerate decision-making.

Regulatory Institutions

An area where the lack of institutional capability is beginning to manifest itself is in our expanding system of regulatory bodies. As areas that were earlier dominated by the public sector have been opened up for private operators, often competing among themselves or with existing public sector operators, independent regulatory institutions have been established to oversee the functioning of the players in the system. The effectiveness of regulatory organisations depends critically upon the quality of the personnel running the institutions and the degree of independence established. Too many of the regulatory agencies are staffed by former bureaucrats and there is not enough induction of specialists with domain knowledge. A thorough review of the regulatory system established in different sectors is needed to determine the weaknesses of the system currently in place and recommend ways of correcting them. This is especially true as the next two five year Plans are likely to see faster change in the global economy and in the structure of the Indian economy too.

Development of Infrastructure

Good quality infrastructure is important not only for faster growth but also to ensure that growth is inclusive. Small businesses spread throughout the country need access to good quality and reliable infrastructure services to compete effectively. Large enterprises can often develop their own infrastructure as they often do with captive power, and being large can even locate themselves ab initio where other infrastructure is better, that is, nearer ports and near transport hubs. Small enterprises on the other hand are dispersed across the country, and have to rely on the general infrastructure available. Their ability to compete successfully, which is critical for growth to be employment generating and inclusive, depends upon the quality of this infrastructure.

Agriculture Growth

It is well recognised that faster growth of agriculture makes the overall growth process more inclusive. Therefore, lot of efforts need to be put in to make agricultural sector grow at an accelerated pace since the emerging distribution of gross domestic product of the country is heavily biased against the agricultural sector. Agriculture growth also ensures the growth and participation of predominant number of people in the occupational structure.

Concluding Remarks

Inclusive economic development is the need of the hour for any fast developing economy to ensure that the gains of development reach all sections of society, all regions and sectors. While India has lot of progress in terms of high rates of economic development, yet progress on the fronts of inclusiveness of the development process remains much to be desired. Whether it is the Amartya Sen-Jagdish Bhagwati dichotomy or not, yet lots of recent studies as well as the experiences of the Indian economy suggest that serious energies need to be put in

to ensure that all or atleast the maximum possible number of people gain from the development process. Paradigm shift need to take place in the strategies towards meeting these ends. The sooner it is done, the better it is.

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Reviewing The Enclave Exchange

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Boundaries between nation states are reflections of the interplay of the forces of history, politics and wars but oftentimes they could be simply a manifestation of a shoddy and hasty job as transpired in the wake of recommendations of the Boundary Commission led by Sir Cyril Radcliffe. The malformed borders between India and Pakistan became a curse for the people living in the enclaves between India and Pakistan or Bangladesh since 1971. Even though the enclave residents did not leave their homes and hearths, they, however, lost their countries. They lived in territories legally belonging to India, but never qualified as Indian citizens. The same happened to the people who lived on Pakistani and subsequently, Bangladeshi territory but would have none of the citizenship rights.

They were not stateless people in terms of international law of territorial sovereignty, but that was merely a cold comfort for them. They had no access to the laws or services of the land to which they technically belonged. The piquant situation created an ontological crisis for these people sans the benefits of citizenship and sans the protection of the state. With the Land Boundary Agreement (LBA) of 1974 between India and Bangladesh finally coming into force on 1st August this year, the historical hardship for the people living in 51 Bangladeshi and 111 Indian enclaves eventually came to an end.

The enclaves were exchanged on the midnight of 31st July this year. The Indian flags were hoisted at midnight to mark the historic moment. A total of 111 Indian enclaves with an area of 17158 acres inside Bangladesh became Bangladeshi mainland and 51 Bangladeshi enclaves with an area of 7110 acres within Indian Cochbehar district of West Bengal became official Indian Territory. In practical terms, it simply meant that the boundaries around these little pockets of foreign land disappeared as they merged with the host countries.

Against expectations of around 13,000 people in 111 Indian enclaves moving into India, only 979 or .02 per cent of the 37,000 dwellers in these enclaves inside Bangladesh plumped for the Indian citizenship during the joint survey conducted by the two countries. This was surprising given the attraction for Indian citizenship among Bangladeshi citizens. Many of these residents in Indian enclaves in Bangladesh who wanted to become Indian citizens were disappointed as they were allegedly threatened and intimidated against opting for the Indian citizenship by the Jamaat-e-Islami in Bangladesh. In stark contrast, all the 14,854 people staying on Indian soil in Bangladeshi enclaves have sought Indian citizenship.

Indian political leaders belonging to several parties have made strong allegation regarding several thousand residents in Indian enclaves in Bangladesh being unable to exercise their option freely owing to intimidation by extremist organisations. They have also pointed to a methodological hitch during the joint survey resulting in flawed results. A list of over 5,500 people, who were left out of the purview of the survey, has been submitted to the state government recently. Already, over 2000 of these left out Bangladeshi enclave dwellers who always wanted to opt for the Indian nationality but could not do so during the joint survey in Indian enclaves due to assorted reasons including extremist threats, recently submitted their applications to the Indian authorities praying for Indian citizenship.

“But nobody knows what will be the fate of those people, who want to quit Indian enclaves and settle in India but failed to enrol their names during the recent census,” said an Indian official. Though the matter was discussed among the officials associated with the Joint Working Group (JWG) in the meeting held in Dhaka on 23rd July this year, nothing has yet been finalised as to how this section of people will be able to register their names. A group belonging to the United Council for Indian Enclave (UCIE) helped in the collection of applications from those sufferers who want to settle in the Indian part but whose names don't figure in the joint survey list.

Members of the India Bangladesh Joint Working Group examined the complaints lodged by Indian politicians against the procedural problems as were faced during the joint survey in Indian enclaves. The survey conducted through 6-16 July, 2015 was part of the Land Boundary Agreement-1974 to exchange the enclaves. Officials of both the countries held a meeting in Dhaka on 23rd July, 2015 to review and finalize the report as collected during the said joint survey in 162 enclaves. The crucial meeting discussed the modalities for exchanging information including the land records and the respective list of families opting for the two countries.

Even as S K Chakraborty, the Assistant Registrar General of India and a member of the India-Bangladesh Joint Working Group, claimed that people in the Indian enclaves had no grievances despite reports that they were allegedly deprived of their right to choose their nationality, a human rights organisation has said that it has collected many examples of such deprivation and that it has intimated the matter through letters to the Prime Ministers of both India and Bangladesh. Copies of the same have also been forwarded to the Chiefs of the National Human Rights Commission of both the countries and other Indian officials.

The Manabadhikar Surakhsha Manch (MASUM), a human rights organisation based in West Bengal, has alleged that the Joint Working Group had not functioned transparently during the survey. ‘They created a few procedural complications to exclude or include names whimsically,’ it alleged. ‘Procedural violations, omissions and commissions of duty have raised questions over the legalities and state's accountability. It will again put thousands of enclave dwellers in a stateless situation’, they added. MASUM has also urged the authorities concerned to recall that India and Bangladesh both have taken a voluntary pledge

before the UN Human Rights Commission to protect and promote human rights for all.

Subsequent to the enclave exchange, many of these residents who opted for the Indian citizenship have been visiting India for an exposure visit on receipt of a multi-visa for their families from the Indian High Commission to make preparation for permanently settling in India as well as to interact with close friends and relatives here. As their citizenship related formality still remains to be completed, all of them are to pay over Rs. 500 taka against the travel pass issued to them at Changrabandha and Burimari immigration check posts in Cooch Behar as admissible for a foreigner. All these enclave dwellers who have opted for the Indian nationality are supposed to finally leave Bangladesh during November.

Both India and Bangladesh have agreed to their exposure visit to India as part of their preparations for permanent settlement in India as has also been allowed for those who have opted for Bangladeshi citizenship. All these citizens are being issued travel passes to visit anywhere in India to finalize their settlement plan. As per the agreement, the Indian government will bear all the cost of transportation when they eventually arrive in November from different Indian enclaves, which have now been incorporated into Bangladesh.

The local administration has been directed to provide with food and shelter for the new Indian nationals. The visits are also being facilitated by a non-governmental organisation called the United Council of Indian Enclave as it has maintained a liaison all along between the new nationals and the administrative officials. During their interactions with the Indian officials, these dwellers have pleaded for taking up the land sale matter with the Bangladeshi government for getting the right price for their lands.

Having waited over six decades for the establishment of their citizenship rights, these enclave residents still have to grapple with many of the existential problems before finally settling down in India. The foremost among them is to find a reasonable price for their farm and homestead lands. Most of these problems arising out of enclave exchange between the two countries were discussed in detail during an interaction between the delegations of Bangladesh and India at Siliguri in January this year as well as during the Dhaka interactions as mentioned above. The Government of India is said to have earmarked Rs 3000 crores for the liabilities and responsibilities arising out of the exchange of enclaves. The fund shall be used not only for the rehabilitation of the people moving into India but also for carrying out various development works in these enclaves.

These developmental works and activities will be almost like laying out a virgin country, for no government agency has ever existed in any of these enclaves. Schools, colleges, hospitals, police stations, roads – everything will have to be created for the welfare of the people in them. As per the Notification issued by the State Government, a land survey has been conducted in the erstwhile enclave areas to officially demarcate and delineate their geographical status vis-a-vis bordering Indian areas. In case of small patches of land accrued, these will be integrated into the existing mouzas, the smallest cartographical entity on India's map. In case of

big stretches, e.g. a big enclave, a new mouza will be created. This will be followed by their incorporation into the extant panchayat system. The new areas will also need to be allocated police stations and post offices. In some cases new police stations or post offices will have to be formed.

Another tricky area relates to the redistribution of land among the individual owners as per their entitlement as figured out during the joint survey done for the purpose. As they leave for their new country, they also seek corresponding return of their lands as owned in the erstwhile enclaves but have no supporting papers. Most of these residents have lived in enclaves with forged and false identity documents.

The basic principle of land allocation namely 'possession backed by documents' or 'documents backed by possession' may prove tricky, especially if one person's claim is contested by another. Hence, a big challenge pertains to identity verification of the incoming Indian citizens. The residents in many cases don't have any legal papers in support of their claims or to prove their identity. The processing of identities will, therefore, be an onerous task which would require careful handling because the same has serious implication for the national security.

The government will also need to keep some land aside for the sundry developmental activities including infrastructures, school buildings, anganwadis, health centres, roads, space for electricity lines and water supply. The same would also require the consent of the residents in these areas. The entire rehabilitation work is going to be a long-drawn complicated and humongous task, requiring intricate planning and execution. The Indian government shall also need to factor the concerns of the incoming young citizens whose educational interests would warrant safeguarding. The local administration would have to ensure continuation of their education in India as per their eligibility and requirements.

The Indian law enforcing agencies including the Border Security Force (BSF) heaved a sigh of relief as the enclaves were finally exchanged between the two countries. According to sources, the Bangladeshi enclaves on the Indian side had become safe havens for the Indian criminals who would often take shelter therein after committing a crime in the Indian Territory. Technically being a foreign territory, the BSF and other Indian officials found it difficult to enter and take any action against these anti-social elements. The Indian law enforcing agencies including BSF and local police authorities are now relieved as they can crack down on the criminals in the enclaves now that these areas have legally come under total Indian control.

Besides, there are many other issues which need serious attention of the two countries as discussed during the July conclave between the two countries. The newly introduced quarterly meetings would now be convened on a regular basis at the levels of District Magistrate and Collector of the two countries bordering these enclaves. The flag meetings on a regular basis as per a mutually agreed calendar of the Border Guard Bangladesh (BGB) and BSF have also been institutionalized. The success in the enclaves issue has its lessons for leaders of

both the countries. They need to realize that India Bangladesh relations should no longer be held hostage to their domestic politics.

There are other issues that the two countries need to resolve. They inter alia include poppy cultivation in border areas, cattle smuggling, construction and improvement of land customs station and land port, movement of militants along the border, sharing intelligence to curb the menace of terrorism, women trafficking, illegal arms smuggling, exchange of prisoners languishing in each others' jails, setting up immigration centres at the border, survey, construction and repair of missing border pillars, exchange of Cadastral Survey records (Some CS records of Bangladeshi Dinajpur district are in Indian South Dinajpur and some CS records of South Dinajpur of West Bengal are in Bangladeshi Dinajpur.), export-import issues, promotion of tourism, border management of common rivers and sharing of their waters including that of Teesta. A new bus service between the two countries has already started.

