

# Delhi wields the scissors to cut to size

## Bureaucracy on crash diet

JAYANTA ROY CHOWDHURY

**New Delhi, Dec. 11:** The government is cutting the flab in babudom.

Recruitment of junior clerks and section officers, the lowest rung of gazetted officers, is being frozen as part of efforts to reduce the size of the bureaucracy. The cabinet cleared the decision some time ago under pressure from finance minister Jaswant Singh, but it was kept under wraps because of the Assembly elections.

Every year, nearly a million boys and girls sit for examinations conducted by the staff selection commission for the post of clerks in the central secretariat.

### FLAB FIGHT

- ☛ Ban on recruitment in lowest rungs
- ☛ Peons to be trained to become file pushers
- ☛ Several junior clerk posts to be scrapped
- ☛ No new section officers to be chosen from the civil service examination; assistants to be promoted to the rank
- ☛ Recruitment ban expected to result in one lakh fewer jobs and save Rs 2,000 crore
- ☛ But as flab is cut at the bottom, central secretariat to have 110 new directors

It has been decided that peons will be promoted to the rank of junior clerks, also designated as lower-division clerks, whose job is to push files. Recruitment of peons has already been stopped and those that are left will be retrained to perform the tasks of clerks.

Not all junior clerk posts of clerks that fall vacant after the incumbents are either promoted or retire will be filled up. Many will be declared surplus and scrapped.

No new section officers will be recruited through the civil service examinations. Junior executives known by the colonial title of assistants will instead be promoted to the rank of section officer, either on the basis of seniority or through an internal examination.

With fewer clerks and peons to manage, the number of section officers will be trimmed. The combined effect of these

decisions is expected to reduce the number of jobs by about a lakh over the next few years and save roughly Rs 2,000 crore from the total annual wage bill of Rs 20,000 crore.

The government has also decided that officers at the Centre will not be promoted to the next higher grade just because they have completed a certain number of years in the job. Promotions will be made only against vacancies.

Currently, half the section officers are directly hired through the civil service examinations conducted to select IAS, IFS and IPS officers. Those who clear the examinations but with marks that do not allow them a berth in these three services are taken as section officers.

Section officers are the junior-most managers in the government with the task of managing the two-million-strong army of assistants, senior and junior clerks and peons. Each section officer is supposed to manage about 10 to a dozen minions.

To keep the existing section officers happy and to differentiate them from those who would now be promoted to this rank, all section officers with four years' experience are being redesignated as assistant directors and given a substantial pay increase.

Senior clerks with technical skills (such as those required for handling basic software programs), junior auditors and accountants, who are clubbed in one grade, will continue to be hired for the time being.

Hand in hand with the downsizing, the government is creating 110 new directors in the central secretariat.

Directors have powers to take policy decisions and can be posted as managing directors of small public sector units or as board members in larger state-run firms.

A finance ministry official involved in the exercise said: "The whole plan is to move away from the colonial-era management style of having huge paraphernalia... unfortunately, in the process we are also trying to become top heavy. We had just 16 secretary-level officers at the Centre in the early 1970s. Now, we have 82. We even have secretaries to handle such mundane subjects as animal husbandry, drinking water, Indian system of medicines and homeopathy, statistics and urban employment."



Uma Bharti in her chamber in Bhopal after putting the razor to her head. (PTI)

## Uma & crore for temple

that came in a packet — the other notes were loose.

Bharti visited Tirupati with a retinue of some 18 people to receive a vow she had made on a trip before the election and thanked her head.

She went around the town and sat like a common pilgrim at the hall to eat the simple, free meal that is provided by the temple authorities.

"We should do something like this in our temples in Madhya Pradesh," she said.

Bharti's media adviser, Atul Jain, said she made a donation of Rs 125. It could not be confirmed if anyone accompanying her gave any money.

Receipts can be obtained from the temple authorities for donations and many do that because these contributions are eligible for income-tax exemption. But against the Rs 1.25 crore that came in the bundle, there was no

such request. It is, therefore, not possible for the temple authorities to identify the donor.

Not seeking a receipt is not unusual either. The dominant temple of Balaji receives cash, jewellery and diamonds as donations daily without the donor revealing identity. Donations are dropped in a life-size brass vessel.

The public relations officer of the complex, Ranga Rao, said the average daily collection is around Rs 80 lakh, which during weekends goes up to Rs 1 crore or above.

"Even today's collection is over Rs 1 crore," the official said. It is not unusual for politicians to donate. Andhra Pradesh chief minister N. Chandrababu Naidu gave a few lakhs after he survived a Naxalite attack in October. Naidu's wife, Bhuvaneshwari, gave away all the gold jewellery she was wearing.

### OUR SPECIAL CORRESPONDENT

**New Delhi, Dec. 11:** The government has breathed life back into a drive to make defections virtually impossible and check the runaway rise in the number of ministers.

A draft of a constitution amendment bill approved by the cabinet last night has removed an immunity clause that legalised splits if the defectors commanded the support of one-third of a parliamentary or legislative party.

Under the amended draft bill, scheduled to be introduced in the Lok Sabha before the end of the winter session this month, a split in the legislature party alone will not do. The national executive of the party itself will have to splinter, which will make defections extremely difficult.

Besides, the draft has a clause that disallows defectors from holding office of profit — the main incentive for crossovers. If a legislator still crosses over, he has to contest an election again on the symbol of the party he has defected to.

The draft bill had been cleared earlier by the cabinet. But Parliament referred the bill to a committee, which sent it back to the cabinet with amendments.

In another key decision incorporated in the same draft, the government has limited the strength of the council of ministers to 15 per cent of the total

number of members in the Lok Sabha.

The move addresses the unchecked ballooning of the size of ministries but somewhat dilutes the original proposal.

When the plan was mooted, the government wanted to limit the number of ministers to 10 per cent of the strength of both Houses of Parliament. But last night, it accepted the recommendation of the committee to fix the size at 15 per cent of the Lok Sabha.

Had the first plan survived, the size of the Union ministry would have had to be confined to 79. Under the amended draft, the size can go up to 82. This gives a narrow breathing space to Atal Bihari Vajpayee's ministry, which, after touching a record 79 once, is now hovering around 75.

In the case of a big Assembly the ceiling will be 15 per cent of the strength of the legislature. For smaller states, the cap will be 12, up from the original plan of seven.

If the bill is voted into law, Mulayam Singh Yadav's 97 ministers in Uttar Pradesh will be far in excess of the 61 that the new formula will permit. Known for inventing ministries generously, the Left Front government in Bengal, with 48 ministers, will have a thin surplus over the ceiling of 44.

The government said the earlier recommendation was modified as not all states have bicameral legislatures.

## Snip: defectors and ministry

# Civic polls stay largely peaceful

HT Correspondent  
Kolkata, November 30

SUNDAY'S MUNICIPAL polls in Howrah, Krishnagore, Jhargram and Behrampore — and the six by-elections in Alipurduar, Bolpur, Konnagar, Gobordanga, Rampurhat and Murshidabad — passed off peacefully, belying the fears of violence.

The poll panel ordered re-election at a Howrah polling station after a mob snatched away ballot papers, poured water into a ballot box and roughed up a polling officer, state election commission secretary K.K. Chakraborty said.

In Jhargram, Kishore Soren, the Jharkhand Party (Naren) candidate contesting from Ward 5, and



Trinamool candidate Suresh Tiwari (carrying flag) blocks a road in Howrah on Sunday, alleging rigging by the Left.

five supporters were arrested after they stormed a booth and destroyed unused ballot papers. In Krishnagore, a voter in Ward 20 lodged a complaint against Nadia SP Binoy

Chakraborty, accusing the officer of having threatened him on the way to the polling booth. The SP said, "We had information that some outsiders were planning to jam the booths

with local help. We wanted to disperse the crowd."

In Behrampore, Left Front leaders said the Congress had resorted to false voting in two booths where re-election should be ordered. But the returning officer and SDO ruled this out. The state poll panel said Howrah had recorded 75 per cent voting; Jhargram and Krishnagore 83 per cent and Behrampore 77 per cent. The polling in the by-elections was 80 per cent.

CPI(M) state secretary Anil Biswas thanked the police and administration for trouble-free polling. But Congress leader Somen Mitra said the Front had rigged the polls in wide areas of Howrah.

See also Page 3

# LOCAL GOVERNMENT

## Role Of District Planning Committees Must Be Clarified

By KARUNAKAR PATNAIK

The importance of people's participation in the planning process has been the focus of attention during different five-year plans of the country. The Second Five-Year Plan even laid emphasis on preparation of village plans and the concept of popular participation in development through democratic decentralisation. The importance of district and local planning was highlighted in the Fourth Five-Year Plan. The Seventh Five-Year Plan reaffirmed faith in the process of decentralisation and expected the planning commission to play a supervisory role to impart momentum to the district planning process.

### Non-existent

The Hanumantha Rao committee examined the issue of district planning in its totality. The 73rd and 74th constitutional amendments ushered in a new phase of planning at the grass-root levels of democratic administration.

