

Minister denies sitting on grants for NGOs ^{4/12}

By Sanjay Dutta
TIMES NEWS NETWORK

New Delhi: The Ramakrishna Vivekananda Mission, a breakaway Hindu theological society known for its social work, has thrice won the National Award for child welfare. But for the social justice and empowerment ministry, it's not enough for the prompt release of financial aid, putting the good work at risk.



Nagmani

The Mission's plight is shared by at least 200 other NGOs. The reason: Junior minister Nagmani refuses to clear their files, though their schemes have been recommended by the respective state governments. Mr Nagmani's boss, Satyanarain Jatiya, has made him responsible for files pertaining to grants of up to Rs 10 lakh.

In letters to the PMO and Mr Jatiya, several NGOs have complained that people claiming to be close to the junior minister were demanding money for getting their files cleared.

Mr Nagmani rubbishes the charge, saying only 50-60 files were pending and he had cleared about 100 files so far. "Delhi is a city of frauds. How can I be held responsible if somebody demands money posing as my representative," he

told this reporter.

Last year, "The Times of India" exposed a similar racket in the Union tribal affairs ministry, with individuals close to minister Jai Oram demanding a cut from NGOs whose grant applications were pending before the ministry.

On his part, Mr Nagmani passed the buck on to his junior officials, who, he said, colluded with "unscrupulous elements" to extort money. "I am trying to stop this. I have to see that the money is well-spent. Only files of those NGOs against whom there are specific complaints have been sent for review." A Kolkata-based NGO, however, has another story to tell. "One person called to say we should contact one Miss S. Misra in Kolkata or contact another conduit in Delhi. Both said we should pay Rs 1 lakh if we wanted our file cleared. They had the exact figures," said an official of the NGO.

Requesting that he or his organisation be not named, the NGO official said other organisations, too, had received similar calls and have also been threatened of being blacklisted if they failed to pay up.

When this reporter, posing as an NGO, called up the Delhi mobile number of one of the conduits, the person, speaking with a distinct Bihari accent, identified himself as "Misra". He promised to help the fictitious NGO in getting Rs 7 to Rs 8 lakhs.

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Welfare officers rescue child from Suri NGO

Surojit Ghosh Hazra
Suri, November 15

AN NGO has been accused of smuggling children in Suri. The district administration lodged a complaint against Arabinda Anushilan Society for keeping an orphan without legal papers for the past five months.

An arrest warrant has been issued against the secretary of the NGO, who is absconding. The district administration rescued the child on Friday and sent it to an orphanage in Behrampore.

During a visit to the home, run by the NGO at Shalboni in Suri earlier this month, district social welfare officer Pratyarpan Singha Roy saw the baby and directed the NGO through a letter to send it to the social welfare department.

The NGO spurned the request asking for legal orders. Singha Roy said that according to the 97 CRPC Act, no person or organisation can keep or handover any orphan child to anybody without the permission of the government. In six districts, including

Birbhum, the rule to adopt an orphan child is to apply to the child welfare department.

After his visit, district magistrate Barun Roy was informed about the matter. Roy paid a surprise visit to the home and asked the NGO officials to show him the relevant papers regarding permission to keep the child. The DM was not satisfied with the papers shown by the NGO.

"We are not satisfied with the papers they have shown. Legal steps will be taken against them," Roy said.

Some reports say that Roy was reportedly informed by the NGO that the child was found abandoned in a local nursing home and they took him away for upbringing. J. Banerjee, a key official of the NGO ruled out the allegation stating, "We have every right to keep baby. The allegation brought against us is baseless. We will go to the court against the district administration."

Meanwhile, Roy said that the NGO has flouted all rules to keep the baby and that the doors of the court are open for all.

However, local people smell something different. They are suspecting that two foreign students, one from Cambridge and the other from London, are also involved in smuggling this child.

When the district administration asked the NGO about the two girls, they were told that the students have been staying in Shalboni for the past couple of months and are preparing to get admission in a state medical college. This clarification also has not satisfied the district administration.