Both India and Bangladesh must continue to show more of the pragmatism that made the exchange of enclaves ultimately possible though it took the two countries 41 years to complete the job of enclave exchange has much to do with the changes in Indo-Bangladesh ties over the years. One hopes that the relationship between the two countries shall only grow stronger on the strength of the recent warmth as emerging in the wake of resolution of the enclave exchange issue. The flagging of a new bus service between the two countries is only one of the many positive breakthroughs waiting to be made as a result of the new-found bonhomie between them.

Note:

The views expressed here are personal and don't reflect that of the Government.

Land Records Modernisation in India

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Abstract

Effective management of land resources is central to achieving national, social and economic prosperity. Updated and comprehensive land records play an important role in administering this scarce resource effectively. The experiences of modernising land records across four states Karnataka , Haryana, Himachal Pradesh and Bihar were studied by the Indian Institute for Human Settlements over 2014-15. Land records reforms have been supported by a series of centrally funded schemes, the latest of which is the National Land Records Modernisation Programme, introduced in 2008. This paper highlights practices that were adopted at the state-level to navigate the operational challenges of transitioning to new technology based platforms.

Introduction

Effective management of land resources is central to achieving national, social and economic prosperity. Updated and comprehensive land records play an important role in administering this scarce resource. The Department of Land Resources (DoLR) estimates that 80% of the 30 million pending disputes across courts in India are land and property related (DoLR 2012), with ambiguous land records contributing to high pendency. With better records, the judiciary can potentially resolve disputes faster. It is also assumed that better records, clarifying property extent and rights held over properties, would facilitate government-administered poverty alleviation programmes and planning initiatives (Law Commission of India 2012; MoRD 2013).

Information in this paper is excerpted from research undertaken by the Indian Institute for Human Settlements over 2014-15 on land records modernisation initiatives at the state level in Karnataka, Haryana, Himachal Pradesh and Bihar, which included a review of legal, policy, institutional and technology aspects. The salient characteristics of land records in India, along with brief synopses of state-level initiatives, key issues states are facing and approaches they are adopting to navigate these issues are highlighted in this paper. State- level experiences offer insights into how differences in ground level transactional practices and property regimes may be addressed in ongoing modernization efforts.

Background: Characteristics of Land Records in India

Land records in India typically comprise of a textual record (called a Record of

Rights- RoR- which contains ownership, possession, extent, classification, encumbrance details) and spatial records (property level sketch and village- level map). Other features of the system include the following:

State Subject: Maintenance of land records, land revenue, survey and record of rights are State List subjects. This makes the state governments primary actors in the records modernisation process. Financially, several central initiatives since the 1980s have financed modernisation initiatives across states (DoLR 2012).

Revenue Function: Land records were created as revenue administration tools to collect agricultural taxes during colonial and pre-colonial times. The Revenue Department, in coordination with the Registration and the Survey and Settlement Departments, continue to maintain land records in most states. Agricultural land revenue is no longer significant, however urbanisation and increasing pressures on utilising land equitably and efficiently, have made land records critically significant again.

Deeds-based Presumptive System: India has a deeds-based registration system and presumptive land records. When property transactions/ transfers occur using non-testamentary documents, a deed with the transaction details is registered by the Registration Department. Subsequently, title changes caused by transactions are updated in the land records via mutation by the Revenue Department. Changes in ownership occurring through testamentary documents, such as wills, can be updated in the land records directly through a mutation process. The Revenue Department's land records are presumptive, i.e. they may be challenged in court. Courts therefore play a central role in adjudicating property claims and disputes.

Current Status of Land Records Modernisation Initiatives

Land records modernisation has been financed through various central initiatives since the 1980's. The current National Land Records Modernisation Programme (NLRMP), initiated in 2008, is under the DoLR, Ministry of Rural Development (DoLR 2012). The NLRMP succeeds the 'Computerisation of Land Records' scheme (initiated in 1988-89) and the 'Strengthening of Revenue Administration and Updating of Land Records' scheme (initiated in 1987), and incorporates their objectives of computerising paper records and streamlining administrative processes. Additionally, the NLRMP advocates a shift from the present legal practice of registering deeds via presumptive land records to a guaranteed and conclusive titling system.

As per the DoLR², most states and UTs have computerised registration, RoRs and mutation (24, 23 and 20 states respectively). More than half of the states have accorded legal sanctity to computerised RoR copies (21 states), stopped manual

²Statistics on computerisation of registration, computerisation of RoRs, stopped manual issue of RoRs, placed RoRs on website, and integrated land records with registration, are as updated by DoLR in February 2015. Remaining statistics from DoLR 2013. Viewed on 24 June 2015 (http://data.gov.in/catalog/status-computerization-land-records#web_catalog_tabs_block_10).

Haryana

The main technology platforms include HARIS (registration software), HALRIS (land records and mutation software), HARIS#HALRIS bridge (to coordinate the registration and mutation processes) and Bhu- Naksha (to record spatial data and subdivisions remotely). HARIS and HALRIS are operational in all districts, but operationalization of the HARIS#HALRIS bridge varies across tehsils. In 2010, HARSAC was appointed as the nodal agency to develop the state's geospatial database of cadastral maps. Scanning and vectorisation of Mussavis (village level cadastral maps), establishment of primary and secondary control points, satellite data acquisition and Digital Elevation Model (DEM) generation is complete. As of August 2014, 83% of tertiary control points were yet to be established, and 43% of Mussavis were yet to be updated, post digitisation.

Himachal Pradesh

Himachal has two technology platforms: one for registration (HimRIS) and the other for mutation and land records (HimBhoomi). The HimBhoomi software highlights flexible module design to suit on- ground practices. HimBhoomi incorporates multiple records, such as the Shajra Nasb, the RoR, the Khasra Gidawari, etc. It incorporates intra- state variations, but delivers a level of standardisation acceptable to ground-level revenue staff. In 2013, HimBhoomi was operational in 101 out of 109 tehsils. HimRIS, launched in 2005, and implemented in 85 tehsils, was linked to HimBhoomi in 2008. It is yet to be introduced in tehsils with relatively low transaction levels. Parallel initiatives have been introduced for digitizing old maps and creating new maps through ETS-GPS resurveys to be operationalised via BhuNaksha – but their effectiveness is yet to be assessed.

Bihar

System of Computerised Registration (SCORE), introduced in 2005, computerised the deeds registration process, with relevant information being uploaded onto websites. Through BhuAbhilekh, introduced in 2007, the digitisation and uploading of the RoRs of 13 out of 38 districts is complete. However, access to legally certified copies at tehsil or district levels, and real- time updation of digitised records is yet to be operationalised. All old maps (based on the Cadastral Survey of 1895-1920) have been digitised, and printouts are available to citizens. Digitisation of urban area maps and Resurvey Maps (1950 onwards) are yet to be completed. Current surveys are using aerial photography and ETS-GPS surveys, but they are yet to be reconciled with legacy records.

Common Thematics across States

Most states are updating legacy records including some that carry imprints of historical practices and protocols onto modern technology- based platforms. In effect, this transition would not only improve efficiency but also re- align records and recording practices to current transactional, institutional and legal practices.

In this task, certain thematics appear to be common across states:

RoRs often have limited coverage and comprehensiveness with reference to ground level transactional practices and development patterns

Settlement areas, such as high value rural and urban settlement areas are either recorded without sufficient details or not covered in RoRs.

RoRs are primarily land records, rather than property records and built-up properties, are often not prioritised/ included. All transfers/ transactions, which could clarify encumbrances, mitigate fraud and facilitate credit access such as lease agreements, power of attorney arrangements, mortgages, etc. are not included. Different property/ use rights, with legal, financial and social relevance, are not captured, including community rights, usufruct arrangements, lease rights, rights over public amenity areas, forest land, common lands, etc.

Institutional land holdings and inter-institutional land transfers are often not recorded. Land classification categories are mostly rural, and often data bridges to transfer use classification information and change of land use permissions in urban areas, statutorily defined by planning and development authorities, onto revenue records are missing. Record updating processes are often not comprehensive

Individual transactions are often not updated, because many people do not undertake mutation after registration, particularly in urban areas. Several states also have significant time lag in processing mutation applications. Institutional land holdings, acquisitions and transfers are often not updated in land records.

Institutional integration is limited

Revenue, Registration and Survey Departments are separate in many states, without adequate inter- departmental data bridges. States such as Haryana and Himachal Pradesh have however integrated these functions up to the district level. In urban and peri-urban areas, the lack of institutional integration is significant as land data and administration is spread across many authorities with overlapping jurisdictions. Urban data, therefore, often exists in institutional data silos.

Share system and alternate forms of property holding

Land ownership in many states is recorded as 'shares' in the RoR, without physical demarcation. On ground, legacy practices of possession prevail, which are not reflected in the RoR. The situation is complicated during transfer/ transaction/ physical construction/ land acquisition/ payment of compensation, etc. The 'share' system differs from common lands or community rights.

State- level Approaches in Technology Transitions

In transitioning to technology based platforms and in modernising land recording systems, states have navigated issues in line with their ground realities:

Design of Technology Platforms: Each state has different on-ground transactional practices, property regimes and recording systems. Significant learning curves have been associated with creating workable technology platforms to capture different property relationships, data types and de jure and de facto processes. Further, state experiences reveal significant learning curves in designing adequate ‘triggers’ across technology platforms to capture different transaction types and minimise potential for fraud.

Addressing Backlog: Most states have significant backlogs in transferring paper records onto technology platforms, especially spatial records, which are often less updated than textual records. In Karnataka the backlog was estimated to be about 20 years by revenue officials during primary surveys. Addressing backlogs is both time consuming and raises capacity issues, often addressed through outsourcing.

Addressing Capacity Issues

Significant number of technical staff is required for digitisation while systems are being put in place. However, once systems are running, a limited number of technical personnel are able to support revenue functionaries. Most government departments do not have the flexibility to scale up and down so quickly. Hence, such work is often outsourced. States have however faced multiple challenges with external vendors. Also, the relative generational strengths and weaknesses of revenue staff is often an issue. While the younger staff is often quicker with new technology, the older staff often has better knowledge and operational experience of revenue procedures.

Addressing Obsolescence and Time Lag

Technology transitions are often associated with technology obsolescence and the need to migrate data between platforms. Sometimes, seamless migration has not been possible, and data has had to be re-digitised.

Addressing Data Errors

Typically errors in paper records are not rectified during digitisation and computerization. So while new records on Geographic Information System (GIS) and Database Management Systems (DBMS) platforms may be more legible than paper records, they may be as error-prone as paper records. As such, the need to revalidate computerised data remains, if disputes associated with new records databases are to be mitigated.

Addressing Data Mismatches and Need for Protocols: There are often data divergences between new spatial databases and existing physical records. With geo-referencing, more accuracy is possible. However, new records have no legal tender, whereas paper records though less accurate, are legally valid. As such, there is often a felt need for protocols to reconcile mismatches between RoR data, spatial data in revenue records and new data being generated by geo-referenced surveys. Clear institutional protocols that provide opportunities for claims,

objections and dispute resolution, would allow courts to legally accept new records and new recording practices. Protocols would also assist officers engaged in the settlement of multiple and discrepant claims on site.

Evaluation and Monitoring: With time it may be important to develop evaluation mechanisms that assess impacts of modernisation efforts on objectives identified at the time of programme implementation including:

Mitigation of property disputes

Improvement in credit access

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More accessible and equitable land markets

Conclusion

Experiences across the study states highlight that state particularities are not just legal and institutional. They incorporate historical tenurial and settlement legacies. Since, maintaining land records is a state subject, incentivising state action while incorporating state-level diversity offers a tangible way forward in land records modernisation. The challenge is to devise incentives focused on outcomes (such as reducing litigation). There is also a clear sense that technology solutions need to reflect local conditions. A context unspecific, single solution package is unlikely to work in a country as diverse as India.

At present, (a) improving access to records, (b) developing comprehensive records to match on- ground transactional practices and land holding patterns, (c) facilitating real-time record updating and (d) designing replicable protocols to address data mismatches, are the key issues. Protocols and operational manuals highlighting procedures for a range of eventualities, with reference to tehsil and district-level differences are required. Protocols with adequate opportunities for claims, objections and dispute resolution would help reduce disputes and allow new records and recording practices to be sustainable over the long- term.

Urban and peri-urban areas are critical for ongoing initiatives. Cities are economic hubs and sophisticated land markets. They comprise dense property relationships, at the heart of economic value and GDP being generated in urban areas, including value generated within the informal urban economy. However, urban land records, where available, often inadequately reflect ownership, possession and use arrangements that facilitate such value production, which facilitate short- term financial rather than long- term economic considerations to be prioritised. Built-up properties, lease transactions, public allotments, institutional land transfers, etc. are often not prioritized. New urban records need to be cognizant of tenurial complexities of urban property relations and multiplicity of transactional practices. Without addressing these complexities urban property records would remain irrelevant to a large proportion of urban transactions and would not be effective for reducing disputes or designing long- term policies.