Articles 243 and 243W of the Constitution Amendment Acts stipulate that panchayats and urban bodies will prepare plans for economic development and social justice. A bare reading of these provisions shows that no conditions are attached to the plans. In other words, these plans are to be accepted as final. But Article 243ZD calls for the creation of a district planning committee (DPC) to consolidate the plans prepared by panchayats and municipalities and to prepare a draft development plan for the district as a whole. The draft plan would be forwarded to the state government. The fact that district planning committees are either non-existent in spirit or non-functional is a sad commentary in itself.

An area of incongruity lies in the constitutional provision itself. The provisions in the Constitution do not, in clear language, indicate how district plans are required to be integrated in the state plan. The Constitution cannot be blamed for this. A Constitution is not supposed to

be a document of details. Within the framework of broad principles, the state legislatures are required to legislate details. In the present context who is going to remove these disparities? The Planning Commission and the State Planning Boards are expected to play a vital role. In the first five-year plan the role of local bodies to some extent high-

provide basic and minimum services to every citizen through local government institutions. But decentralised planning has been virtually abandoned if not entirely sidelined by most of the states. The role of planning bodies at the state level *visa-vis* the DPCs remains ambiguous.

A few states constituted DPCs but they were either non-func-

the zilla parishad, it is alleged. In Madhya Pradesh, DPC has been almost converted into a district government forgetting plans prepared by the DPCs are draft plans whereas plans of panchayats and urban bodies are actionable final plans. Hence the contradiction. As a result, the legitimacy of the DPCs is now doubtful. It is neither accountable to the people nor to the elected bodies.

### Silent

The only purpose a DPC can serve with regard to rural-urban integration is planning. But for that a DPC may not be necessary exclusively. An alternative institutional, rather than constitutional, arrangement should be visualised. If preparation of a plan is supposed to be the function of panchayat and municipalities, implementation of schemes arising out of such plans should obviously fall within the ambit of these institutions even though Article 243G is silent on this assumption. Otherwise, planning by the local bodies would be a fruitless exercise.

The local bodies are definitely not expected to discharge only agency functions. Otherwise, their role as institutions of self-government will be grossly defeated. Local self-government institutions are expected, to a large extent, to play an important role towards removal of disparities and weaknesses and settle the mismatch between growth and equity and absence of inter-sectoral coordination.

If the recommendations of the standing committee on urban and rural government of the 12th Lok Sabha are of any significance, the district planning committees should be constituted by every state within a specified time-frame as planning is required at every level of rural and urban bodies to be consolidated at the district level. Except perhaps for Kerala, no other state seems to have devised workable systems in which district plans are prepared in accordance the spirit of the Constitution.

Even a decade after the 73rd and 74th constitutional amendments, we have to wait and see how the DPCs can be useful and actionable in the planning administration.



lighted the need for integration of various programmes. But with numerous experiments, the exclusive thrust on programmes and schemes of local bodies was lost sight of. Plans formulated after the 73rd and 74th constitutional amendments lacked perception and comprehension of the constitutional mandate. The Ninth and Tenth Plan documents continued to focus on central and state plans in the usual manner without clearly incorporating and analysing the status of district planning committees.

### Ambiguous

Decentralised planning is assigned a prominent place in Indian federalism after the 73rd and 74th constitutional amendments. With quantum jump in liberalisation, the importance in regime spacing for the national and state governments is bound to be reduced. In such a situation, the role and importance of local government institutions has to increase and, in that event, the best way would be to

tional or died an early death. State level planning bodies hardly take cognisance of the role of DPCs. From a study conducted in different in March, it was revealed that DPCs were not constituted in many states like Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Goa, Gujarat, Himachal Pradesh, Jharkhand, Maharashtra, Punjab and Pondicherry. In a few other states where these bodies were constituted, the power struggle for the chairmanship continued. In Chhatisgarh, Madhya Pradesh, Orissa, Uttar Pradesh, Uttarakhand, the minister heads the DPC whereas the zilla parishad chairpersons head these bodies in Karnataka, Kerala, Manipur, Rajasthan, Sikkim, Tamil Nadu, Tripura, West Bengal and the Andaman and Nicobar Islands.

The Constitution has left the issue of choosing the chairpersons of DPCs to the discretion of states. Some states have utilised these provisions to use the DPCs to curb the power of

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# Govt proposes urban land tax

## Statesman News Service

KOLKATA, Nov. 18. — The cash-strapped state government has proposed to introduce urban land tax in a bid to boost revenue.

The state Cabinet will discuss the proposal moved by the state municipal affairs and urban development department on 20 November to levy tax on land in addition to property tax.

Till now, only people living in panchayat areas had to pay tax on land, referred to as *khajina*. If the urban land tax proposal is cleared by the Cabinet, it will be tabled as a Bill in the coming Assembly session.

At present, urban property buyers and owners have to pay eight per cent stamp duty while purchasing a plot of land, but no tax on land. If the Bill is passed, they will have to cough

up additional land tax.

Under the proposed Kolkata Land Revenue Amendment Bill, a person who has leased government land for more than 30 years will be referred to as 'rayat' and will have to pay land revenue.

An amendment in the proposed legislation suggests that residents of Kolkata and Howrah Municipal Corporations and Bidhannagar Municipality

will have to pay land revenue as per self assessment. In case the self assessment amount is higher than the revenue demanded, the excess will be adjusted in subsequent years. A proposed amendment of the Kolkata Land Revenue Act, however, empowers the state government to grant exemption to educational institutions from paying land revenue if it so desires. The proposed amendments

will be discussed at Thursday's Cabinet meeting.

Other issues to be discussed at the meeting include raising the fee for analysis of samples under the Prevention of Food Adulteration Act, 1954. The government proposes to raise the sample analysis fee to Rs 100 for a test requested by a local authority and Rs 200 for others.

The government also proposes to acquire 428.74 acres of

land in the first phase of the Integrated Sahara Tourism Circuit project in Sunderbans.

Another proposal to be discussed at the meeting is the allotment of excess land belonging to a home for vagrants in Andul to West Bank Hospital for a 400 bed speciality hospital. Fifteen beds in the new hospital will have to be reserved for inmates of the Liliuah Nursing Home.

# BUREAUCRATIC REFORMS-II

SV 6  
187  
Will The Surinder Nath Report Be Allowed To Gather Dust? <sup>g. D. W</sup>

By SUDHANSU MOHANTY

The Performance Appraisal Records would end the timeworn practices through its mechanism of continual performance review where the targets achieved are aimed not merely at granting promotions but assessing the benefits. Would the bureaucracy let go this subjectivism and invite objectivism upon itself that will amount to control? One can be sure that an objective PAR would strip bureaucracy of its sheen. Were bureaucrats to stand on performance with the necessary and adequate dose of transparency injected into it, the focus would automatically shift from loyalty, sycophancy and blind following to performance — certainly not an easy ask.

## Matchless visibility

Look around yourself and you will quickly realise the kind of stuff that makes up the top bureaucracy. People who never worked all their lives and know nothing of their job except how to extract the maximum benefit for themselves and go up the slithery pole with impunity and without a hiccup. This is because they never have had the acid test to be assessed against any objective standards.

Their ignorance could be a recurring joke, yet they survive and even prosper. They are the time-severs who know that there is no need for them to work and act. All it requires is to mark time and spend the required time to get kicked upstairs. Benchmarks for promotion are easily attainable with a mix of sycophancy, boss-management and, of course, mindless bleeding of the system. This is not a grim prognosis and a picture of unrelieved pessimism. Nor is it sexed up to create panic. The reasons, if you scratch the surface, are not hard to find.

Of the many reasons that prompt people to join the bureaucracy, an important one is that it provides props to support and strut about with a matchless high visibility in society. The uneasy body and uncertain mind

he carries is now backed by an admirable support system that purports not merely to prop but push the incumbent high up and lodge him in an ivory tower to act the bully. Any talk of transparency would automatically eat into the loyalty from subordinates. A case in point is the aversion to disinvestment of PSUs that threatens to reduce their scope for wanton splurging.

Nor would the committee's re-

if not completely eliminated. But it would take an incorrigible optimist to believe that such changes are a distinct possibility.

But on sane thinking, this is what the society that the civil servants claim to serve must ensure. For not only will it ring the death-knell of a system that refuses to deliver, it would also pave the way for cleaner public service.

The other cancer — cor-

Because for all the noble impulses and recommendations of the Surinder Nath Committee, there is every real danger that the report will be allowed to gather dust in the corridors of power. For every such effort in the past has been consigned to the dung-heap and whenever acted upon ensured the least disturbance to the appercart of governance. There is a very real threat that the cosmetic changes shall be made in a voice so low it would become irrelevant in the practical sphere.

## Periodic tests

Even if the objective personal appraisal records are put in place, one needn't be complacent about it. For one, the bureaucracy is ingenious when it comes to its own survival and defending its turf.

For another, the system can easily degenerate into one of dysfunction. True, in the welter of universal despair about the Indian governance, the committee has only made an earnest attempt. But sadly even if implemented, the system by itself won't be self-sufficient to correct itself from degeneration. With professionalism not the bureaucrats' forte, one practical remedy could be to introduce periodic tests of their professional competence. The dead-wood need to be left behind and eventually cast aside and pensioned off.