When the administration

wanted to meet the girls, they were told that the students were at the Shalboni home, but the officials could not find them there. They were not found in Suri also. The officials also found some irregularity in their register book, which says that there should be 25 girls in that home but only five were found. In this case also, the NGO authorities failed to give a proper explanation.

SP Birbhum Akhil Roy informed that all police stations have been alerted to trace the NGO secretary.

NGO throws more light on Bakery case anomalies

OUR LEGAL CORRESPONDENT

NEW DELHI, Oct. 18. — Gujarat Police roped in relatives of several of the riot accused to depose as witnesses in the Best Bakery case, an NGO involved in the case has informed the Supreme Court.

Citing several such instances, the NGO drew the apex court's attention to the fact that the entire investigation in the case was faulty. Witness Nandubehn Jamsing, examined on 9 June 2003, is the mother of accused number six, Jayantibhai Jamsingh Gohil, the affidavit filed yesterday by the Mumbai-based Citizens for Peace and Justice says. Another witness examined on the same day, Kamlabehn Solanki, is the mother of accused number nine, Munno alias Harshad Rajivbhai Solanki.

Both witnesses turned hostile, the affidavit says. Another two witnesses produced in court on the same day, Maitibehn Chauhan and Bhikhibehn Khokar are the mother and

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wife of accused number 21, Ravi Rajaram Chauhan, and accused number 13, Yasinbhai Alibhai Khokar, respectively.

Bhikibehn also turned hostile, the affidavit says. It also says that the chief investigating officer has been named by several witnesses as having behaved violently against several of the victims in Vadodara.

This was documented by the Concerned Citizens' Tribunal, comprising Justice VR Krishna Iyer, Justice PB Sawant and Justice H Suresh.

Though several witnesses were cited in the list of witnesses, only 73 were ultimately examined by the Vadodara fast-track court in the case. The remaining witnesses, including 12 eyewitnesses, were excluded. Of the 73 examined witnesses, 37 turned hostile, including the victims' close relatives and one of the principal eyewitnesses, Ms Zahira Habeebullah Khan. This led to the acquittal of all the 21 accused.

UK lauds NGOs' work in Andhra

London: The pioneering work done by women's self-help groups in Andhra Pradesh came in for praise in the House of Commons here.

In a written answer on Tuesday, Hillary Benn, minister of state, Department for International Development (DFID), said more than 250,000 groups with a membership of around six million women, have been established in Andhra Pradesh, the largest number in any state in India.

Benn said the Department for International Development is supporting the work under the Credit and Small Household Enterprise (Cashe) project, which provides funding to local organisations.

The groups are centres on savings

and credit, enabling the members to build up their own savings and to borrow from group funds to cover unexpected expenses such as illness or as start-up capital for income-earning activities, for purchasing livestock. The project operates in five of the poorest districts in Andhra Pradesh, and also in Orissa and in West Bengal districts.

The minister said Andhra Pradesh has one of the highest incidence of child labour in India. Since 2000, the DFID has been supporting the International Labour Organisation's Integrated Programme for the Elimination of Child Labour (IPEC) in the state. The programme works with trades' unions, parents, employers

and non-governmental organisations to build support for eradicating child labour.

It works in parallel and as a support to the state government's own efforts to eliminate child labour and to ensure that all children attend school. The government has set universal primary education as a target to be achieved by 2005.

"It is not possible to determine how many children have been taken out of child labour by the ILO-IPEC project and how many from government's own efforts. The government has estimated that combined effect of these actions in 2002 was that almost 500,000 children were taken out of child labour," the minister said.

Ulfa link puts NGOs in a fix

OUR CORRESPONDENT

Guwahati, June 11: Several NGOs based in Assam have come under the scanner with police recovering sheaves of Ulfa documents containing information on links between the militant outfit and various organisations, including one that claims to be a human rights watchdog.

The incriminating documents, packed into three suitcases and as many trunks, were found during a search operation inside a cave in the Kumoi Hills of Morigaon district.

Special branch personnel investigating the matter refused to name any NGO, saying they would do so only after finding irrefutable proof of the Ulfa's links with the organisations mentioned in the seized documents.