For more details and for citing information contained in this paper, please contact smitra@iihs.ac.in.

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Sikkim Earthquake September 18, 2011 with reference to Disaster Management Laws in India

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Abstract

It is a fact that 55 per cent of the country's total area is in Seismic Zones III-V and is vulnerable to earthquakes. Disaster Management is not expressly mentioned in any of the entries in Schedule VII of the Constitution (List I). On the basis of the recommendation of the Finance Commission, the State Governments are provided financial assistance for meeting expenditure on identified natural calamities. There is a far flung relation of the subject of disaster management in the State List, entry 14 dealing with agriculture which includes protection against pests and plant diseases and entry 17 dealing with water which includes water supply, drainage and embankments. Legislation on disaster management has been related to entry 23 which deals with social security and social insurance, in the Concurrent list of the Constitution. Also, Article 21 of the Constitution of India casts a positive obligation on the State to provide steps for prevention, preparedness and mitigation of disasters. Article 38 directs State to promote the welfare of the people and Article 51 directs State to honour the international treaty obligations, there are number of international environmental treaties which have specific disaster management provisions. Obligations is on the State under the doctrine of parens patriae to provide relief to victims of disaster because protection under disable conditions to be given to persons.

Introduction

The definition of 'Disaster' can be found from Section 2 of Disaster Management Act, 2005, it defines 'Disaster' as a catastrophe, mishap, calamity or grave occurrence in any area, arising from natural or man-made causes, or by accident or negligence which results in substantial loss of life or human suffering or damage to, and destruction of, property, or damage to, or degradation of, environment, and is of such a nature or magnitude as to be beyond the coping capacity of the community of the affected area. The 2011 Sikkim earthquake (also known as the 2011 Himalayan earthquake) occurred with a moment magnitude of 6.9 and was centered within the Kanchenjunga Conservation Area, near the border of Nepal and the Indian state of Sikkim, at 18:10 IST on Sunday, 18 September. The earthquake was felt across north-eastern India, Nepal, Bhutan, Bangladesh and southern Tibet. At least 111 people were killed in the earthquake. Most of the deaths occurred in Sikkim, with reports of fatalities in and near Singtam in the East Sikkim district. Several buildings collapsed in Gangtok. Eleven are reported dead in Nepal, including three killed when a wall collapsed in the British Embassy in Kathmandu. Elsewhere, structural damage occurred in Bangladesh, Bhutan, and across Tibet; another seven fatalities were confirmed in the latter region.

Definition of Earthquake

An earthquake is the perceptible shaking of the surface of the Earth, resulting from the sudden release of energy in the Earth's crust that creates seismic waves. Earthquakes can be violent enough to toss people around and destroy whole cities. The seismicity or seismic activity of an area refers to the frequency, type and size of earthquakes experienced over a period of time. 58.6% of India's territory is vulnerable to earthquakes. All 7 (seven) North East states of India-Assam, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura and Meghalaya; Andaman & Nicobar Islands; and parts of 6 other states in the North/North-West (Jammu and Kashmir, Uttarakhand, Bihar) and West Gujarat, are in Seismic Zone V. Wide-spread human and material losses, collapse of infrastructure and services may be the major consequences of the earthquake. Hundreds of thousands may be displaced, often in remote mountainous areas in the North and North-East.

In India, National Disaster Management Authority has come up with guidelines for management of earthquakes. The guidelines provide a broad overview of the disaster management plans which are required to be prepared by the Central and State government. As per the present scenario, the State Executive Committees (SECs) of the State Disaster Management Authorities are responsible for developing their disaster management plans.

Sikkim Earthquake, September 18, 2011

The quake came just a few days after an earthquake of 4.2 magnitude hit Haryana's Sonapat district, sending tremors in New Delhi. The earthquake was the fourth significant earthquake in India of September 2011. In general, the maximum intensity of ground shaking in the entire affected area was VI+ on the MSK scale, but some pockets had higher shaking owing to site-specific amplification of ground motion on a hillock, e.g., at the ITBP quarters at Pegong in Chungthang. Falling rocks caused significant damage to buildings and hydropower tunnel mouths in the town of Chungthang. Poor building performance was prevalent in towns sited on soft soil layers of relatively flat river terraces and gradually sloping mountain meadows, probably due to sustained amplification of ground shaking. Mudslides originating from mountain springs led to damage to buildings in Lachung.

The landslides, rock falls, and mud-slides were responsible for most loss of life and damage to infrastructure, as well as associated economic losses. There was also extensive loss of Buddhist monasteries and temples; these heritage structures are built in random rubble masonry with mud mortar. Most multi-story reinforced concrete (RC) buildings were non-engineered and sustained considerable damage due to earthquake shaking; a small number of these collapsed or suffered irreparable structural damage. Poor performance and widespread damage are of concern in important government buildings, such as the secretariat, police headquarters and legislative assembly, perhaps some of the few engineered buildings in Gangtok. The total loss of life in India is reported to be 78 out of which 60 in Sikkim, and the rest in West Bengal and Bihar. The total loss has been

estimated at around US \$500 million. Sikkim has a total population of about 600,000 people.

Gangtok is the densest region in Sikkim, with a density of about 98,700 persons in an area of 77 sq km (as per 2011 Census of India). This contrasts sharply with the density in North District of Sikkim, which has the smallest, at just about 10 persons per sq. km. In the past decade, Sikkim has recorded an astounding 153% growth in its urban population and a 5% decrease in its rural population. There may be a further push for urban agglomerations in the future, which may make it easier for governance and disaster management in the challenging terrain.

Some parts of North Sikkim (Lachung and Lachen) and the hills of Darjeeling in West Bengal are important international tourism destinations and have seen a growth of multi-story RC buildings. Additionally, North Sikkim shares a border with China and, for strategic reasons it is expedient for the Indian government to maintain excellent roads and connectivity, even if it may focus on a few key tourism and strategic villages. These villages need to be better equipped for disaster management and as tactical outposts.

Damage

Damage and losses were sustained by houses in the severely shaken areas owing to three main reasons: slides on weak mountain slopes, rolling boulder impacts, and ground shaking-induced damage. Scientifically based land use zoning should be undertaken to demarcate obviously unsafe sites in the state of Sikkim.

Many instances were observed of soil movement under buildings on hill slopes largely made up of metamorphic and sedimentary rocks covered with soft soil. In areas close to tunnelling works for hydropower projects, local people ascribe this creeping to vibrations arising from tunnel blasting, but the earthquake's higher levels of ground shaking initiated a number of landslides.

Building codes

In Gangtok, building permits and town planning are controlled by the Urban Development and Housing Department (UDHD). All buildings are required to follow the Sikkim Building Construction Regulations of 1991 (amended 2000). These regulations define maximum set-backs, ground coverage and height of the buildings. While it is obligatory to submit architectural plans, there is no requirement to submit structural drawings, implicitly promoting non-engineered buildings. There is no requirement for conducting soil investigation either. An engineer from the Department of Mines and Geology of Sikkim inspects the site and determines the number of floors that may be allowed on the plot based on the land-use zonation map of the area (which is not available in the public domain) prepared by the Department from time to time. The current map divides the city into six categories on the basis of lithology, hill slope, seismicity and other aspects. A maximum of 5½ stories may be built in Zone 1, 4½ stories in Zone 2, and so on, with no construction allowed in Zone 6. UDHD regulations prohibit construction

on slopes exceeding 70 degrees. Regulations explicitly assign the responsibility of ensuring structural stability to the owner of the plot, but do not specify how this may be ensured. Booming tourist villages of Lachen and Lachung, and towns such as Chungthang and Jorethang, do not appear to follow any building laws even though the Gangtok Building regulations are applicable across the state. There is no implementation mechanism for these regulations in any town other than Gangtok, and no geo-logical zoning maps for the rest of Sikkim. And the UDHD has no system for punishing defaulters. In the district of Darjeeling in neighbouring West Bengal, the situation is similar; effectively, there is no technological regime regulating construction. In the three major towns of Darjeeling, Kalimpong, and Kurseong, diploma holders are given the license to design buildings, but designs are not verified at the municipal office.

Community Impacts

Villages susceptible to landslides were relocated to safer areas; however, as a result, one saw villagers, especially women, walking between their original and relocated homes over miles of steep terrain in North Sikkim. The harsh living conditions in the cold, steep and poorly accessible terrain, and annual landslides during the rainy seasons, have made inhabitants resourceful and able to deal with lesser disasters. Numerous bamboo bridges made by villagers across streams were testimony to this. The continued presence of the Border Roads Organization in the region is vital.

Lessons Learned

This earthquake has brought into relief issues of disaster mitigation and management in the inhospitable region of the Himalayas which is one of the most seismically active regions of the country.

- ❖ The extent and type of damage in newly built RC structures are not commensurate with the intensity of ground shaking. Most damage can be attributed to irregular structural configuration, improper design and detailing, poor construction materials and practice, or complete absence of regulatory framework from the government side to ensure earthquake-resistance in the built environment.
- ❖ No new URM structures should be permitted in Sikkim, and existing ones should be retrofitted, especially the critical, lifeline and government structures.
- ❖ Develop a comprehensive plan to retrofit all heritage structures in Sikkim and West Bengal. When even basic earthquake-resistant construction is not known by local architects and engineers, special assistance may be required from outside these states to support this culturally and historically critical work.
- ❖ There should be an aggressive promotion of traditional Ekra housing by development of a manual of good construction practices and inclusion of this as a formal housing construction typology eligible for bank loans.

- ❖ Post-earthquake damage assessment teams need to be mobilized from out of state that have sound judgment on usability of damaged structures and no stake in the new construction. As well, technical information needs to be disseminated to professional architects and engineers on accepted methods for assessment and retrofit of damaged structures.
- ❖ Mandatory review of the safety of all ongoing and completed hydro-power projects should be initiated and the information shared with the community as a confidence-building measure.
- ❖ Document all losses incurred by non-structural elements, and disseminate technical know-how to architects and engineers on methods of protecting these elements.
- ❖ The epicentre area was cut off for more than 12 days after the earthquake. This is not acceptable by any standards in the modern communications era.
- ❖ There is an urgent need to study the strong ground motions in order to incorporate reasonable expectations in the design codes. There is a network of ground motion instruments in the region operated by various national agencies and institutes, but it must function in the next earthquake.
- ❖ There is no government engineering and architecture college in the whole state of Sikkim or in Darjeeling to provide regular advice to the governments of Sikkim and West Bengal. While local residents will remember this earthquake as one that caused landslides and destroyed heritage structures, earthquake professionals see it as a warning before the big one strikes.

Authorities in charge of disaster management in India

At the central level, it comprises of the Union Cabinet, headed by the Prime Minister, the Empowered Group of Ministers, headed by the Deputy Prime Minister, the National Crisis management Committee (NCMC) under the chairmanship of the Cabinet Secretary, the Crisis Management Group (CMG) under the chairmanship of the Central Relief Commissioner, Technical Organizations such as the Indian Meteorological Department (cyclone/earthquake), Central Water Commission (floods), Building and Material Promotion Council (construction laws), Bureau of Indian Standards (norms), Defense Research & Development Organization (nuclear/biological), Directorate General Civil Defense (provide specific technical support to coordination of disaster response) and the National Disaster Management Authority (NDMA).

At the State level, a state level committee headed by the Chief Secretary of State oversees the relief operations. Relief Commissioners are in charge of relief and rehabilitation measures, a function overseen in a number of States by the Secretary, Department of Revenue. States will also have a State Crisis Management Group (SCMG) headed by the Chief Secretary/ Relief Commissioner comprising of officers from the departments of revenue/relief, home, civil supplies, power, irrigation, water supply, panchayat (local self-government), agriculture, forests, rural development, health planning, public works and finance.

At the district level, the primary responsibility lies upon the Collector/ District Magistrate/ Deputy Commissioner. Usually there will be a district level relief committee. Panchayati Raj Institutions also play a vital role. A district is further sub-divided into sub-divisions and tehsils or talukas. The head of a sub-division, the Sub-Division Officer (SDO) and the head of a tehsil, the tehsildar (talukdar or mamlatdar in some states), Village officer or patwari along with the Collector have a key role to play in case of threat or occurrence of any disaster. A contingency plan for the district for different disasters is drawn up by the Collector / Deputy Commissioner and approved by the state government. Relief measures are reviewed by the district level relief committee. A control room is set up in district for day to day monitoring of rescue and relief operations in case of a threat or occurrence of disaster. Efforts of the district administration are supported and complemented by central government authorities present in the district which includes army, air force, navy etc. Police and Para-military forces, civil defense and home-guards, fire services, ex-servicemen, non-government organizations (NGOs), public and private sector enterprises, media and HAM operators are also involved in disaster management.