Another suggestion that can be made here is a wholesale ban on re-employment after retirement. A quick look-around would show that smart mandarins spend their last few years of service networking and obliging people who matter to ensure post-retirement rehabilitation for themselves — often at the cost of public's interest. And this is where public opinion through the media and alert and knowledgeable NGOs must put their acts together. They must demand transparency through right to information.

(Concluded)



commendations for transparency in appointment to posts under the central staffing scheme that includes selection through interview for posts of joint secretary and above appeal to bureaucrats. This would mean loosening of their hold over men and matters — for nepotism flourishes best in a system that values iron-clad decision-making.

## Cosmetic change

With personnel selecting themselves on merit, the system will breed a team of workers always on trial to prove their worth for future advancement. They will have no time to worry about anything save their work and targets assigned them.

The days of networking will be given a severe jolt and reduced,

ruption — that it breeds will be put on automated high alert. It is worth remembering that the Transparency International's latest Corruption Perception Index places India in the 71st position in a list of 102 countries. India's present score of 2.7 in a 10-point scale shows hardly any improvement over its past scores of 2.78 (1995), 2.63 (1996), 2.78 (1997), 2.9 (1998), 2.9 (1999), and 2.8 (2000).

Are we heading towards a time when we can climb back from the depths we are in? One can't predict though instinct and pragmatism suggest that we should not err on the side of optimism.

For is it easy to find a straight bureaucrat willing to live up to his name of a civil servant?



# BUREAUCRATIC REFORMS-I

Real Deadwood Must Be Set Aside

By SUDHANSU MOHANTY

We have had enough of politician-bashing. In a way, that is the easy way out. Corruption, nepotism, even criminalisation are bandied about. But the real source of action, inaction and wrong action — bureaucrats — ~~open the way~~ scot-free with mild ~~reforms~~ under the broad ~~cloak~~ of red tape.

## Performance appraisal

On the government's side, there is, of course, the occasional reform impulse. Like everything in today's governance they are mulled over and yet the end result is the same: nothing changes. The latest move to reform the bureaucracy has come in the Surinder Nath Committee recommendations which are indeed praiseworthy.

According to these recommendations, the deadwood should be asked to leave at the age of 50 and forced to call it a day at 55. The present system of Annual Confidential Report shall be replaced by Performance Appraisal Records — maintained in a computerised system for effective monitoring and timely assessment. In this the officer concerned should be allowed to see his PAR after the reviewing officer has completed the report with the proviso that he can comment on factual observations made on his performance. The Referral Board shall adjudicate in case of a difference of opinion between

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the officer reported upon and the reporting/reviewing officers. Selection and appointment to positions under the central staffing scheme — deputation to central secretariat and other

reacrats though their findings are not included in personal appraisal systems.

The first of the recommendations is already in the statute book even today — Fundamen-



posts under the Government of India — should be made after notification of vacancies and invitation from interested officers otherwise qualified.

## Breeding sycophancy

The recommendations further state that UPSC should be involved in empanelment of officers of the level of joint secretary and above. Aspiring candidates have to be interviewed to validate skills they claim to possess or their confidential reports bring out. An Eminent Persons Group should be constituted by the cadre controlling authorities to keep tabs on bu-

tal Rule 56J. It is a different matter that it is hardly implemented and, more appropriately, hardly implementable because in every such action the documents must stand the scrutiny of a judicial scrutiny.

Real deadwood must be set aside. But the present system of ACR writing where everyone plays safe by playing to the gallery and collects populist brownie points does not inspire much confidence.

This is where the committee's recommendation for replacing the present system of Annual Confidential Report writing by Performance Appraisal Records

is laudable. Today the ACR system has been reduced to a mockery and breeds sycophancy. Not to forget the networking it engenders through which the ingenious prosper.

The reason is simple. The assessments made in the present format need have no relevance to actual performance of the officer reported upon. Almost entirely the report can contain an assessment that has no relevance to the reality of an officer's efforts. It can be either very laudatory when it is least warranted or downright condemnation when nothing of the kind was ever palpable.

## Insiders and pariahs

This has a serious impact on the system. Given the ground rules, it would take only the naive and the bold to work out schemes and take initiatives without divining the mind of his superiors. The system today encourages employees to maintain the equilibrium. How can such a system deliver anything that it is mandated to? Coupled with this is the corruption network.

Either you are inside it or outside it. If inside, the world is your oyster in the truest sense — of career-advancement and even globetrotting and global placements; if outside, you are a pariah. The insider can do no wrong for the gifts are bountiful; conversely, nothing that the outsider does would merit mention in the report confidentially written and maintained.

(To be concluded)

## Bush and Blair in Batman roles?

By MANOHAR MALGONKAR

Philosophy is man's quest for wisdom; finding answers to uncertainties and perplexities of the mind. What is truth? Why should we do something or refrain from doing it? What is right? What is wrong?

Since philosophy guides our moral conduct, the line separating philosophy from religion is blurred, and as to Hinduism, the philosophy enunciated in the Bhagawat Gita is the very essence of it. So here, more than in other countries, religion often intrudes in the sphere of philosophy.

The Gita, compiled thousands of years ago is in the form of a question and answer tutor-to-pupil session. The actual dialogue is between a soldier, Arjuna, and his chariot-driver, Krishna, who is a God. Confronted by the ranks of his enemies among whom he could see his own relatives, friends and playmates, he finds himself in the grip of a moral dilemma. How could he bring himself to attack them, kill them, destroy their houses and fields? "My limbs shake and my mouth is dry", Arjuna admits.

Krishna thereupon explains to Arjuna how a man must act responsibly at all times and not give in to weaknesses of mind. Paradoxical as it may seem, this battlefield dialogue forms the backbone of the Hindu religion, and hundreds of volumes have been written on it.

It is during this discourse that God also revealed that, occasionally, the affairs of mankind become so chaotic that he himself has to intervene for such deserving causes as *Paritranaaya Sadhunam, vinashyacha dusk-*

*ritam*: for the protection of good souls and for punishing tyrants who ill-treat them.

Of course, this does not mean that God himself takes the trouble of coming to our planet to perform his rescue act. All he does is to instigate some person to play Batman on his behalf. That is how nations acquire their heroes and heroines, who are ordinary men and women in the right position to serve God's purposes, of making life easy for the masses, and, more demonstrably, to displace tyrants who might be ruling over them.

All nations possess such heroes and heroines, whose exploits are glorified in popular ballads, and whose names are given to streets and towns. Siddhartha Gautama, Garibaldi, Joan of Arc, Abraham Lincoln, Shivaji, and Kemal Ataturk are their prototypes.

For centuries, that role, of chastising despotic rulers for their excesses, remained in the hands of God. And then it was hijacked by the empire builders who sought to justify their acquisitions on the grounds that they were removing tyrants and giving the people a benevolent rule. Some, like the Portuguese in Goa, almost convinced themselves that they were the agents of God, and when they took over a new territory, it was at the behest of God.

But perhaps the most blatant example of an Imperial satrap appropriating the role that Krishna has specified in the Gita is

that of Lord Dalhousie, who was the Governor General of the East India Company, and was determined to spread its power over the entire Indian sub-continent under some pretext or the other.

In March 1853, Governor General Dalhousie, then camped in the cool heights of the Nilgiri mountains in South India, sent a peremptory order to his military commander to annex the independent Kingdom of Oudh because its Nawab, Wajid Ali Shah, was not capable of governing it.

It was not as though Wajid Ali had behaved like a bully and committed excesses on his people. It was

just that he was a weak ruler and a dissolute man. But that, for Dalhousie, was reason enough to pack him off into exile and take over his prosperous kingdom. Dalhousie is actually on record, stating that not to have annexed Oudh could have been unforgivable in the eyes of god! In effect, any power strong enough to do so could wind up an independent kingdom on the grounds that it was doing so for the good of its people, to give them the benefits of a benevolent rule. This arrogant assumption became the logic of the empire, and its agents vied with one another in finding targets for annexation and creating excuses to finish off their rulers. The right to play Batman to badly or even weakly ruled kingdoms was invoked again and again. It was trotted out as the

reason for the takeover of Burma because it was misruled by its kings or queens. Here is what Phillip Woodruff, himself a pillar and spokesman for the Rajahs, had to say about the annexation of Burma. "Greed for undeveloped resources no doubt was there, but ... it was hardly possible to condone the behaviour of Supalyat's clique".

Supalyat was the Queen Mother, cruel, wilful, and given to tantrums. But she had never so much as stepped out of her palace in a remote town called Ava. But she had incurred the wrath of the British in India nonetheless.

The logic of the Empire has been revived to justify the invasion of Iraq. The original assertion, that it was a strategic imperative forced upon Mr Bush and Mr Blair by their duty to save the civilised world from being destroyed by nuclear or biological weapons, has been abandoned — because there just were no such weapons and therefore, no threat. Now a new spin has been applied by the propaganda think-tanks: see what the invasion has achieved, a copy-book rescue act, in toppling an evil dictator and setting the Iraqis free from his misrule.