The investigation team is trying to determine the duration and the nature of the links between the NGOs and the outfit.

The Union home ministry last month blacklisted 824 NGOs operating in five states of the

Northeast and Sikkim for suspected links with militant outfits. As many as 151 of these organisations are from Assam.

The ministry compiled the list on the basis of information from various sources. Most of these NGOs were found to be extending financial help to militants and functioning as fronts for various outfits by masquerading as service-providers in the economic, healthcare and education sectors.

It is not known if any of the NGOs whose activities the police are investigating figure in the list.

Sources said some of the blacklisted NGOs had taken advantage of their proximity to the state governments and leaked out information on official policies and strategies to militant outfits. Several had functioned as recruitment agencies for these outfits.

Meghalaya tops the list with 323 NGOs of doubtful integrity, followed by Manipur, which has 197. Nagaland has 82, Tripura 69 and Sikkim two.

'NGOs can represent consumers on fora'

By Our Legal Correspondent

NEW DELHI, APRIL 12. In a significant ruling that will benefit consumers, the National Consumer Disputes Redressal Commission has held that consumer associations and organisations can represent and argue for consumers before consumer courts.

This ruling was given recently by the Commission, comprising the President, D.P. Wadhwa, and Members, J.K. Mehra, Rajyalakshmi Rao and B.K. Taimni, after hearing various consumer bodies.

The Commission said that the composition of consumer courts was such that it included not only judicial but also non-judicial members from the field of administration and social work. And this work envisaged a new approach "which is to be shorn of the shackles of procedural law so that access to justice is easy and simple".

"To say that a consumer association cannot plead the case of the consumer or an association cannot appear before a consumer court will be to defeat the purposes of the Consumer Protection Act itself," it said.

The issue for determination arose after the Tamil Nadu State Consumer Disputes Redressal Commission held in April last that "an authorised representative of the litigant complainant-consumer not being an advocate could not at all be given the right of audience though there was no prohibition for the party himself to represent his own case under the Act". The State Commission did not allow the representative of a consumer organisation to argue the case of a widow against a premier hospital.

The National Commission, invited the views of various consumer bodies as well as

that of *amicus curiae*, Gopal Subramaniam, and others to decide this issue.

Mr. Subramaniam, citing various apex court judgments, submitted that an authorised representative could certainly have a right of audience and his right was not merely confined to appearance before a consumer forum.

He pointed out that the right of audience could not be taken away by referring to the provisions of Civil Procedure Code, which had no application as the Consumer Protection Act was itself a departure from the ordinary procedure in CPC. "We have to break the shackles of a procedure which is too technical in civil jurisprudence," the *amicus curiae* said.

The Commission fully agreed with this and incorporated his submissions as part of the order and modified the ruling of the State Commission.

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Role for NGOs in polio drive

**Pinak Pani Chowdhury
& Agencies**
Balurghat/ Kolkata, Apr 6

PULSE POLIO campaigns were kicked off across the state on Sunday. NGOs and local clubs were roped in this time, besides religious leaders, to create awareness among the people in remote areas.

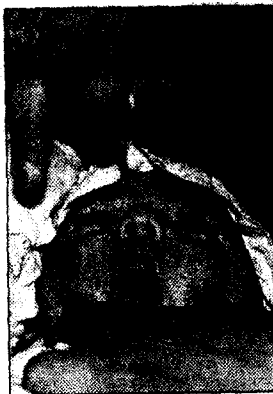
The health department has already identified 18 cases of acute polio across the state so far this year against 48 cases last year. South 24-Parganas alone accounted for half the number of cases. Assis-

tant director of the state's Expanded Programme on Immunisation Dr Jyotirmoy Chaki said the 18 patients have been affected by the 'wild polio virus'.

The drive has been intensified in South 24-Parganas which has shown a spurt in the occurrence of the disease. District Chief Medical Officer Pradip Kumar Mondal said six cases have been detected in Mograhat-I and II blocks, one each in Canning-II, Patharpatima and Bhangur-II.