The Disaster Management Act, 2005 also provides for constitution of a number of institutions at national, state and district levels. At the national level, the Act establishes the National Disaster Management Authority headed by the Prime Minister. The model is replicated at the State level with State Disaster Management Authorities. National Disaster Management Authority is responsible for laying down policies and guidelines on disaster management. State Disaster Management Authorities also lays down policies and plans for disaster management in their respective states. District Disaster Management Authorities are the planning, coordinating and implementing bodies for disaster management in the district. The Act also provides for a National Institute of Disaster Management for human resource development in the field of disaster management. Besides these, a National Disaster Response Force has been constituted. As part of it, ten battalions of National Disaster Response Force (NDRF) comprising 144 specialized teams trained in various types of natural, man-made and non-natural disasters have been set up. Depending upon the type of disaster, different ministries have been designated as the nodal ministry. For example, Ministry of Home Affairs is the nodal ministry for natural disasters viz., earthquake.

Objectives, goal and plan for District Disaster Management Authority

Under the DM Act 2005, it is mandatory on the part of District Disaster Management Authority (DDMA) to adopt a continuous and integrated process of planning, organizing, coordinating and implementing measures which are necessary and expedient for prevention as well as mitigation of disasters. These processes are to be incorporated in the developmental plans of the different departments and preparedness to meet the disaster and relief, rescue and rehabilitation thereafter, so as to minimize the loss to be suffered by the communities and are to be documented so that it is handy and accessible to the general public.

Objectives and Goal of the Plan:

Section 31 of Disaster Management Act 2005 (DM Act), makes it mandatory to have a disaster management plan for every district. DDMP shall include Hazard Vulnerability Capacity and Risk Assessment (HVCRA), prevention, mitigation, preparedness measures, response plan and procedures. An indicative list with possible plan objectives is given below:

- To identify the areas vulnerable to major types of the hazards in the district.
- To adopt proactive measures at district level by all the govt. departments to prevent disaster and mitigate its effects.
- To define and assign the different tasks and responsibilities to stakeholders during the pre-disaster and post-disaster phases of the disaster.
- To enhance disaster resilience of the people in the district by way of capacity building.
- Reduce the loss of public and private property, especially critical facilities and infrastructure, through proper planning.
- Manage future development to mitigate the effect of natural hazards in the district.
- To set up an Emergency Operations Centre at the District level to function effectively in search, rescue, response.
- To develop the standardized mechanism to respond to disaster situation to manage the disaster efficiently.
- To set up an early warning system so as to prepare the community to deal with the disaster and responsive communication system based upon fail-proof proven technology.
- To prepare a response plan based upon the guidelines issued in the State Disaster Management Plan so as to provide prompt relief, rescue and search support in the disaster affected areas.
- To adopt disaster resilient construction mechanism in the district by way of using Information, Education and Communication for making the community aware of the need of disaster resilient future development.
- To make the use of media in disaster management.
- Rehabilitation plan of the affected people and reconstruction measures to be taken by different govt. departments at district level and local authority.

The District Disaster Management Plan (DDMP) is the guide for achieving the objective i.e. mitigation, preparedness, response and recovery. This Plan needs to be prepared to respond to disasters with sense of urgency in a planned way to minimize human, property and environmental loss.

Planning Team:

There is no fixed format / composition for planning team, but integrating Emergency Service Function agencies into planning team would be useful. An ideal team could be as given below -

- District Magistrate / District Collector (Chairperson)
- Elected member of the district
- DEOC coordinator / Manager (nominate him/her as plan coordinator)
- District Fire Chief
- Head of the Primary agency supervising each ESF (Telecom, Public health, Agriculture, Power, Transport, Education, PWD, Food and civil supplies, Water supply and sanitation, Law and order, Information / Media)
- Representatives from central agencies located in / around the district (Army/Navy/Air Force, Coast Guard, Port and fisheries, DDK, AIR, IMD and CWC etc.)
- Representatives from major places of worships
- Local NGOs / Corporate / CIKR

The best way to move forward is to constitute a core team composed of a department or office that was likely to be involved in most, if not all, responses. The five to seven most central departments are: the Fire and Police Chiefs, the Emergency Manager and the Planner (DDMO/DPO), Civil Surgeon and the Superintending Engineer / Executive Engineer (Public Works). Other agencies / members of community can be consulted on an SOS basis. The Core team should invite representatives from civil societies for consultation on specific components of the plan. The plan should not be just an administrative plan, but a plan for all stakeholders including citizens.

Duties of District Collector and use of district disaster management plan

The District Collector has the following duties:

- To facilitate and coordinate with local Government bodies to ensure that pre and post disaster management activities in the district are carried out.
- To assist community training, awareness programmes and the installation of emergency facilities with the support of local administration, non-governmental organizations and the private sector.
- To function as a leader of the team and take appropriate actions to smoothen the response and relief activities to minimize the adverse impact of disaster.
- To recommend the Commissioner of Relief (CoR) and State Government for declaration of disaster.

How to use the Plan:

- Section 31 of DM Act 2005 makes it mandatory for every district to prepare a disaster management plan, for the protection of life and property from the effects of hazardous events within the district.
- In significant emergencies or disasters, District Magistrate or the chairperson of DDMA will have the powers of overall supervision direction and control as may be specified under State Government Rules / State Disaster Management Plan guidelines.
- The district EOC will be staffed and operated as the situation dictates. When activated, operations will be supported by senior officers from line departments and central government agencies; private sector and volunteer organizations may be used to provide information, data and resources to cope with the situation.
- The DDMA may recommend for action under Sec 30 of DM Act.
- Facilities that have been identified as vital to operation of the district government functions have been identified.
- The DM or his designee will coordinate and control resources of the District.
- Emergency public information will be disseminated by all available media outlets through the designated media and information officer.
- Prior planning and training of personnel are prerequisites to effective emergency operations and must be considered as integral parts of disaster preparations.
- Coordination with surrounding districts is essential, when an event occurs, that impacts beyond district boundaries. Procedure should be established and exercised for inter district collaboration.
- Departments, agencies and organizations assigned either primary or supporting responsibilities in this document must develop implementation documents in order to support this plan.
- When local resources prove to be inadequate during emergency operations, request for assistance will be made to the State or higher levels of government and other agencies in accordance with set rules and procedures.
- District authority will use normal channel for requesting assistance and/or resources, i.e., through the District Emergency Operations Center (DEOC) to the State EOC. If state resources have been exhausted, the state will arrange to provide the needed resources through central assistance.
- The District EOC will coordinate with the State EOC, Agencies of the Govt. of India like IMD / CWC to maintain upto-date information concerning potential flooding, cyclones etc. As appropriate, such information will be provided to the citizens of the affected areas in the district.
- Upon receipt of potential problems in these areas, DEOC / designated officials

will appropriately issue alert and notify action to be taken by the residents.

- Disaster occurrence could result in disruption of government functions and, therefore, all levels of local government and their departments should develop and maintain procedures to ensure continuity of Government action.

It is necessary that for suo-moto activation of the agencies involved in the disaster management, the institutional trigger mechanism should be there so that every agency takes its assigned role at the time of such disaster. There will be three types of Trigger mechanism that will be set up depending upon the warning signals availability as mentioned below:

Warning Signal Available-

In such case the Govt. of India / State Govt. has authorized agencies generating such early warning signals; in case the matter is very urgent needing action at Block/Tehsil/Village levels, the alerts and action points will go directly to all concerned. Arrangements need to be in place to ensure prompt receipt of these signals and action thereon. After such warning/advisory received by the State Govt., the SEOC will communicate it to the DEOC urgently. The DEOC will communicate such warning to the departments at the district level. The information flow in such cases will be as follows:-

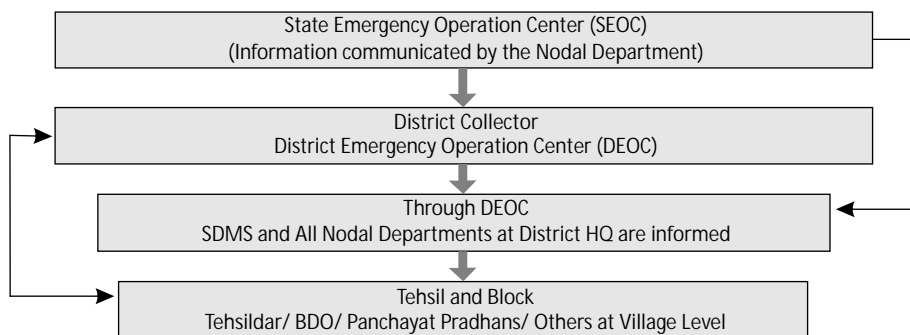


Figure 3: With warning Information flows from Top Down without Early Warning Signal

When disaster occurs without any early warning in that case the information starts from the place of incident through government agency or otherwise and the institutional mechanism in such cases will be as follows:-

- The concerned village will report to the Panchayat, block, police station/SDM/DM and the information will be sent to the Deputy Commissioner.
- DDMA will assess the information and assess the disaster to be of the level L0, L1, L2 or L3.

- DEOC will be activated and if required the SEOC will be kept at alert if assistance needed; otherwise information of the incident will be passed on to SEOC.
- DDMA will convene the meeting of DEOC and plan the management of the disaster as Incident Response Plan.
- The respective Incident response teams will be rushed to the site for effective management.

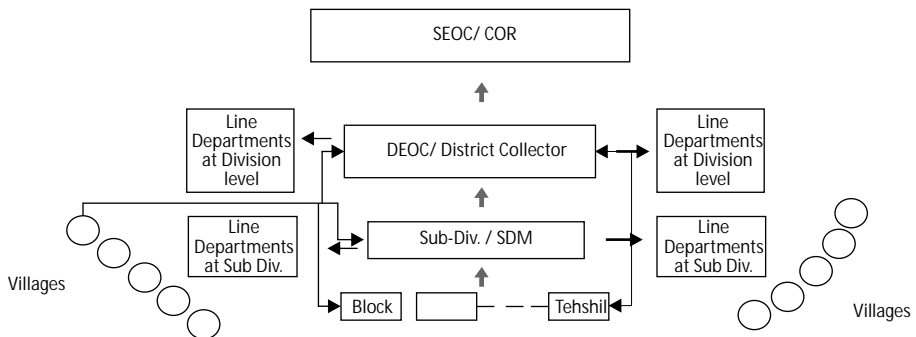


Figure 4: Without Warning Information, generally, should flow from Bottom side up but it is a crisscross scenario

The disaster response structure will be activated on the receipt of a disaster warning or on the occurrence of a disaster by the competent authority. The occurrence of a disaster may be reported by the concerned monitoring authority to the Commissioner of Relief/SDMA by the fastest means. The SDMA/SEC will activate all departments for emergency response including the State EOC, District EOC, police personnels and ERCs. In addition, they will issue instructions to include the following details:

- Exact quantum of resources (in terms of manpower, equipments and essential items from key departments/stakeholders) that is required.
- The type of assistance to be provided.
- The time limit within which assistance is needed.
- Details of other Task/Response Forces through which coordination should take place.
- The State EOC, ERCs and other control rooms at the State level as well as district control rooms should be activated with full strength.

Approval Mechanism of the Plan:

As defined in Section 30 of DM Act 2005, DDMA shall act as the district planning; coordinating and implementing body for disaster management and take all measures for the purpose of disaster management in the district in accordance with the guidelines laid down by the National Authority and the State Authority. Accordingly, the District DM plan shall be prepared by the District Authority, after consultation with the local authorities and having regard to the National DM Plan and the State DM Plan.

Conclusion

Effective disaster management requires trained manpower to deal with complex situations effectively and speedily to reduce the impact of disaster on human life and property. Capacity, in a general term, is the ability of the people, organizations and society, as a whole, to manage their affairs successfully. Capacity Building is the creation of an enabling environment with appropriate policy and legal frameworks, institutional development, including community participation (of women, in particular), human resources development and strengthening of managerial systems. Therefore, capacity building is a long term, continuous process, in which all stakeholders participate. It is much more than training and hence, involves human resource development, organizational development and development of an institutional and legal framework. Every individual, community and organization has some inherent capacity which needs to be acknowledged and further developed.