At the annual conference of Britain's Labour Party this new spin was given full play by Tony Blair: for what has been accomplished by the invasion of Iraq, we deserve the praise of the civilised world and the gratitude of the Iraqi people. That praise was given unstintingly by his listeners, in thundering standing ovations. The grateful thanks of the Iraqi people are yet to come.

WEDNESDAY, NOVEMBER 5, 2003

## COMMISSION AND OMISSION

THE SUPREME COURT'S scathing observations on the appointment of a top-ranking bureaucrat as chairperson of the Competition Commission of India (CCI) have resulted in the Centre scrambling for cover. Deepak Chatterjee, who was scheduled to retire as Commerce Secretary to head the CCI, has been asked to retain his former post; as a result, a string of senior bureaucratic appointments that were linked to his leaving the Commerce Ministry has been rolled back. A rattled Centre has assured the court that, until a clearer legal picture emerges, the CCI will perform only administrative, that is non-judicial, functions. The Supreme Court's observations, which came during the hearing of a public interest litigation challenging the validity of Mr. Chatterjee's appointment, raise important questions. Does the appointment of a civil servant as chairperson of the CCI constitute an encroachment upon the judiciary, as the Supreme Court suggested? Is there a basis for saying that only a judge can be appointed to the job?

If one were to go by the letter of the Competition Act, then the answer to both questions is a clear no. Section 8 (2) of the Act, which spells out the eligibility criteria for the chairperson and other members of the CCI, makes it clear that the posts are open not only to retired or serving High Court judges but also to professionals with experience in such fields as commerce, finance, business and international trade. As the petitioner points out in his PIL, it is true that the retired Chief Justice of a High Court always headed the previous avatar of the CCI — the Monopolies and Restrictive Trade Practices Commission (MRTPC). Yet if there is a larger legal issue here, it relates to the appropri-

ateness of selecting a civil servant to head a body that will perform 'quasi-judicial' functions. The petitioner has cited a Supreme Court ruling to the effect that tribunals discharging such functions should be "ordinarily headed by a retired chief justice of a high court or a senior judge of the high court". A couple of facts are pertinent here. First, there are a number of quasi-judicial bodies such as SEBI and TRAI that are not headed by judges, serving or retired. Secondly, what a regulatory agency such as the CCI requires is a broad knowledge and hands-on experience in fields such as finance and business rather than a specialised knowledge of the law.

On the flip side, there are two issues of relevance. In the Competition Act, the eligibility criteria for the chairperson and members of the CCI are the same. So much so, the Section allows for the possibility of a retired High Court judge serving under a civil servant who is appointed chairperson, something that evoked the strong and perhaps understandable disapproval of Chief Justice V.N. Khare. The petitioner also objected to the fact that the Chief Justice was not even consulted before Mr. Chatterjee was appointed to the CCI. Significantly, in Section 9 of the original draft of the Competition Bill, the chairperson of the CCI is to be chosen by a committee chaired by the Chief Justice of India or his nominee. This Section was altered to give the Centre the sole discretion to determine the selection process before the Competition Bill was enacted. It is not clear whether this alteration played a role in upsetting the Supreme Court, but the Centre would do well to explain, in its affidavit in this case, the reasons behind this sudden and unexplained change.

'DIRECT ATTEMPT TO ENCROACH UPON JUDICIARY'

# Supreme Court frowns on appointment of bureaucrat as Competition Commission head

By Our Special Correspondent

**NEW DELHI, OCT. 31.** Judicial intervention in the appointments of bureaucrats has forced the Government to roll back a series of Secretary-level appointments announced today, notably that of the Commerce Secretary. As a result of the Supreme Court's strictures on the decision to place a bureaucrat at the helm of the Competition Commission, it has been decided to keep these appointments in abeyance till a final view is taken by the court.

In yet another case involving bureaucrats, the Supreme Court has issued notice to the Centre and the Uttar Pradesh Chief Minister, Mulayam Singh Yadav, challenging the proposed three months extension — since given — to the Chief Secretary.

Highly-placed sources say that the Commerce Secretary, Dipak Chatterjee, will therefore not take charge as Chairman of the Competition Commission for the time being.

In turn, a series of other appointments will also be held up. These include the shifting of the Textiles Secretary, S.B. Mohapatra

to the Commerce Ministry in Mr. Chatterjee's place and the transfer of the Fertilizer Secretary, Nripendra Mishra, to the Textiles Ministry. The elevation of the Additional Secretary, Laxmi Chand, in the Fertilizers Department to the post of Secretary will also be delayed.

The sources clarify that Mr. Chatterjee has not yet taken premature retirement despite the official notification to this effect. He actually has another year to go before retiring from service. They say that he will continue to be the Commerce Secretary till the issue is resolved in court.

In case the verdict goes against the Government, he will continue in the post till his retirement.

These developments are a sequel to the Supreme Court taking serious note today of Mr. Chatterjee's appointment, describing it as a "direct attempt" to encroach upon the judiciary. The Attorney-General, Soli Sorabjee, however, assured the court that the Commission would not discharge its judicial functions till further court orders.

A Bench, comprising the Chief Justice, V.N. Khare, and Justice S.B. Sinha, sought to

know how a judicial function could be discharged by a retired bureaucrat. It said that "at this rate, if these things are allowed to continue, then the day is not far off when bureaucrats will replace all the judges in the country, including the Supreme Court". Mr. Sorabjee assured the court that this would never happen and it was not the intention to denigrate the judiciary.

Senior counsel, R.K. Jain, appearing for the petitioner, Brahm Dutt, submitted that the Commission, which was to replace the Monopolies and Restrictive Trade Practices Commission, had always been headed by a retired Chief Justice of a High Court. The Bench asked the Centre to file its reply and posted the matter for hearing on Nov. 21.

In the other case involving bureaucratic appointments, another Supreme Court Bench issued a notice returnable in four weeks on a petition from a Lucknow journalist who submitted that the Uttar Pradesh Chief Secretary should not have been considered for extension due to allegations against him.

**Extension for U.P. Chief Secretary: Page 11**



# JMM gets tough with govt on Panchayati Raj Bill

Press Trust of India

RANCHI, Oct. 9. — Continuing its tirade against the Arjun Munda government's proposed Jharkhand Panchayat Raj (amendment) Bill, the JMM today said the amendments were intended to please some legislators and capitalists and sought to know whether it was serious to announce dates for holding panchayat polls.

Giving an account of how the BJP government in Gujarat had implemented the Bhuria Commission report "in toto" while the BJP-led government here was seeking amendments instead, JMM legislator Mr Prashant Kumar said retention of the Panchayati Raj Act, 1996, passed by Parliament, would be in the interest of the state and the tribals.

He wondered why the government was proposing to amend Jharkhand Panchayati Raj Act, 2001 that was pro-

## Jharkhand Speaker rejects adjournment motion

RANCHI, Oct. 9. — The Jharkhand Speaker, Mr Inder Singh Namdhari, today rejected an adjournment motion moved by CPI(M-L) MLA Mr Mahendra Singh seeking government's clarifications on an FIR, the copy of which appeared in a local daily showing urban development minister Mr Bachcha Singh's name.

Mr Mahendra Singh had demanded a discussion on the matter and was joined on the issue by the leader of the Opposition, Mr Stefan Marandi.

Mr Marandi said the government should clarify its position on the matter. However, the Speaker rejected the mo-

posed and adopted by the then Marandi government.

Defending the 1996 Panchayati Raj Act and alleging that the government was

tion and asked the members to refrain from levelling charges against each other.

"There is no point in levelling charges against each other... Certain things should be left to the conscience of the government," he said.

The FIR copy was published in the Hindi daily showing the minister's name along with some others for allegedly disrupting a police officer from performing his duty at Jharria recently.

Police had issued arrest warrants against the minister's brother and nephew in connection with the murder of a trader. — PTI

seeking to drop some crucial points in it, the CPI(M-L) MLA, Mr Mahendra Singh, said the government was not clear in its thoughts.

Stating that the government should have given a thorough look before initiating any step, the Left leader said, "first it was the domicile policy, then it was 73 reservation policy. And now the proposal to amend the original panchayat act. It shows that the intentions of the government are not good." Mr Singh also asked the government to review the 1996 act by seeking legal experts.

Water Resource minister Mr Ram Chandra Kesari, said the government was serious in holding the panchayati elections.

The Samata leader also asked the Opposition members to allow the passage of the Bill seeking de-reservation of the posts of all deputies in the three-tier panchayati system in scheduled areas, unambiguously.

The debate on the panchayati Bill would conclude tomorrow, the last day of the extended monsoon session.

# Disaster management website launched

HT Correspondent  
Kolkata, September 1

CHIEF MINISTER Buddhadeb Bhattacharjee briefed about the status of disaster management training in the state at a video conference on Monday.

"I briefed Advani about the ongoing training in disaster management in the different districts of the state. A core group will be set up to tackle natural and manmade disasters. I will be the chairman of the group, which will also include officials of the home, relief and civil defence departments," Bhattacharjee said after the conference.

Bhattacharjee said two expert committees have been set up in Kolkata and Siliguri. The training in the districts will focus on how to prepare for and prevent natural disasters.