The health department also had a special focus on South Dinajpur where 3,000 children were left out of the pulse polio campaign two months ago. This time around, the department roped in NGOs and local clubs in the minority-dominated regions to reach out to more people. Teachers and students were also asked to mobilise more people for the campaign.

District CMOH Subir Bhowmik said the response has been good. Villagers of Maharajpur who refused to take the drops last year were brought around for Sunday's camp.



DROP OF LIFE: A baby being given pulse polio.

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A new role for NGOs

By V. Krishna Anand

A CLOSE look at the movements based on the mobilisation of people in the period after the Emergency in India reveals two distinct patterns insofar as their ideological positions are concerned. While the forces of *status quo* represented by the BJP with its pronounced right-wing ideology — both in the political and economic sense — seem to have succeeded in a big way, another stream of popular mobilisation that emerged around the same time — institutions and groups that could be classified as 'new social movements' (NGOs in other words) — too has managed to strike roots among a cross-section of the people and also been able to shape the organisational set-up across the country.

Over the past few years, resistance to the rightward shift in the political discourse as well as in economic policy has been pronounced in several cases where these outfits have been in the forefront. Medha Patkar and the Narmada Bachao Andolan (as well as several such resistance movements to displacement) had managed to build a popular movement involving several thousand ordinary people at a time when even the Left parties (with their strong and well-knit trade union organisation) have been forced to restrict their agenda to mere symbolic actions against the establishment.

Such movements, be they the resistance to displacement in the Narmada Valley or the struggle against the mining activities in Jaduguda or against the setting up of production units that are bound to affect the environment adversely in many parts of the country, are, however, finding it difficult to take on the mighty establishment. The forces of *status quo*, after all, are not restricted to one political party or combine but are spread across civil society.

The *status quoists* have even managed to distort the agenda of some such groups (particularly where the NGOs concerned are unapologetic about their source of funds) in such a manner that even sections that mean well turn out to be articulate apologists of the development paradigm opted for by the establishment.

These NGOs, which merely serve as centres for disbursement of funds from the international institutions and donor agencies from the West and also provide attractive employment opportunities to the elite, do not fit into the category of new social movement in any sense.

The new social movements were the response of a whole generation of young men and women, whose transition from adolescence to youth happened to take shape when political parties and platforms were being reduced to mere instruments of self-

all, was also when the anti-establishment parties — the socialists and the communists — had shown their inability to match practice with precepts while the Jana Sangh had rechristened itself as the BJP.

The Janata experiment had revealed the proclivity of several socialists to turn apologists of the *status quo* leaving the youth who were mobilised as part of the JP movement to create a space outside. This was true of a whole lot of young men and women galvanised into the political space by Naxalbari. This was the con-

An organic unity of the mainstream Left and the new social movements alone can help build resistance to the Right.

preservation by their leaders, and, even where the distortions were not as bad — the mainstream Left for instance — the leaders were united in resisting any critical evaluation and free thinking. This was true not just in India but across the world.

In India, the new social movements came from the spark from Naxalbari in 1967 followed by the anti-establishment protests across university campuses in the Nav-nirman Andolan in Gujarat or the call for Total Revolution by Jayaprakash Narayan and in the symbolic but determined acts of protest by youth and students immediately after Indira Gandhi announced suspension of democratic rights on June 25, 1975. A new generation that was coming of age in the universities, exposed as it was to Sartre, Camus and such other existentialist thinkers, was drawn into a mould where it considered the question of development not just as a statistical concern but as linked to human rights and the right to livelihood.

The new generation refused to accept the stated positions of the political parties as the truth and instead held human development and the right to life and livelihood as ethical concerns. Democracy was not just a political formulation for them and it was this attitude that laid the foundations for the new social movements of the early 1980s. This, after

text in which the new social movements emerged in India. But then, a characteristic feature of these movements was that they were driven by the idea that they must also be kept away from the most critical aspect of the political process — the electoral arena.