Five strategic phases of capacity development can be identified. The first phase is an assessment to define present capacity within the system. It establishes the baseline and addresses the basic question-where are we now? The second phase looks ahead to the future desired state, the vision of what capacity is required in the future and asks the question-where do we want to go? The third phase compares the present situation and future desired state, identifies the capacity gaps and plans strategies and actions designed to fill these gaps and achieve the desired goals-how do we get there? The fourth phase is the implementation phase, fulfilling the strategies and undertaking the planned capacity development activities in order to meet the defined objectives-what actions do we take? The final phase is monitoring and evaluation to feedback experiences into the planning phase-how do we stay there? This is not a linear process, the phases are interlinked and overlap, and they form a continuing cycle of development and change according to the prevailing circumstances.

Disaster Management Act, 2005 defines 'Capacity Building' as (i) *identification of existing resources and resources to be acquired or created*; (ii) *acquiring or creating resources identified under sub-clause (i)*; and (iii) *organisation and training of personnel and coordination of such training for effective management of disasters*.

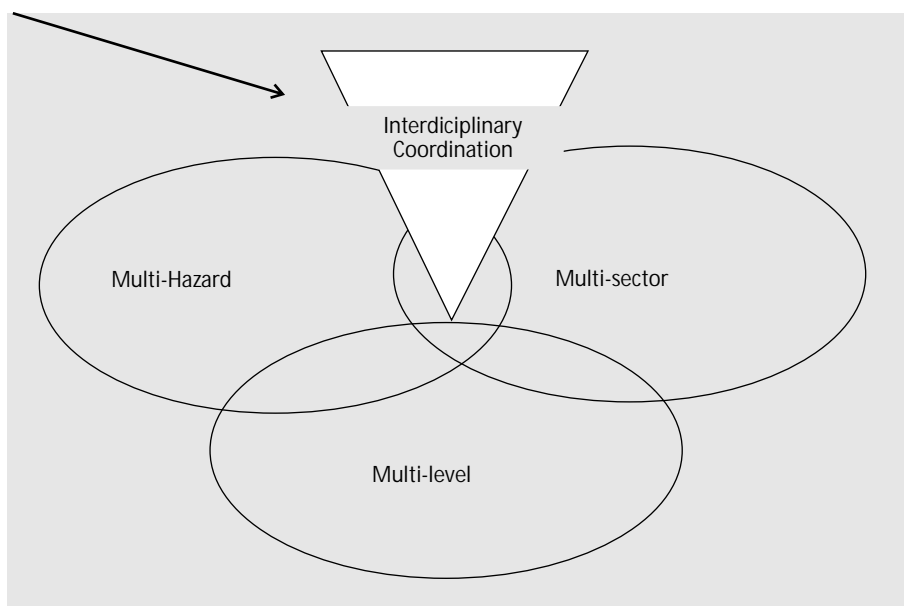


Figure 1: Integrated Capacity Development Framework

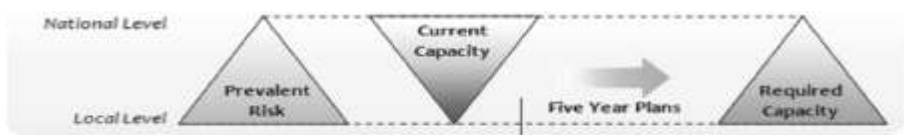


Figure 2: Capacity Needs Assessment

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Prerna: Program for Result Enhancement, Resource Nurturing and Assessment

Rohan Chand Thakur, Deputy Commissioner, Hamirpur, Himachal Pradesh

Introduction

One of the biggest challenges facing administrators in the field of primary education today is that of quality. Are our children actually being imparted the skills which they should be imparted in schools? With primary schooling being the bedrock of all future education, is the educational base of our children being given the solidity and flexibility which will ensure that we are able to encash our demographic dividend in the years to come.

It was with this aim of improving the learning levels of children in Primary schools of District Hamirpur that PRERNA campaign was launched. PRERNA stands for Program for Result Enhancement, Resource Nurturing and Assessment. Result enhancement refers to improving the learning levels through constant evaluation, identification of gaps in learning and addressing of those gaps through trainings and novel teaching techniques. Resource nurturing pertains to treating both students and teachers as resources which need to be nurtured. Any program aiming to improving learning levels has to address the problem by making the teachers stakeholders in the process. Also, the program must be assessed on objective parameters which should be measureable and subject to assessment.

Why PRERNA?

As mentioned above the primary motivation for starting PRERNA was to improve the quality outcomes in primary schools. During our inspections and field visits it was found that students in classes 3, 4 and 5 were struggling in Mathematics and Languages. It was a recurring theme in a number of Government schools. However, in order to actually assess and address the scale of the problem, a well coordinated action plan was needed. It materialised after discussions with the District officials of Department of Primary Education (DPE) and District Institute for Education and Training (DIET). The step wise details of the plan are discussed, in detail, in the next section.

Upon our discussions with DPE and DIET we decided to rope in the NGO Pratham which is well known in the field of education. Since they conduct a similar activity at an All India level which results in the annual ASER (Annual status of education report), we felt they could provide us with the tools and techniques needed to implement our vision under PRERNA. During discussions with them we also discussed the issue of falling enrolments in government primary schools in

Himachal Pradesh. In District Hamirpur, the number of students had halved from approximately 30,000 in 2003-04 to 15000 in 2013-14. One of the main reasons for this is the perception that the quality of schooling is better in private schools vis-a-vis government schools. PRERNA intends to address this adverse trend by lifting the learning levels and convincing parents that the state is sensitive to their aspirations.

Another challenge confronted by education administrators is that of checking the stagnation which silently creeps into the educational attainment of the students. Children are promoted to the next higher class till class 10 even if they are below the required educational requirement for a particular class. Thus, all appears fine on the surface but if one actually scratches on it by testing the students on pure learning requirements, major questions emerge. PRERNA intended to highlight this issue and get the education administrators and teachers out of their comfort zones by making them recognise the problem formally.

PRERNA, by treating teachers as stakeholders also intends to put in place a merit based system. How do we recognise the performing teachers from the non-performing ones? How do we motivate the dedicated teachers to feel that their efforts will be recognised and they would be differentiated from the others? PRERNA intends to do this by constantly assessing performance of the teachers also by publicly recognising their contribution and performance.

By the virtue of the data collected during the first round of this campaign we also intended to address certain notions which are repeated mentioned in many discussions on the state of schools in our state. Children of pravasis (migrants) are not that dedicated and our pulling our result scores down. Teachers serving for long periods in one school are detrimental to the learning of students. The more senior the teachers the better (or worse) they are. These are some of the commonly held assertions one comes across during meetings and discussions. However, the data which we collected during PRERNA's first round would help settle these by separating the myth from reality. The results of these are discussed in detail in the later sections.

Plan and Framework

PRERNA campaign is an initiative which is centrally coordinated by the District Administration. The key players are DPE, DIET and Pratham. The starting point was to conduct a baseline survey in primary schools to assess what are the learning levels. On the basis of this survey, the key learning gaps were to be identified. Once this was done, the teachers of the school were to undergo a specialised training along with administrators to implement a four week capsule to cover these gaps. At the beginning and end of this capsule, there is meant to be a brief baseline and end line test to measure achievement. This capsule based training-teaching approach is not meant to be a onetime affair but a continuous work in progress.

Thus, it is important to understand that PRERNA is a continuous program and not a onetime affair.

Baseline Survey

For the baseline survey 60 schools were chosen in the District – 10 in each block. These schools were the 10 largest schools in each block based on number of students. The survey tested students of Class 3 and 4 on language skills in Hindi and English as well as in Mathematics. Students undergoing Junior Basic Teacher (JBT) training at the DIET training centre were used to conduct the survey. A total of 1480 students were surveyed over a period of three days. It was ensured that there was separate one on one interaction with all students surveyed. Roughly 30-45 minutes were spent on every student surveyed.

Tools and methods

The survey tested the students on the following topics

Hindi

1. Reading – Letters, Words, Paragraph, Story
2. Dictation
3. Oral and Written comprehension
4. Making sentences

Mathematics

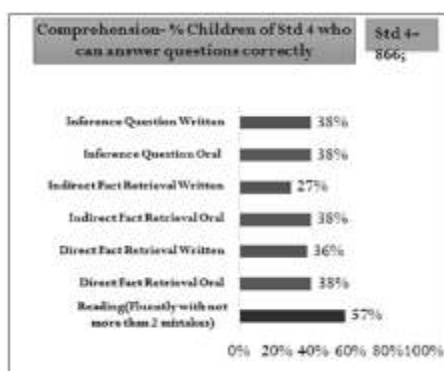
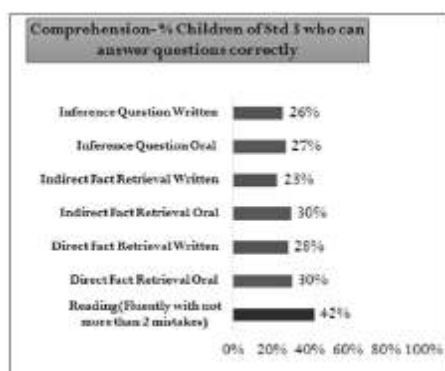
1. Number recognition
2. Addition, Subtraction, Multiplication and Division
3. Word problems
4. Fractions

English

1. Reading – Capital and Small letters
2. Dictation
3. See and Say
4. Reading
5. Oral Comprehension

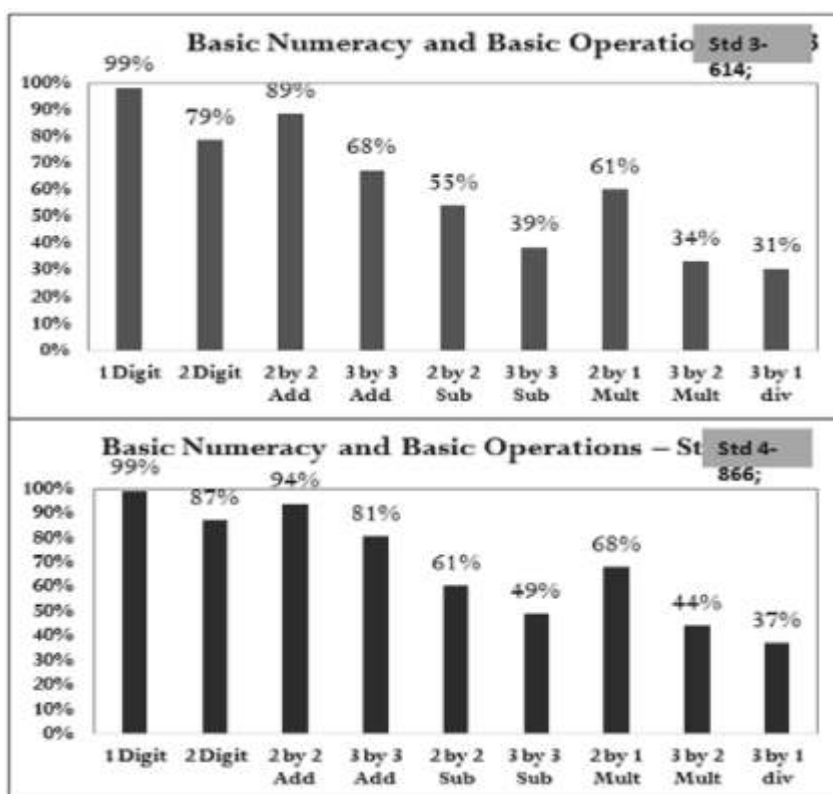
Results

For Hindi, a paragraph was given to students not only to read but also answer questions based on the same. Questions based on direct fact retrieval and indirectly drawing an inference were posed in the questionnaire. Students were also made to write answers to assess their spellings and writing ability. The highlights of the results obtained are as follows:

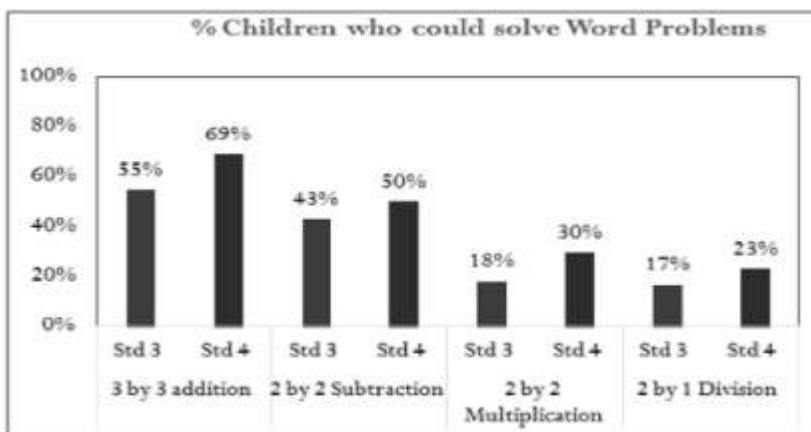


The key figure to be highlighted is that for reading (Fluently with not more than two mistakes) at 57% (Class 4) and 42% (Class 3). Similarly, the inference based questions could only be answered correct orally by 38% (Class 4) and 27% (Class 3).