The chief minister said a website on disaster management was launched at the information and culture office at Rawdon Street on Monday. The India Disaster Resource Network (IDRN), a nationwide inventory launched by Advani, will help disaster managers gain easy access to human resources and equipment and their locations.

Chief secretary S N Roy



PTI PHOTO

Deputy Prime Minister L.K. Advani takes a close look at the screen on Monday during the video conference on disaster management with chief ministers.



SUBHENDU GHOSH/HT

Chief minister Buddhadeb Bhattacharjee after the conference with Advani.

and relief secretary Trilochan Singh were present at the 50-minute video conference that started at 10 am.

The Deputy PM also held similar video conferences with the chief ministers of

Assam, Orissa, Gujarat and Maharashtra. Advani said the country has been traditionally vulnerable to natural disasters of different kinds, the earthquake in Bhuj and the super cyclone

in Orissa being some of the most devastating instances. He suggested that all states should come up with suitable legislations on disaster management.

Now that the hazard-

prone regions have been identified, a well-organised mitigation and preparedness network should be set up to help check disasters. "How quickly we reach the affected people or place in

time of natural calamity is of prime importance." Eight battalions of civil defence are being raised as National Emergency Relief Force.

## ✓ 765 PANCHAYATS AND PENALTIES 10-10

THE NATIONAL SC/ST Commission's observation that funding should be withdrawn for panchayats to which elections have not been held should serve as a wake-up call for the Tamil Nadu Government to complete the polls which are long overdue. Imposition of such a penalty may not be the answer in view of the hardships it would inflict on the already cash-strapped panchayats. But there is no mistaking the extremely serious view taken by the SC/ ST Commission of the systematic subversion of the process of electing village panchayats once every five years. Polls for the reserved panchayats of Pappapatti, Keeripatti and Nattarmangalam villages in Madurai district and Kottakatchien-dal in Virudhunagar district have not been held as the caste Hindus did not want Dalits to represent them in local bodies. After successfully stalling the 2001 elections in these villages, caste Hindu groups have continued to thwart every subsequent attempt by the State Election Commission to complete the poll process. The murder of the president of the Melavalavu reserved panchayat and six others in 1997 cast an ugly shadow on elections to local bodies in Tamil Nadu. While the perpetrators of the killings have been convicted and are now serving a life sentence, the Dalits in other reserved panchayats often do not file nominations for fear of reprisal and those who dare the upper castes are subject to intimidation and threats. While the specific nature of the resistance at the grass-roots level is serious enough, many State Governments themselves have been guilty of postponing elections to the third tier in violation of Constitutional provisions and have even appealed to the courts to achieve their objective. Therefore, it is essential that the SC/ ST Commission as well as the State Election Commission recognise this larger scenario while attempting to restore to the Panchayati Raj institutions their rightful place in the Constitutional scheme.

While on the one hand, elections to reserved local bodies are being systematically sabotaged,

on the other hand, their autonomy as independent administrative units is also undermined frequently. A case in point is the decision by the Centre in 1999 to vest the District Rural Development Agency with control over development activities at the district level, disregarding the requirement to integrate their functions with the Zilla Parishads as per the 73rd and 74th amendments and the Parliamentary Standing Committee's suggestion to the same effect. In fact, the Constitution's XI Schedule identifies 29 areas including primary education, health, minor irrigation and control of local resources, which the States must devolve to the panchayat institutions. The more recent move by the Central Rural Development Ministry to constitute District Vigilance and Monitoring Committees (DV&MCs) to oversee rural development, with Members of Parliament as chairpersons could likewise undermine the Constitutional status of the Zilla Parishads. It is noteworthy that the Zilla Parishad, an elected body, is now overseen by a wholly nominated mechanism as the DV&MC. It is ironic that the rationale for setting up additional bodies is explained in terms of the need to improve the efficiency of PRIs when excessive political interference is often cited by members in the higher echelons of the administration as the root cause of their inefficiency.

Even a decade after they were accorded Constitutional status, the traditional political institutions of Panchayati Raj are yet to establish their identity as full fledged organs of devolution and decentralisation. This state of affairs is indeed a sad commentary on the nation's collective political will and commitment to uphold the principles laid down in the Constitution. Still worse, it reflects poorly on the journey towards greater decentralisation of powers and responsibilities at a juncture when States are clamouring for a more equal and rational reallocation of resources from the Centre. It is time the States recognised that what they demand vis-a-vis the Centre is precisely what they must honour in relation to the PRIs.

2 MAY 2003

THE HINDU

# Funding for panchayats — I

By George Mathew

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**C**ELEBRATING ANNIVERSARIES of political leaders and honouring men and women for their contributions to national development has become a popular pastime of our political class. The BJP-led Government at the Centre has dusted some old files and discovered new heroes to honour. But it seems to have forgotten the tenth anniversary of one of the path-breaking events in independent India — panchayats becoming Part IX of the Constitution. It was on April 24, 1993, that the panchayats got the constitutional recognition as 'institutions of self-government' after a long and arduous journey. The historic significance of this event is being ignored by the BJP leadership and thereby the Union Government. Of course, the panchayat is a State subject but the signal that the Union is sending may prompt the States to conclude that panchayats do not matter and that decentralisation and empowerment of the local self-government bodies can wait.

The Centre's perception seems to be that panchayats and municipalities found a place in the Constitution by a play of social and political forces. So why worry too much about it? What the Government has so far done is to take one step forward to satisfy some panchayat enthusiasts, and move two steps backwards to undermine the institution. How else can one explain some of the decisions taken by the Centre in the last few years, especially after the BJP-led Government came to power?

On December 21, 2002, on the eve of the tenth year of the passing of the 73rd constitutional amendment, the National Development Council constituted a high-powered sub-committee for the financial and administrative empowerment of the Panchayati Raj institutions (PRIs). Although it took another three months for the Planning Commission, which services the sub-committees, to issue the order, it was a step forward.

The empowered sub-committee is chaired by the Minister of Rural De-

velopment. The Minister of Finance and Company Affairs, the Deputy Chairman, Planning Commission, the Minister of Social Justice and Empowerment, the Minister of Tribal Affairs as well as the Chief Ministers of Assam, Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh and Rajasthan are members. The Secretary, Planning Commission, is the Convener and the Secretary, Department of Rural Development, is the Co-Convener.

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ments and working out training modules for elected PRI members and its functionaries, working out a mechanism for linking Central assistance to States which is linked to the progress on PRIs' empowerment and other relevant issues are also things the committee has to look into. The first meeting of the committee is yet to take place and advocates of decentralisation and Panchayati Raj are eagerly awaiting the outcome.

What the Government seems to be

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*What the Government seems to be giving to the Panchayati Raj institutions with one hand, it takes away with the other. This has dealt a body blow to the local self-government system.*

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The committee's mandate included review of the actions taken by State Governments for the empowerment of the PRIs as per the 73rd Constitutional Amendment Act so that they could function as effective institutions of local self-government, working out modalities for strengthening the functional domain of the PRIs through transfer of resources from the Centre and the State Governments and assessing the capacity of the PRIs to raise resources and develop an action plan in this regard.

The committee also had the mandate to look into the capability of the PRIs at different levels to absorb the financial allocations made to them under different schemes, and develop a framework to ensure fiscal discipline and financial accountability at different levels; as also to suggest measures that need to be taken to ensure administrative control of the PRIs over State Government functionaries dealing with subjects listed in the XI Schedule of the Constitution, besides evolving a framework for preparing and projecting local plans that reflect the felt needs and aspirations of the people so that development process becomes a people's movement.

Assessing the training require-

giving to the PRIs with one hand, it takes away with the other. This has dealt a body blow to the local self-government system. It all began towards the end of 1999. As the Union Rural Development Minister, the senior BJP leader and party ideologue, Sunderlal Patwa, wrote to all the Chief Ministers detailing how he had taken steps to strengthen the District Rural Development Agencies under a new scheme — DRDA administration. The DRDA, he said, would be the principal organ at the district level to oversee the implementation of various rural development programmes. Mr. Patwa, perhaps, did not understand the spirit of the new Panchayati Raj. The Constitution has already entrusted the panchayats with powers and authority at appropriate levels for the preparation of plans for economic development and social justice and the implementation of schemes for economic development. A DRDA administration above the democratically-elected body at the district level would make a mockery of democracy.

Mr. Patwa did not take kindly to those State Governments which dismantled the DRDAs and merged their functions with those of the Zilla Parishads. He wrote: "It has been observed that in some of the States, DRDAs

have been abolished and the functions handed over to the Zilla Parishad. The independent existence of DRDAs along with the Panchayati Raj institutions is highly desirable and would, therefore, suggest that DRDAs do not exist as a separate entity, you may take immediate steps to reconstituting them".

This decision of the Minister under flak from several quarters, the Standing Committee of Parliament on Ministry of Rural Development said in its 2000-report: "The Committee would know about the impact of the strengthening of the DRDA administration on various rural development activities. In particular, the Committee desires that, by amending Article 243 G of the Constitution, the bureaucratic DRDAs be seriously reconsidered and an earnest effort made to re-function DRDAs as administrative arrangements existing before the commencement of Part IX in the Constitution. DRDAs are to be democratised and rooted in Panchayati Raj system".