While those at the core of the new social movements were themselves the associates (in their past) of one or another radical political platform of the times — predominantly of the Gandhian socialist or the communist kind — they had committed themselves, in the 1980s, to steer the new social movements clear of parties. The parties, after all, were not able to internalise such concerns as environment, sustainable development and such other aspects on to their agendas as the ethical questions they were for the new social movements.

The strength of the new social movements in India was that they did not have any ideological baggage. The mainstream Left, for instance, was caught in celebrating technology as long as it came from the Soviet Union. It could not oppose the concept of huge industrial establishments or big dams for the Soviet Union too celebrated this as development. But then, such an autonomy as well as the distinct advantage the new social movements had of not having to explain their movements from within the confines of stated

positions did have its weakness too. By deliberately alienating themselves from the electoral arena, these movements also left themselves to be weakened significantly. In other words, the forces of *status quo* have occupied the institutions of political democracy — ruling as well as the Opposition — and the new social movements are having to stay out of the policy-making process.

The fallout of this can be seen not just in the manner in which development is sought to be defined by the establishment but also in the manner in which the political discourse is being dragged towards the Right. Despite having mobilised large sections against the BJP's political agenda in several corners across the tribal regions, these movements have hardly been able to convert this into a vote against the BJP. That is because those political platforms that are unambiguous when it comes to their opposition to mobilisation on communal and majoritarian slogans and the new social movements remain mutually suspicious of each other.

This need no longer remain so. While the ideological baggage of having to hold a brief for the Soviet Union (whether it be on technology-driven development or on the question of nuclear weapons or power) should no longer be a constraint for the mainstream Left, those still committed to the ideals that guided the new social movements too should agree that the challenge to democracy and its critical elements — the right to life and livelihood — is no longer localised.

Instead, the threat to these cherished values has emerged in the form of a well-knit organisation that commands unlimited resources as well as cultural notions that legitimise a further shift to the Right on both economic and political issues. The response to such a challenge, hence, cannot remain localised. An organic unity of the mainstream Left and the new social movements alone can help build resistance to the Right. This, indeed, is possible only when the two sides agree to go beyond their stated positions on critical issues.

Seer stamp on code for straying NGOs

OUR SPECIAL
CORRESPONDENT

Kancheepuram, Dec. 31: The Sankaracharya of the Kanchi Kamakoti Mutt recently released a book that contains guidelines for NGOs, many of which have faced flak for indirectly inciting religious conversions through their development initiatives.

Government Schemes and the Role and Responsibilities of Non-Government Organisations, published by a new NGO in the state called Aravind Foundation, subtly conveyed the message that development NGOs should reassess their roles.

Sri Jayendra Saraswathi's "blessings" for the book comes after his praise for Tamil Nadu's law to ban forcible religious conversions. The Sankaracharya released the book at a simple function at the mutt premises. Among others, Union minister S. Thi-

runavukkarasar of the BJP attended the release of the book, written by state BJP worker V. Aravind.

The Sankaracharya said 55 years after Independence, the country's development work in villages continued to be a challenge. The poor awareness of the NGOs regarding various central and state schemes for development and guidelines for NGOs compounded the problem, he said.

The Sankaracharya said he released the book in an effort to help hasten rural economic development. Eradicating poverty was the best way to ensure honesty, he said.

The Kanchi seer's remarks are significant, coming as they do when many NGOs are facing charges of packaging their development initiatives with an eye on religious conversions.

The "goodies" the NGOs give

out have been alleged to be indirect incentives for conversion. The Tamil Nadu Anti-Conversion Law seeks to end such "fraudulent inducements exploiting the poor".

The book, claimed by the foundation to be the country's first of its kind, has catalogued some 293 central development and assistance schemes and packs a set of prescriptions for NGOs.

The book, quoting the Centre's figures, says of 12,136 NGOs in the country, 5,721 are based in the south. Tamil Nadu and Andhra Pradesh have most of these. More than half the overseas funds for NGOs flow to the south.

During 2000-01, foreign funds for Indian NGOs hit a peak of Rs 4,500 crore. According to the book, five NGOs — including two from the US called Foster Parents Plan International and Christian Children Fund — contribute Rs 40 crore every year.

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