The mathematics results are shown below

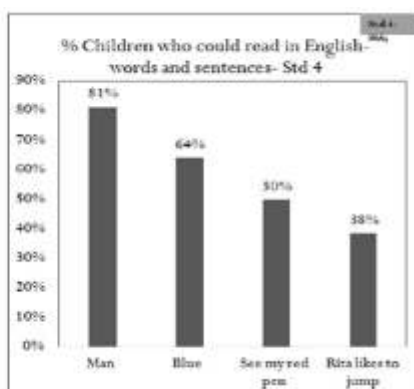
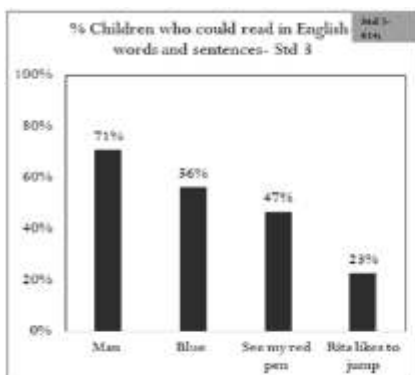


The area which needed immediate redressal was that of subtraction, multiplication and division.



Only 18% and 17% of class 3 students were able to do multiplication and division based on word problems. For class 4 students, the figures stood at 30% and 23%. Similarly only 14% and 10% of students in class 3 and 4 could identify fractions properly.

The results in English were as follows



Less than 50% of the students in both classes could read sentences with less than two mistakes. In the 'see and say' exercise close to 85% of the students were able to correctly say the words but only 20-25% were able to write the word correctly.

Key learning

Gaps

1. Great problems are being found in reading longer texts and comprehension
2. Division, word problems and fractions are weak points in mathematics

Recommendations

1. Plenty of writing practise should be given in Hindi and English

2. Subtraction and Division need focussed attention
3. Home work assignments on fractions and word problems should be given

School Performance Index

In order to monitor the progress aimed at under this campaign, it was important to develop a performance index of schools, which could through a single figure track performance across time. It would also provide a common base to compare performance across schools. Certain key parameters were identified for each subject which are listed below

Hindi

1. Reading of story (Less than two mistakes)

Mathematics

1. 2x1 multiplication
2. 3x1 division

English

1. Reading of sentence (Less than two mistakes)

A scoring system was worked out. If the percentage of students in a school which were able to satisfy the above parameters crossed 80%, they were given a score of one (1). This means that in the particular parameter being tested more than 80% of students were successful. If this percentage fell below 50%, a score of negative one (-1) was given, which means that in a particular parameter being tested less than 50% of the students were successful. If the percentage of the students varied between 50% and 80% a neutral score of zero (0) was given. Since the survey had been conducted across two classes of 3 and 4, we had a total of eight (8) parameters on which we tabulated the score of each school. Thus, the score could vary between 8 (at best) and (-) 8 (at worst). Based on this scoring pattern we categorized the schools as follows-

SCORE \geq 3, School categorised as Excellent

SCORE \leq -5, School categorised as Poor

-4 \leq SCORE \leq 2, School categorised as average.

An example of the scoring shown below:

SS						Hindi	Maths	Eng						
Sr.No	Block Name	School Name	School Code	CLASS	No. of student s per Class	Easy (Std. 2 Level test) 2 by 1 digit Multiplications		3 by 1 digit Division Sentence						
1	Bharati	GPS Dabhin	HMR03	3rd	16	38	19	13	4	0	6	1	-5	Poor
				4th	16	81	75	44	6	1				
2	Bharati	GCPS Samipur	HMR-01	3rd	17	82	65	59	82	2	1	4	3	Excellent
				4th	35	91	77	66	89	2				

In the case of GPS Didwin, the class three students performed very poorly since on each of the parameters they had less than 50% success, giving them a score of -4. The class four students were marginally better since 81% of the students were able to read the story. Yet, they too performed very badly when it came to division and reading of the sentence in English. This gave it a negative score of 6 and one positive score of 1, making it a net score of minus five (-5). Thus, it gets classified as “Poor” performer. The case of GPS Samirpur can also be understood in the same fashion.

When this analysis was done for all the schools, the following result was obtained.

Count of Rating	Column Labels												
Row Labels	-8	-7	-6	-5	-4	-3	-2	-1	0	1	3	4 (blank)	Grand Total
Average					6	10	3	5	4	5			33
Excellent										2	1		3
Poor		2	5	4	13								24
(blank)													
Grand Total	2	5	4	13	6	10	3	5	4	5	2	1	60

Off the sixty schools, only 3 (5%) were categorised Excellent. 33 (55%) were classified as average and remaining 24 (40%) were classified as Poor. A further look at the above table shows that there are 6 schools with a score of -4 and 10 schools with a score of -3 which if not addressed, could easily slip in to the “Poor” zone. However, there is not a single school with a score of 2 which can strive to climb into the “Excellent” Zone. Thus, we need to recognise that the overall situation needed to be addressed immediately through a special intervention, which would form the core of the PRERNA program.

Block wise Results

The categorisation of schools blocks wise shows that Hamirpur and Sujanpur blocks are the laggards. In Sujanpur, 7 out of the ten schools surveyed were adjudged “Poor”. Bijhari was relatively the best, with only one school being classified “Poor” and two schools being classified as “Excellent”.

Count of Rating	Column Labels						
Row Labels	Bhoranj	Bijhari	Galore	Hamirpur	Nadaun	Sujanpur	(blank) Grand Total
Average	4	7	7	5	7	3	33
Excellent	1	2					3
Poor	5	1	3	5	3	7	24
(blank)							
Grand Total	10	10	10	10	10	10	60

Also, if the average score is taken for a block, Sujanpur and Hamirpur were the worst with a joint score of -4.6. Bijhari obtained the best score among all blocks at -0.90.

Values					
Row Labels	Average of SCORE	Average of Average years of service	Average of Average Tenure	R1	R2
Bhoranj	-3.10	13.85	5.20	-0.043	0.221
Bijhari	-0.90	15.00	11.06	-0.511	-0.645
Galore	-3.20	11.58	6.10	-0.096	-0.161
Hamirpur	-4.60	17.38	3.88	0.198	-0.250
Nadaun	-2.60	15.63	5.60	0.110	-0.182
Sujanpur	-4.60	13.32	4.50	-0.771	-0.295
(blank)					
Grand Total	-3.16666667	14.46015873	6.056468254	-0.050	0.280

The relationships of scores with seniority and tenures were also worked out using simple co-efficient of correlation. At the level of the district there was hardly any co-relation of scores with seniority (-0.050) or tenures (0.28). However, in the case of the worst performing block of Sujanpur a very high negative correlation is found between score and seniority (-0.77), which implies that greater the seniority, lower the scores and vice versa. It does hint that senior teachers are not producing the best results, on an average. Similarly in Bijhari, where performance is relatively better than the rest, a strong negative correlation was found between scores and tenures. Interestingly, schools in Bijhari have the longest average tenures (11 years). This implies that where the average tenures are greater, lower are the scores and vice versa. Can it be then said that longer tenures are one reason for declining score? It cannot be said simply by looking at his rudimentary analysis but does give broad pointers that a transparent transfer policy could be used as a stick and carrot to yield the best results.

Result Enhancement strategy

Based on the above results it was felt that in the first phase a four week campaign would be launched in these schools to improve learning levels in Maths and Hindi. English would follow in the second phase. However, before that the teachers of these 60 schools needed to be clearly told about the areas that needed greater attention and focus. A four day training camp was organised to discuss the result enhancement strategy with the teachers of these schools. It was made mandatory that at least one teacher from every school attended the training. In single teacher schools, substitute teachers were provided from neighbouring schools. The training was imparted by PRATHAM. The key element in the strategy was to classify all students in Class 3, 4 and 5 into three groups on the basis of their learning levels. This meant those students in class 3, 4 or 5 who were having a similar level of competence or comprehension in areas like recognition of alphabets and number recognition needed to be grouped together. This was considered important since in the current system of universal promotion from one academic class to another it has been found that children across classes have similar learning levels. This happens since everybody is promoted into the next higher class poor students without ever being pressurised into actually learning the concepts or competencies they are meant to. There is no separation of the non performers from the performers making it mutually convenient for the teachers (on whom no questions are asked since everybody is being promoted) and the students' parents (who also now need to pay less attention since they know their

children are being promoted regardless of their learning levels).

However, the big question is how do you classify the students? This was done based on a small Baseline survey which is to be conducted immediately before the beginning of the 28 day camp. The classification was done for both Hindi and Mathematics. For Hindi the classification was as follows

Group 1 – Students can only recognise alphabets and words

Group 2 – Students who can recognise alphabets, words and read simple paragraph

Group 3 – Students who can recognise alphabets, words, Paragraph and story

For Mathematics the classification was as follows:

Group 1 – Students who can recognise number from 0-9

Group 2 – Students who can recognise numbers from 0-99

Group 3 – Students who can recognise numbers from 0-999

The survey was conducted by Trainee students from the DIET to ensure transparency and fairness. Since the aim of this exercise was to increase teacher accountability it would not be fair to have them conduct the baseline survey.

In order to ensure that teachers follow the methodology imparted to them during training the district administration officials including the Sub Divisional Magistrates were involved. They were to head teams comprising the Tehsildars, Block Elementary Education officers and Block resource coordinators of Sarva Shiksha Abhiyaan which would inspect these schools during this period of the special campaign. A special training on what and how to inspect was conducted for the District Administration officials including the Deputy Commissioner and SDMs.

Another key element of our strategy was to publicly reward and recognise the performing teachers. Based on the basic needs assessment we awarded Certificates of Meritorious work to teachers of three schools of Samirpur, Jeoli Devi and Hatol.

Observation during the Campaign

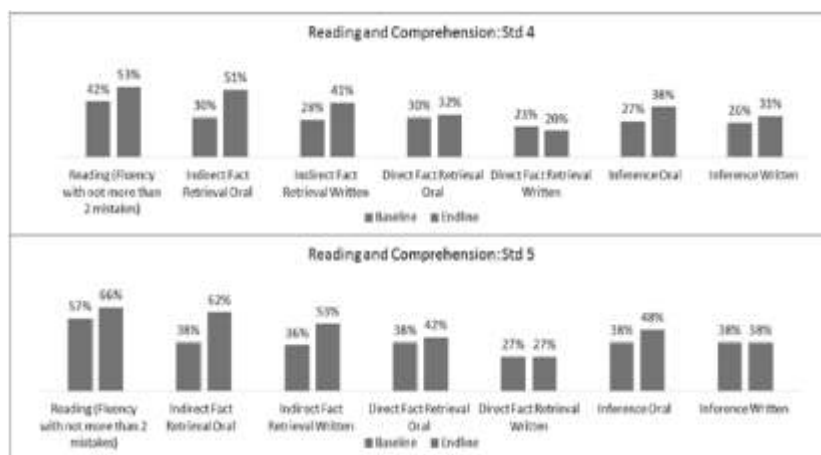
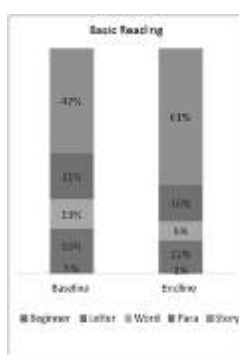
The success of the campaign lay in continuous and close monitoring of the execution of the program. An inspection schedule was drawn for every SDM to inspect the schools in their jurisdiction. This allowed us to observe shortcomings where noticed and communication of the same to the particular school. In a couple of schools it was found that students had not been classified into groups on the basis of learning levels but were still being taught class-wise. Those teachers were not only told to explain why they did not implement the given directions but their names were also given in the local newspapers through which community awareness, interest and a sense of accountability was inserted into the program.

It was also seen that since only one teacher had been trained per school, due to poor communication in some schools the other teachers were not clear how to implement the pedagogy. In such circumstances a cadre for onsite support would have been helpful.

Also, during inspections it was observed that there was no basis on which it could be said that migrants children's' performance was, in any way, less than the others. This myth was totally busted when GPS Paniyala (a school with almost 100% migrant children) achieved the highest score in the end line survey which was done after the 28 day course.