By then, Venkaiah Naidu had become the Minister for Rural Development. He ignored the suggestion of the Standing Committee. In the Parliamentary Committee report of 2001-2002 reprimanded the Minister thus: "The Committee is concerned to note the reply of the Government in response to their recommendations made earlier to merge the DRDAs with the district Panchayats. Instead of addressing the issue, the Government is only furnishing a categorical reply stating guidelines are reproposing to which DRDAs are to be merged to coordinate effectively Panchayati Raj institutions. In this, the Committee reiterates its recommendations". Even then there was no action at all.

It is a sad commentary on the Government that it has been indecisive over the years to strengthen the constitutional institutions.

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THE HINDU

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## STARVED OF FUNDS

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A SUGGESTION MADE by the Prime Minister, A. B. Vajpayee, at the National Development Council meet that the Centre could directly fund panchayati raj institutions (PRIs) for specific purposes is bound to raise the hackles of many States, because this funding is to be tied up with the States' performance in transferring appropriate powers to the PRIs. The Prime Minister, of course, was candid enough to admit that it was a contentious issue. Even in the meeting, several States talked about the problems they faced in transferring more functions and powers to the PRIs. But the truth lies elsewhere. States which vehemently demand more fiscal and economic powers from the Centre are those which remain least prepared to devolve similar powers to the grassroots democratic institutions.

The NDC meet may have resolved to form an empowered sub-committee to work out the methods by which the Centre could directly fund PRIs for specific purposes and the means by which powers can be devolved, to speed up accountability and development at the grassroots level. However, these phrases hold little new promise for advocates of a stronger PRI system. Starting from the 1909 Royal Commission report, down to the Balwant Roy Mehta panel of 1958 and the Ashok Mehta committee report of 1978, they have all talked of panchayat reforms and the transfer of powers for achieving the glorious slogan of democratic decentralisation. In reality, the States, save West Bengal, Kerala and to an extent Karnataka, do not want to transfer any further powers to the PRIs. They claim that their fiscal situation is too poor for any further devolution of funds and that the panchayats are in no position to absorb the funds. It is this attitude which makes States treat PRIs as contractors of works and projects. Some States fare worse. They use the ruling party apparatus for channelling funds for drought relief or famine relief works to the chagrin of the elected heads, particularly women and Dalit leaders. Some panchayat councils have turned into instruments for furthering a casteist and commu-

nalist agenda. These trends only serve to question the substance of arguments against the capabilities of PRIs. But more importantly, they challenge the essence of the Constitution's 74th Amendment Act. The Constitution's XI Schedule lists 29 functions, including primary education, health, minor irrigation and control of local resources, which the States can devolve to the panchayat institutions. But the States continue to dither, inventing reasons for their reluctance to empower and enable the panchayats, as the framers of the Act did not make the devolutions statutory.

The clauses under Article 243 of the Constitution are not mere steering or guiding principles. They came into the basic law only through an informed consensus that people's participation in governance and in formulating and implementing their own plans is the means to achieving decentralised administration and democratised growth. States and the Centre cannot remain isolated in development, while the producers of food and fodder remain impoverished and disabled to cope with the onslaught of a market economy.

States which want substantial hikes in incentive packages for better performing Governments are now setting apart less than a tenth of their total revenues for local self-government. But progressive States place at least 40 per cent of their revenues at the disposal of PRIs. Thus, the challenge before the proposed sub-committee is not so much finding legal instruments as inducing a change in attitude of the State Secretariats. It is also important that a good chunk of the funds so devolved remain untied, so that the elected councils and the gram sabhas are able to independently decide on how they should be spent using a participatory approach. A more substantive devolution combined with the transfer of powers to local self-government institutions to levy and collect local taxes, and use the local resources productively, can alone fulfil the promise held out by the Gandhian vision of the

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# Protecting the bureaucracy

By Rajeev Dhavan

*The Lok Sabha has now provided a legislative basis for the Single Directive. The double protection of the bureaucrats is complete.*

INDIA'S BUREAUCRATS have done it again. They have managed to protect themselves — no less their political bosses — from rigorous investigation for corruption. On February 26, 2003, the Lok Sabha passed the Central Vigilance Commission (CVC) Bill by voice vote. It is difficult to understand how legislation of this, or any, nature can be enacted by voice vote — especially when it is contested. Even if time-consuming, Parliament should vote on issues to profile each MP's vote rather than by a collective lungpower adjudged by the delicate ear of the Speaker.

The story of bureaucrats protecting themselves from investigative exposure goes back many decades. The Criminal Procedure Code, 1974 — and its 1898 predecessor — provides that Government servants cannot be prosecuted without sanction from the Government. But, the internal arrangements go deeper. The bureaucracy invented what is called the Single Directive whereby even an investigation for corruption of an officer above the rank of Joint Secretary cannot be carried out without prior sanction from the Government. Thus, senior bureaucrats have double protection — both from investigation as well as prosecution. Neither investigation nor prosecution can take place without permission or sanction. The Lok Sabha has now provided a legislative basis for the Single Directive. The double protection of the bureaucrats is complete.

Over the years, the bureaucracy has been vigilant in its own favour. The first phase of its over-zealousness is the sad trajectory of the Lok Pal Bill. This innovation was mooted in 1963. After elaborate debates in 1968, it was decided to have a comprehensive Lok Pal (ombudsman) for bureaucrats and Ministers. After the Emergency, the Lok Pal proposal was skilfully directed against politicians rather than civil servants. Bhupesh Gupta in a dissent to a parliamentary report rightly observed that bureaucrats must have been laughing all the way. In 1988, the Congress abandoned on flimsy grounds the entire Lok Pal proposal which did not survive revival until V.P. Singh's rule. In the 1990s, the proposal for a Lok Pal

floundered for style precisely because controversies have been shifted from bureaucratic corruption to ministerial and prime ministerial corruption — much to the delight of the civil service.

But, after the whimpering demise of the Lok Pal proposal, a new challenge was posed by the Vohra Committee Report which exposed massive corruption and political and related gangsterism at all levels of governance. Although

Justice Ahmadi's judgment in Dinesh Trivedi's case (1997) failed to deal with the implications of this incisive report effectively, a new controversy arose as an offshoot of the hawala imbroglio. The hawala case implicated the top politicians of the country — including L. K. Advani and others now in power. They eventually got off on the basis of a brilliant argument in court by Ram Jethmalani that the jottings in a lay account book did not constitute conclusive proof of the hawala transactions. But the hawala case in the Supreme Court lived on.

On December 8, 1997, the Supreme Court delivered a comprehensive judgment through Justice Verma on the hawala case in which it recommended the establishment of the CVC which, rather than the Government, would monitor the CBI. But, more significantly, it examined the Single Directive to lay down that the requirement of prior sanction for even investigating civil servants was arbitrary, unreasonable and over-protective. The civil service was most apprehensive about this striking down of the Single Directive. On March 19, 1998, the BJP-led Government came into power. Now the plot thickened. When the matter came before the Cabinet on April 8, 1998, a stalling exercise was undertaken to refer the matter to the Law Commission (then headed by Justice Jeevan Reddy) rather than implement the Court's judgment. As the Law Commissioner, Justice Reddy had taken stances on electoral reform and, later

over anti-terrorism to the liking of the Government. The civil servants sought refuge in the Law Commission — as a kind of appeal from the Supreme Court. The Law Commission's Report was submitted on August 13, 1998. It approved of the Single Directive being done away with — amongst other proposals which were not to the liking of the civil servants. Thus, the Law Commission Report was suppressed and not brought to the notice

of the Cabinet. The Secretaries' Bill which protected bureaucracy was presented to the Cabinet on August 20, 1998. This wilful act of suppression would have lain where it was, but for the vigilance of Mr. Jethmalani — then the Law Minister. On August 23, 1998, this ploy of suppression was exposed by Mr. Jethmalani. Justice Reddy also revealed his discomfiture about his proposals not being placed before the Cabinet. But, the Secretaries to the Government moved first. On August 25, 1998, the CVC Ordinance, 1998, was promulgated which gave the Secretaries everything they wanted — including the Single Directive. The fraud became a *fait accompli*. When the matter returned to the Supreme Court on September 22, 1998, the Attorney-General, Soli Sorabjee, admitted to the need for some fine-tuning. This, by itself, was a euphemism. What was needed was not fine-tuning but a complete overhaul in the light of the Supreme Court's hawala judgment and the Law Commission report.

Unfortunately, no overhaul was effected. From April 4, 1999, the CVC became a non-statutory body headed by N. Vittal — a force to be reckoned with but rendered ineffective by the absence of adequate powers. And, so, the matter meandered to a Joint Committee of Parliament which retained the Single Directive and limited the Government's supervision of the CBI to matters relating to the Prevention of Corruption Act, 1988. The CVC was to be enlarged. Kuldip Nayar's dissent on the recommenda-

tions expressed well-founded fears.