Phase 1: Final Results

One of the key areas of improvement was the ability of the students to read proficiently. There was a jump of 14% from 47% to 61% for students who could read a text with two or less mistakes. (Shown in graph below)

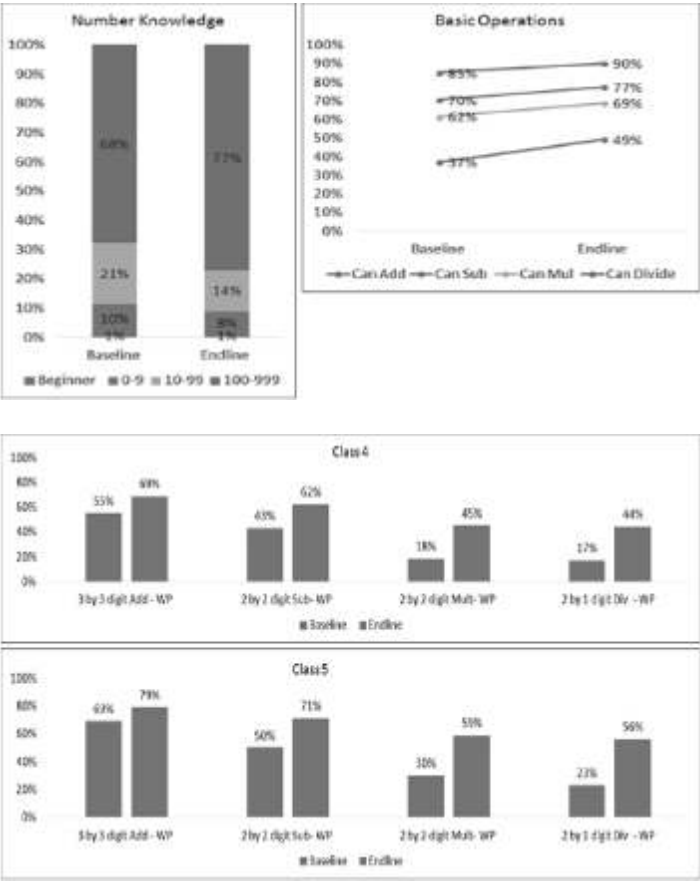


The above table shows results on various facets of reading, comprehension and writing for class 4 and 5 only. Substantial progress has happened in areas of reading and comprehension but not in writing. It appears the program was not able to focus on writing skills which will be an area to work upon in the second phase.

The table below shows the improvement in number recognition and basic operations. The number of children who could recognise three digit numbers increased from 68% to 77%. However, work needs to continue in the second phase

to increase this figure to above 95%. Without number recognition any further knowledge is of no practical use.

In basic operations, it would be pertinent to recall that multiplication and division were identified as areas of weakness. There has been an improvement in all four basic operations with 12% improvement in the ability to divide properly. This was an area of focus during all the inspections and teachers were repeatedly told to emphasise on multiplication tables and division. However, this number should be at least 80% because simple division is taught in class 3 and yet it appears to be problem areas for students of class 5.



The above table shows the progress achieved in all four operations. The greatest improvements have happened in the ability to divide and multiply, which had been clearly recommended as areas needing focus after the initial basic needs assessment survey.

School wise performance

Further analysis of data was done in order to under the progress made at the school

and block level. The school assessment was done on three parameters for every class i.e. (3rd to 5th). These were

1. Ability to read a paragraph of Hindi with two or less mistakes
2. Ability to multiply (3 by 2 digits)
3. Ability to divide (3 by 1)

Based on the above parameters there were three parameters for every class and a total of nine parameters for every school. Just like in the basic needs assessment survey, if the percentage of students in a school which were able to satisfy the above parameters crossed 80%, they were given a score of one (1). This means that in the particular parameter being tested more than 80% of students were successful. If this percentage fell below 50%, a score of negative one (-1) was given, which means that in a particular parameter being tested less than 50% of the students were successful. If the percentage of the students varied between 50% and 80% a neutral score of zero (0) was given. Since the survey had been conducted across three classes of 3, 4 and 5, we had a total of nine (9) parameters on which we tabulated the score of each school. Thus, the score could vary between 9 (at best) and (-) 9 (at worst). Based on this scoring pattern we categorized the schools as follows-

SCORE ≥ 3 , School categorised as Excellent

SCORE ≤ -5 , School categorised as Poor

$-4 \leq \text{SCORE} \leq 2$, School categorised as average.

Based on this scoring pattern we were able to get the following results:

1. 3 schools were classified as excellent, 27 as average and 30 as poor. This result is the same as in the basic needs assessment survey. However, in this survey class 3 students have also been included who have pulled down the overall results in all three areas of reading, multiplication and division. Despite this, we have recorded significant improvements in 19 schools.
2. The top three schools are GPS Paniyala (Score of 6), GPS Loharli (3) and GPS Dandru (3)
3. The top performing block remains Bijhri with a net score of (-) 0.8 and Sujanpur remains the biggest laggard at (-) 5.8.

Row Labels	Average of New
Bhoranj	-3.8
Bijhari	-0.8
Galore	-4.3
Hamirpur	-3.6
Nadaun	-4.6
Sujanpur	-5.8
Grand Total	-3.816666667

4. The most improved blocks between the previous basic needs survey and this end line

Survey is Bijhari (0.1) and Hamirpur (1). This is reflected in the net average difference in scores of the two surveys. The blocks which have deteriorated are Nadaun (-2) and Sujanpur (-1.2).

Financing

One of the most important aspects for the execution of this program was the financing. There are no funds available at the discretion of the Deputy Commission to conduct such an exercise. Thus, we used funds under the component of Teachers' Training of Sarva Shiksha Abhiyaan (SSA)for financing this project. The biggest component was the TA/DA to be given to our JBT students and Pratham officials who travelled all over the district for the conduct of the survey and administration of the tests. The cost of providing the necessary stationary were also met under the same head. A detailed break up of the costs for both phases is given in the table below.

S.No.	Particulars	Baseline Survey	1st Phase (60 Schools) Hindi & Math	2nd Phase (90 Schools) Hindi & Math	2nd phase (60 Schools) English
1.	Tools Development	16,959	47,536	15,000	25,000
2.	Refreshment/ Working lunch	18,705	8,975	15,000	18,000
3.	Honararium	3,000	26,450	25,000	12,000
4.	TA/DA to participants	1,46,813	78,182	1,15,200	18,000
	Total	1,85,477	1,62,143	1,70,200	73,000
	Total Cost (Both Phases)	5,90,820			

Key challenges and the way forward

It is well understood that an exercise of the type conducted in Hamirpur has to be a continuous process. Just as results are visible in a short period it does not take much time for learning gaps to reappear if not monitored strongly. The next phase of the PRERNA involves doing a similar exercise in the same sixty schools for English and further scaling up the exercise done in Hindi and Mathematics for 90 additional schools. Some of the challenges we have faced in the first phase are listed below:

1. The importance of clear communication while training the teachers cannot be understated. Many teachers did not implement the pedagogy which they were supposed to. This can only be checked through regular inspections and continuous course correction. This is a real challenge since there are no direct controlling powers exercised by the Deputy Commissioner over the Education department.

2. The assessment activity has to be carried out simultaneously in all the schools. The manpower available for this purpose is limited. Students training to become JBTs (Junior Basic teachers) were used for this purpose. However, some of the schools could not be covered by them. Thus, any effort to scale up the exercise will need to involve the teachers or 3rd parties themselves for the assessment. The second option is costly. However using teachers come with its own limitations as there is a tendency amongst some teachers to over assess the performance of their students since it reflects on their performance.
3. Due to the same reason there were errors found in the way the assessment sheets had been filled up in the baseline survey.
4. Another issue which arises is how to break the mind set of resistance amongst the teachers. We started an incentive system of rewarding the teachers of the top three schools by giving them individual certificates in important public functions. The top ranked schools were given computers for use by the students.
5. One shortcoming which was felt was that of an onsite support team. It is not possible to have external parties acting as support teams on a full time basis in schools. However, we need to form a District resource group from amongst teachers and officials which can help in addressing problems and also scaling up the program.
6. The selective use of the media is key factor in making this program sustainable. Thus it was felt that every time an assessment/ result or inspection was done, the impact of the program and its ultimate goal of making it a people's movement would be served very well by sharing it with the local vernacular media. This would be the first step towards making the teachers accountable to the parents in particular and the society in general. The publishing of the rankings of the schools was an important step. Here, it would be fair to say that nobody wanted to be seen as being ranked on the lower side of the scale.
7. It is realised that the ultimate success of this program will be achieved when the parents start holding the teachers accountable for the learning levels of their wards. PRERNA intends to act more as a catalyst in that direction.
8. PRERNA also intends to track the progress of every child surveyed. Thus, at the beginning and end of any intervention a assessment is conducted by the teachers of the school. It is also cross checked at the time of field visits by Education department officials and District administration. The process of digitisation of this record has started. The end line assessment of every intervention will become the baseline for the following one.

To conclude, it would fair to say that like with any program results would be achieved best when program is implemented in a continuous mode through community participation and accountability. There are other larger issues of teachers' transfers, quality, union issues, etc but they more in the political realm. From an administrator's point of view any program designed must factor in these limitations. PRERNA represents the first few steps in the direction of creating an environment of accountability through adoption of greater responsibility by all stakeholders – officials, media, teachers and parents.

Decentralization of Tendu Leaves Trade

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Abstract

The Central India predominantly situated in hilly and forest region. The population especially the scheduled tribes and the forest dwelling communities has their own cultural and social norms. They depend on the nature and the forest produce for their livelihood. Till 19th Century these forests where they live were under the administrative control of the Zamindar's and the King's. They enjoyed their rights like collection of timber and non-timber, hunting etc. During the colonial period their rights were ceased and settled seldom. After the independence, the situation prevailed the same till 1996 when a major change in the administrative things happened ie., Panchayat Extension to the Scheduled Areas Act. The forest dwellers were given with the rights to collect the Minor Forest Produce for their livelihood and Panchayat or Gram Sabha was given with the right to sell the forest produces.

In 2006, the Forest Rights Act was implemented and the scheduled Tribes and other Forest dwellers were empowered to have their rights in the collection, transportation and disposal of the minor forest produce the Monopoly of the traders and other government institutions were broken. A Tendu leaf which is used to make Bidi has a turnover of Rupees 1250 Crores in the state economy. The state run corporations were not ready to give their hold in Tendu Leaves Sale because of the Nationalised MFP status. When the forest dwellers asked for the rights to sell the tendu leaves to the Traders it was denied. When the rights were conferred to them to dispose the MFP collected. The rate of the Tendu leaves per standard bag has gone up from Rs 1200 to Rs 2500/=

Now, the right holders are getting good price for their produce and it has improved their economic status. But the villages remain under developed. There are few villages which has utilized this opportunity to convert this money for the development of villages by way of handholding with the line departments. There is need for the Convergence of the National Rural Livelihood Mission for the value addition and the marketing.

Introduction

The Central India, predominantly located in hilly and forested terrain comprises of 8.1 % of ST population of the country and also the having the special status under PESA 1996. The People living in these areas have their own cultural, social institutions & their dependency on forests and forest produce for their livelihood is incomparable. Through the Panchayat Extension to Scheduled Areas Act 1996 and External aided Joint forest Management activities they had the rights to enjoy the forests and forest produce they never enjoyed their legal rights till 2008.

The People living in the Central India, especially in the schedule V area depends on Non Timber Forest Produce shortly called as “Minor Forest Produce” for their livelihood. As mentioned by Ministry of Rural development, NRLM, Government of India, “These include bamboo, canes, fodder, leaves, gums, waxes, dyes, resins and many forms of food including nuts, wild fruits, honey, etc. The MFPs provide both subsistence and cash income for people who live in or near forests. They form a major portion of their food, fruits, medicines and other consumption items and also provide cash income through sale. Some MFP’s, especially bamboo and tendu leaves, have significant commercial importance. Nearly 75% MFPs are collected from the six States of Maharashtra, Madhya Pradesh, Chhattisgarh, Orissa, Jharkhand and erstwhile Andhra Pradesh”.⁴ In 2004, People use to barter Chironjee a MFP for 1KG of Salt. The Actual price of Chironjee was Rs 430/Kg. Similarly they use MFP for their daily needs and it part of their economic activity besides their cultural needs.

Under PESA 1996, the Panchayats/Gramsabhas have ownership on Non-Timber Forest Produce. The Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 or Forest Rights Act, (FRA) 2006 empowers the forest dwelling tribal communities and other traditional forest dwellers, under Section 3(c), the “right of ownership, access to collect, use and dispose of minor forest produce, which has been traditionally collected within or outside village boundaries.”