Whenever a Government wants to kill a proposal or ensure that it loses its vitality it lets the proposal drift. This has happened with the Lok Pal initiative. This is equally true of the Women's Reservation Bill which fumbles for recognition. However, when the Government wants to act, it even pre-empts the parliamentary process. This is precisely what happened with POTA which was promulgated by Parliament in 2001 even though the parliamentary session was only a few days away. The Lok Sabha examined the much-diluted CVC Bill. The Bill is a clumsy but clever compromise. Even the recommendations of the CVC over the vigilance administration have been restrained. Although some protest was made on the floor of the House by members of the CPI (M) and others, few recounted Mr. Kuldip Nayar's powerful dissent in the Joint Committee. Most significantly, the Single Directive has been retained. Thus, senior bureaucrats cannot even be investigated unless the Government (which eventually means the bureaucrats themselves) approves the investigation. All this is in the teeth of the Supreme Court's judgment which struck down the Single Directive.

Corruption haunts Indian governance. Put on alert by the J. B. Kripalani Report on the Railways in 1954, the Chagla Report on the LIC in 1958, the concerns of the Administrative Reforms Commission of 1968 and many others, independent India has evolved virtually no independent mechanism to investigate corruption. Neither politicians nor bureaucrats want to investigate their own corruption. They make sure no real investigation happens. This leaves Indian governance bereft of curative mechanisms. Even the Vohra Committee's dramatic revelations of corruption at all levels have not started India into an effective response. Through the hawala case (1997), the Supreme Court virtually goaded the Government into providing a blueprint for a rigorous CVC. Now, bureaucrats and the Lok Sabha have short-changed even that remedy. The bureaucrats and their political masters have won. Indian governance is the poorer for it.

7 MAR 2003

THE HINDU

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PANCHAYATS IN PRACTICE H9-10

OVER A DECADE after the 73rd Amendment to the Constitution was enacted, devolution of powers to Panchayati Raj Institutions (PRIs) remains in many respects a distant dream. To be sure, grass roots bodies have now acquired a permanent place within the Indian state. Panchayats elect over three million representatives of whom one million are women and half a million belong to the Dalit and Adivasi communities. However, the failure to conduct periodic elections — a basic democratic requirement under the law — and the emergence of parallel structures are principal factors that have hampered effective decentralisation. With few exceptions, State Governments are guilty of not holding local elections on time (once every five years) as mandated under the law. Even when polls are conducted months and sometimes years after the expiry of the tenure of panchayats, this is usually after protracted legal battles between State Governments and non-governmental organisations. At another level, studies have found the experiment with local self-government in some reserved panchayats to be highly successful. There is also the contrasting reality of violence and atrocities committed by dominant caste groups against the electoral prospects of Dalit candidates. But the impediments to effective decentralisation are not restricted to the circumvention of the democratic electoral process.

Contrary to both the spirit and letter of the Panchayati Raj Act, the political and administrative power structures in different States have resisted moves to cede control of domains under their jurisdiction to local bodies. For instance, 12 States are yet to constitute the District Planning Committees meant to coordinate the programmes of panchayats at the village, block and district levels. The DPCs are responsible for decentralisation of powers in diverse areas including agriculture, irrigation, health and sanitation,

education, electrification, and the public distribution system. The stance of the States is a cause for concern, for in the absence of accountability to an authority designated by law, developmental activity could be held hostage by vested interests at the local level. On another plane, the autonomy of PRIs has been crippled by the enormous overlap between their functions and those of the administrative machinery. As recently as in 1999, the Centre decided to vest the District Rural Development Agency (DRDA) with control over developmental activities at the district level. This is in clear violation of the 73rd Amendment Act, which stipulates integration of the functions of the DRDA with the Zilla Parishad. More recently the Rural Development Ministry has brought elected Zilla Parishads under a nominated body namely District Vigilance and Monitoring Committees headed by Members of Parliament. Additionally, in this era of competitive populism, there is no check on the overlap between Centrally sponsored schemes and the functions of panchayats.

Against this backdrop, the proposed amendment further to demarcate areas that should lie within the jurisdiction of panchayats is welcome. It is also important that the amendment sets out stringent penalties for malfeasance. At the same time, explicit provisions must be incorporated to ensure that the Centre and State Governments do not introduce fresh development schemes in areas that are already designated as the legitimate domain of PRIs. This will yield a twin advantage of undercutting the lure of populism in a big way and enhancing the status of self-governing institutions. Their permanence and reasonable guarantee of continuity is an irreversible achievement of the first decade of grass roots democracy. It is the demarcation of their sphere of authority *vis-a-vis* the Central and State Governments that needs priority attention.

22 AUG 2003

THE HINDU

# PANCHAYAT PUZZLE-II

Unworkable, Inconvenient And Unwieldy

By D BANDYOPADHYAY

Way back in 1992-93, the Mukerji-Bandyopadhyay report on West Bengal panchayats observed that among the elected members the concept of panchayats as autonomous institutions of self-government was unknown. The government treated panchayats as elected extension agencies of state administration and the elected members felt quite happy about the role. The position did not change even after the 73rd Constitution Amendment, which required that respective state Acts should endow panchayats with such powers and responsibilities as would enable them to function as institutions of self-government. Even the recommendation of the first state finance commission presided over by Dr Satyabrata Sen (1995) to provide for untied funds to panchayats and to transfer to them local level functions of the line departments were put in cold storage.

## Party hierarchy

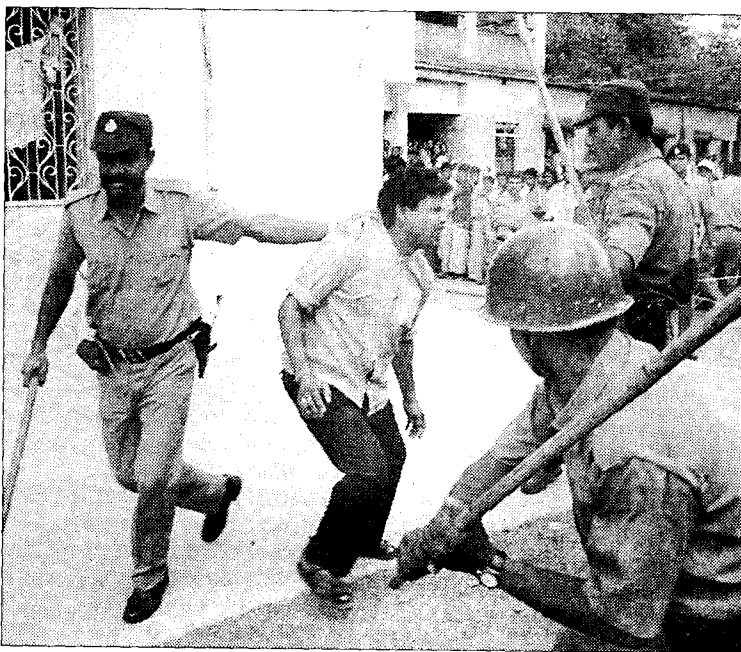
Though the government has been tom-tomming, rather noisily, about the success of decentralisation in the state, the fact remains that it wilfully and consistently ignored the three-F (functions, functionaries and finances) formula of devolution to make panchayats autonomous institutions of self-government. Even today, out of 29 subjects mentioned in the Eleventh Schedule, it has not devolved any one of the subjects to the panchayats totally. That apart, the concept of autonomy is anathema to the culture of "control and command" of the dominant partner of the Left Front coalition.

It is common knowledge that different tiers of panchayats are controlled by different levels of the party hierarchy of the CPI-M wherever they are in power. In a well-researched work using empirical as well as archival data consisting of inner-party documents, Harihar Bhattacharyya (1998) had shown that the local organisations of the CPI-M retain total control of panchayats. Party sources clearly establish the fact that as the centre for decision-making at the grassroots, panchayats are emptied of all real content, as important decisions are taken at the level of the panchayat sub-committee of the local party unit.

Another researcher, Moitree Bhattacharyya (2002) has shown that real authority lies with the appropriate party unit. They take the decision, the elected representatives endorse and im-

plement them. According to CPI-M guidelines, the activities of the zilla parishad are controlled by the party's district committees, the panchayat samiti by the zonal committee and gram panchayats by the local committees of the party. Thus Panchayati Raj Institutions in West Bengal are controlled through

Thus one can only infer two possible reasons for such a retrograde step in the name of "mass participation". First, it is to create a front organisation under the law in the shape of the VDC to legalise the illegitimate exercise of power by the party local committee. Secondly, it is to appease the lower rank and



this network of party organisations.

Of course, there are severe criticisms of the exercise of such extra-constitutional power and authority by party functionaries not only from the opposition and members of the intelligentsia but also from partners of the Left Front. Something had to be done to counter the adverse public opinion. Since zilla parishads are at the cutting edge, and they spend most of the development funds and as they function within the visibility of the people, it became necessary to tackle the issue at that level first.

## Greener pastures

In the recent panchayat general elections (2003) in West Bengal, the loss of two districts by the CPI-M created consternation within the party and particularly among the rank and file. To many of them panchayats had become a source of livelihood. These members of the rank and file had to be provided for by limited election or nomination to the Village Development Committee. Otherwise, owing allegiance to no ideology, they would migrate to greener pastures.

file who have lost elections by making them members of VDC either through manipulative limited election or by nomination. Opaqueness is the hallmark of the Left Front government. Otherwise, the preamble to the amending Act would have stated reasons like deepening of democracy, removing some anomalies or strengthening popular participation etc. Instead, it states blandly "whereas it is expedient to amend", hence the Act is being amended. There can hardly be a greater fudging of a public issue.