In the above said act, the MFP is legally defined which includes Tendu Leaves and Bamboo. Tendu leaves considered as “Nationalised” MFP, the procurement and disposal is with state government whereas the ownership lies with the Gram Sabha legally. At present PESA and FRA reflects the ownership of the MFP by the Gram Sabha, where as it has to be incorporated in the state acts. People living in these areas are free to collect and sell the MF produce as per existing laws.

However “Ownership of MFP” was a big concern. In these areas, there is a history of exploitation of tribal by traders because of their poverty and illiteracy. Due to the terrain and the location there was no competition among the traders to procure and they become monopolized. Inaccessibility to the markets and the quantity of the produce is very small the gatherers were unable to bargain their rates with the traders.

Story of a Tendu Leaf Collector

It was March 2010, summer has already started in Central India. Bheem, a tribe of Dandakaranya forests which is predominantly found with Sal trees. There were around 20 families living in Marrigudam, a hamlet where Bheem was also living in the tri-junction of three states, Telangana, Chattisgarh and Maharashtra. Bheem, has 0.5 acre an agricultural land, for which he got the title deeds under Forest Rights Act 2006. Because of the poor monsoon, he lost his crops that year. The hamlet is fully dependent on local forest department for their daily chores, most of the time they are

engaged with timber contractors as mazdoors. in the lien period they work in forest department nurseries and that too for meagre salaries.

Ramji, a "PhadMunshi" (Manager of Tendu leaves Collection Center) came to his hamlet asking them to come for the tendu leaves collection work from the next day onwards for 3 months and he has paid Rs One thousand as advance to him.

Tenduleaves (locally called as Bidi leaves) are the leaves used in making of the Bidi. Tendu trees are found abundant in the Central Indian states Maharashtra, Madhya Pradesh, Chhattisgarh, Odisha, Jharkhand and in the states of Telangana, Gujarat, Rajasthan and Uttar Pradesh it is less in abundance.

The Madhya Pradesh state MFP Federation in its standard collection procedure of tendu leaves mentions as "tendu trees/plants are pruned in the months of February and March and the mature leaves are collected after about 45 days. The leaves are collected in bundles of 50 to 100 leaves, which are dried in sunlight for about a week. The dried leaves are sprinkled with water to soften them and then filled tightly in jute bags and exposed to direct sunlight for 2 days. The bags, thus packed and cured can be stored till their use in Bidi manufacture. Great care is needed while plucking, curing and storage of tendu leaves. It is a sensitive product and with the slightest mistakes or oversight during any of these processes their quality deteriorates rendering them unfit for making Bidi's".

Generally women folks and children are involved in the collection. 50000 leaves comprises one standard bag, on an average each family used to collect 10 bags in each season. Since it is a seasonal work, within 6 weeks they have to complete the work. The primary gatherers submit their daily collection to the "PhadMunshi" at the collection centre. Each gatherer is provided with the Collectors card and the wages will be paid according to the collection in their bank account and the same is entered in their card too. Sometimes District Authorities were also involved during collection season.

Bheem, has accepted to come for the collection work. In the evening, he called the villagers to decide the number of families to participate in the collection and in the meeting it was decided to go for the work as usual like previous years. In the meeting, they were told by some youngsters that they have the right over the forest produce to sell which they collect. Next day onwards, every household went for the collection and brought their collection to their houses. At the end of the week, "PhadMunshi" came for the collection of the leaves from the individual families. Every one submitted their collection except 2 families. Bheem intervened and got the collection deposited with the "PhadMunshi".

In the meantime, the 2 families whom did not want to sell their leaves collection to the cooperative societies contacted their relatives in the other hamlets where they were told that under section 3(1)(b) of FRA 2006 they can claim rights to harvest, transport and dispose of MFPs that includes tendu leaves. "The Panchayat (Extension to Scheduled Areas) Act 1996" and the "Forest Rights Act 2006" empowers the Gram Sabha as the owners of the Minor Forest Produce. But it was not like that in this case. The Community rights Under section 3(1)(B) to 3(1)(I) of FRA 2006 empowers the local self-government or the Gram Sabha to decide the harvest, transport and dispose of MFP's in their village limits. In this village all the families were provided with the individual

rights and the community rights were not settled. When they came to know about their rights, the Gram Sabha was called and Forest rights committee came into action with the help of local civil societies and their community forest resources were demarcated in the ground. And the rights were recognized by the Gram Sabha, Sub divisional Committee and District level Committee.

Then in the following year the villagers went for the collection of tendu leaves as seasonal. When it came to the sale, the monopoly of the societies and the corporations were removed and they got the price twice that of the corporation rates. The real ground level problem came after the sale as per the existing Forest Produce transit rules the panchayats or the Gram sabhas were not empowered to issue the transit passes. When the Gram Sabhas tried to issue the passes they were stopped by the neighboring state forest department for the valid passes. This has to be addressed by the authorities, but when?

The Primary gatherers collect and do the primary value addition to the collected materials like deseeding, grading etc. and then sold to private traders or State Government run corporations or federations. As stated earlier, State Governments through its legislations control the utilization of trade of MFP. To trade, the MFP the gatherers have to approach these federations or through the free market like traders. For the Nationalized MFP like Tendu leaves the gatherers have to approach the Federations. For example, in Chhattisgarh, though the Federation has a control tendu patta sale, in fact, many traders procure tendu patta directly from collectors for competitive prices to avoid taxes. Legally, the state government agencies like Corporations cannot control these kinds of traders. The Private traders offer very good rates when compared to the government run corporations.

In Odisha, as per PESA 1996, Panchayats are authorized to sell MFP except bamboo and tendu. The forest department fixes the upset price for the sale of MFP, but the same has to be verified whether the panchayats are following the rates fixed by the department or not. Without market study the MFP's were sold with an annual increment of 10% in the upset price of last sale.

The sharing of profits as bonus to the gatherers from the sale of tendu leaves are done by the corporation and the federations in all states except Gujarat and Odisha. These two states are sharing the profits earned from tendu leaf sale with Gram Panchayats. If the profits were shared, then the living conditions would have been improved over a period of time. The gatherers can organize themselves in the form of SHG's and societies to strengthen themselves in the competitive market and they can perform well in cutting the middlemen role to bring the lucrative prices for their produce. They can do value addition to the raw materials collected. For which, they can utilize the convergence of National Rural Livelihoods Mission. In Madhya Pradesh, for the welfare of the pluckers of the Tendu Patta, a Group insurance Scheme was launched in the year 1991. About 24 lakh tendu leaf pluckers between the age of 18 to 60 are the members in the group insurance scheme. And the scheme is first of its kind in the whole Asia.

Table 1
Data of Tendu Leaves Trade in Madhya Pradesh

Year	Colle- -ction	Colle- -ction Rate per S.B	Colle- -ction Wages	Qty Stored	Qty disp- -osed off	Sale Price	Expen- -diture	Net receipt
1989	43.61	150	65.42	43.58	43.58	405.15	114.70	290.45
1990	61.15	250	152.88	60.57	60.57	248.47	209.12	39.35
1991	46.16	250	115.40	45.79	45.79	298.07	180.00	118.07
1992	45.06	250	112.65	44.64	44.64	285.99	201.47	84.52
1993	41.31	300	123.93	40.98	40.98	252.77	198.29	54.48
1994	42.38	300	127.14	42.08	42.08	299.40	210.95	88.45
1995	39.56	300	118.68	39.36	39.36	289.39	197.80	91.59
1996	44.60	350	156.10	44.43	44.43	338.85	269.38	69.47
1997	40.14	350	140.49	39.95	39.95	338.69	244.05	94.64
1998	45.47	400	181.84	45.23	45.23	407.66	280.39	127.27
1999	49.37	400	194.20	49.12	49.12	402.20	283.87	118.33
2000	29.59	400	114.78	29.49	29.49	176.31	160.08	16.23
2001	21.28	400	83.09	21.22	21.22	111.05	136.07	NA
2002	22.74	400	89.04	22.65	22.65	165.77	143.83	21.94
2003	22.25	400	87.56	22.21	22.21	152.95	140.71	12.24
2004	25.77	400	101.61	25.72	25.72	167.71	145.86	21.85
2005	16.83	400	66.37	16.82	16.82	131.41	106.90	24.51
2006	17.97	400	71.88	17.97	17.97	151.33	100.56	50.77
2007	24.21	450	108.95	24.21	24.21	373.64	136.89	236.75
2008	18.25	550	100.35	18.25	18.25	211.26	136.57	74.69
2009	20.49	550	112.67	20.49	20.49	265.49	149.86	115.63
2010	21.24	650	138.11	21.24	21.24	332.89	179.71	153.18
2011	17.06	650	110.85	17.06	17.06	310.06	154.10	155.96
2012	26.06	750	195.45	26.06	26.06	634.13	245.94	388.19
2013	19.92	950	189.28	19.92	19.92	394.89	247.04	147.85
2014*	16.99	950	161.42	16.99	16.99	310.12	195.14	NA

Note:- 1) Quantity: In lakh Standard Bags (1 Standard Bag=50,000 leaves); 2) Amount: In Rs. Crores.
Source: Madhya Pradesh MFP Federation”

Table 2
Collection Rates in Different Seasons

Season	Area	Collection Rate (Rs. per S.B.)
1999, 2000 & 2001	5 D.U.- Shivpuri, Bhopal, Chhatarpur, Tikamgarh & N. Sagar	300/-
	All other Divisional Units.	400/-
2002	4 D.U.- Bhopal, Chhatarpur, Tikamgarh & N. Sagar	300/-
	All other D.U.	400/-
2003, 2004, 2005	3 D.U.- Chhatarpur, Tikamgarh & N. Sagar	300/-
	All other D.U.	400/-
2006	All D.U.	400/-
2007	All D.U.	450/-
2008, 2009	All D.U.	550/-
2010,2011	All D.U.	650/-
2012	All D.U.	750/-
2013	All D.U.	950/-
2014	All D.U.	950/-
2015	All D.U.	950/-

Source : "Madhya Pradesh MFP Federation"

Table 3
Details of settlement of claims under Group Insurance Scheme

Year	No of claims Settled	Amount of insurance paid (In Rs. crores)
1991-92	1194	0.36
1992-93	3235	0.99
1993-94	8238	2.48
1994-95	10699	3.37
1995-96	10361	3.54
1996-97	16522	5.75
1997-98	13249	4.69
1998-99	10215	3.76
1999-2000	15026	5.26
2000-01	18242	7.11
2001-02	16271	6.69
2002-03	10750	4.75
2003-04	11040	4.60
2004-05	10564	4.63
2005-06	4130	2.04
2006-07	13737	6.47
2007-08	8761	3.71
2008-09	10572	5.62
2009-10	6404	2.84
2010-11	8235	3.42
2013-14	8235	2.26
Total	226000	91.01

Source : "Madhya Pradesh MFP Federation"

Table 4
Incentive Wages to Tendu leaves pluckers

The amount of incentive wages paid in various years is shown in the table below

Collection Season	No of pluckers (in Lakhs)	Amount of Incentive wages paid (In Rs. crores)
1989	21.31	150.00
1995	15.76	10.76
1996	18.02	12.29
1997	22.41	15.30
1998	18.84	27.99
1999	15.50	48.22
2000	4.50	7.30
2002	5.23	8.22
2003	4.64	5.51
2004	8.21	11.80
2005	9.80	13.23
2006	10.86	27.41
2007	12.39	118.58
2008	9.15	38.73
2009	10.83	62.10
2010	11.30	82.57
2011	9.03	98.22
2012	12.17	244.55
2013	NA	93.14

Source : "Madhya Pradesh MFP Federation"

Table 5
Data of Tendu Leaves Trade in Chhattisgarh

Year	Collected Qty (Lakh Standard Bags)	Collection Wages (Rs. Crores)	Sale Value (Rs. Crores)	Average Sale Rate (Rs. per Std. Bag)
2001	16.67	75.53	165.22	1000
2002	19.58	88.92	198.71	1015
2003	18.12	82.18	173.25	956
2004	18.86	84.92	148.50	787
2005	14.92	67.17	135.06	906
2006	14.72	66.31	140.02	951
2007	17.18	85.96	325.59	1895
2008	13.79	82.77	197.61	1434
2009	14.67	95.33	256.41	1748
2010	15.45	108.15	335.30	2170
2011	13.57	108.52	355.31	2619
2012	17.15	188.66	646.90	3772
2013	14.71	176.70	362.13	2462
2014	14.28	171.40	334.62	2346
2015	13.01	156.13	339.60	2665

Source : "Madhya Pradesh MFP Federation"

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