In the scheme of 73rd amendment, the gram sabha (gram sansad) is a deliberative body and the GP is the executive organ. It could be compared with the relationship between the legislative assembly and the executive branch of the government. The attempt should have been to give adequate powers and resources to GP to enable it to discharge its constitutional mandate of preparation of plans for economic development and social justice while giving some teeth to the gram sansad to exercise some control and supervision on GP. Instead of empowering the GP, the amending Act makes it more dysfunctional.

The Village Development Committee advises the gram sansad and the recommendation of gram sansad is binding on the GP. Thus executive power is being transferred to a deliberative body. And what happens if different gram sansads in the same GP give contradictory recommendations?

In fact as *gram swaraj* and *janmabhoomi* have stymied the GP in Madhya Pradesh and Andhra Pradesh, this amending Act does a similar disservice to GP. In West Bengal, GPs have been made a handmaiden of the party caucus through the VDC.

## Political will

The West Bengal Panchayat Act as amended up to 1997 had 248 sections and a little over 1250 paragraphs including subsections and providers. It ran into 181 printed pages. This amendment adds another six printed pages. The Act was already highly cumbersome and often confusing. With these amendments it will become unworkable, inconvenient and unwieldy piece of legislation. Confusing the public could be a hidden agenda.

The Left Front forgets that legislation is no substitute for action. In Kerala, the great success in micro-planning did not require any change of the local law. It only required political will, faith in the genius of the masses and sustained effort by the leadership on the ground. It worked, it fulfilled the constitutional mandate of preparation of plans for economic development and social justice. It produced 992 printed GP development plans with the assurance that whatever could not be implemented in the Ninth Plan would be done in the Tenth Plan. In West Bengal, the law is creating tier after tier of non-functional bodies without resources, functions and functionaries. It is a grand mock exercise in shadow boxing. Who is deluding whom?

A little over two centuries ago, 14 July brought in refreshing wind of *Liberte-Egalite-Fraternite* which swept not only France but the whole continent of Europe changing the course of history. Now on the same 14 July, a state in another country has stifled the constitutionally created autonomous institutions of self-government through a cumbersome, unworkable and confusing law perpetuating the rule of the party caucus over the masses.

(Concluded)

# PANCHAYAT PUZZLE-I

## The Caucus And The Masses

By D BANDYOPADHYAY

5/16  
11/8

Last month, government of West Bengal rushed through the Legislative Assembly a major piece of legislation entitled The West Bengal Panchayat (Amendment) Act 2003. Opposition members demanded that this Bill be referred to a select committee for scrutiny and that public opinion be sought on it. The state government did not yield and the Bill was passed. It became law on 14 July.

One good point about this amending Act is that it tries to establish through law organic linkages among the various tiers of panchayats. It creates a block sansad and zilla sansad where representation of lower tiers is adequately provided. It also stipulates constitution of functional sub-committees at the gram panchayat level. But the issue that created a sharp controversy relates to formation of the Gram Unnayan Samity.

### Open election

Prima facie, one could not object to it, if the Gram Sansad constituted this Village Development Committee through open election by all members of the Gram Sansad. The objective of the VDC is to ensure "active participation of the people in implementation, maintenance and equitable distribution of benefits". But the catch is that the subjects in which the people would participate would be prescribed later in the rules. Thus such a "noble" objective is utterly hollow. Secondly, in the eyes

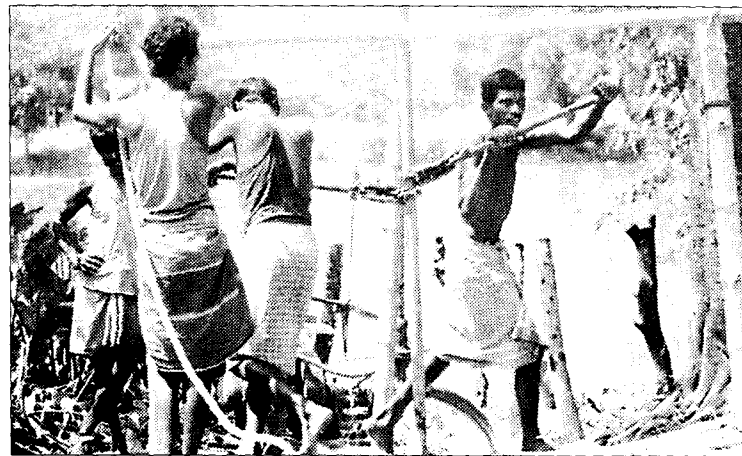
*The author is former Land Reforms Commissioner, West Bengal, and former secretary, Union ministry of rural development*

of the state government, panchayats are a dole/benefit giving organisation and not institutions of self-government.

But a much graver issue is that the law is silent about the manner in which the VDCs would be constituted. It says "in such manner as may be prescribed". When the law says that VDC has

legislation, ab initio, as it leaves a substantive legislative issue for subordinate legislation. This issue may be challenged in a court of law as an excessive delegation of legislative power.

One cannot give the benefit of doubt of inadvertence or negligence to this omission. That will be evident from the fact that the



to be constituted, it should also say how is it to be constituted. This is far too important an issue to be left for subordinate legislation. Leaving it to the rule making power of the government makes the intention suspect.

### People's participation

Moreover, as already noted, subjects in which people's participation have been sought are also not mentioned. Constitution of the VDC is a substantive matter of law. It should have been clearly stated in the main body of the law. Thus the amended subsection 2(C) of Section 16A is a piece of flawed

amending Act elaborately deals with the manner of constitution of block sansad under Section 115A and zilla sansad under Section 163(1). Thus the government was fully aware of the general principle of legislation that if a law provided for the creation of a body, it should simultaneously provide in the law the manner in which it would be constituted. Thus it is clear that the government has an ulterior motive in not disclosing in the law the manner of constitution of the VDC.

One could visualise three options for the constitution of the VDC. In the first place, it

could be constituted by general election by all the members of the gram sansad. Secondly, it could be elected only by members of gram sansad present in a particular meeting. Thirdly, VDC members could be nominated by the government or any other authority.

That the government is not interested in the first option is very clear. If it were so, it could have clearly stated it in the law. Therefore, the choice would be between options II and III, unless it produces some other rabbit from the hat.

### Lack of attendance

Let us examine the option II, i.e., members of the gram sansad present in a meeting and voting. Gram sansads in West Bengal are notorious for lack of attendance by members. Figures made available by government for gram sansad meetings held in May and November 2002 show the average attendance of 12 per cent and 11 per cent respectively with the high of 19 per cent and low of six per cent (November 2002). The percentage of adjourned meetings was abnormally high. It was 25 per cent in May and 18 per cent in November 2002 (Panchayati Raj Samachar no 2, November 2002 and No 1 and 2 January-February 2003, Institute of Social Sciences).

The quorum is 10 per cent of members. In adjourned meetings no quorum is required. Thus with such low attendance a caucus can easily manipulate the outcome of an election with 10 per cent or less of total number of votes. The third option is overt or covert nomination.

(To be concluded)

1 1 AUG 2003

# Allies don't want rural 'assistance' in panchayats

Statesman News Service

KOLKATA, Aug. 7. — The Forward Bloc and the RSP have decided to oppose the formation of nominated rural development committees to "assist" the elected panchayats, if their "advice" is to be binding on the panchayats.

The two Left Front partners are unhappy with the way the West Bengal Panchayat (Amendment) Bill, 2003 was drafted before it was passed in the just-concluded Budget session of the Assembly.

They suspect the CPI-M will use the committees to control the elected panchayats. The RSP had even

pressed for rewording the Bill's provisions so that the impression that the nominated committees might supplant the elected bodies, could be removed.

Mr Kshiti Goswami, former PWD minister and RSP leader, said his party's efforts to make the Bill acceptable to all did not meet with success, since there wasn't any taker within the LF, while the CPI-M assured the partner that the contentious committees would have only advisory powers.

Mr Goswami said there was nothing conceptually wrong with the committees, since the idea of "village elders",

who are allergic to contesting elections as party candidates, made to be associated with the rural development process was welcome.

"The civic bodies had the system of aldermen. Similarly, the Planning Commission or the state Planning Board does help governments in identifying their development priorities. We expect the rural development committees to function in a similar capacity. Otherwise, we would oppose the plan," Mr Goswami said.

FB state general secretary Mr Ashoke Ghosh said the minister for panchayats, Dr Suryakanta Misra, had assured his party that once the rules

of the Bill are framed, there won't be any cause for worrying over overlapping of the functions of the two bodies or the elected panchayats being hijacked by the nominated bodies.

The panchayat department is currently working on the rules of functioning that would be placed before the LF committee before being finalised.

The LF junior partners' worry stems from the CPI-M's total control over panchayats acquired through what they believe "the use of muscle and money". And, that 50 per cent of the state's budgetary allocation is spent through panchayats.



# Centre plans more teeth for panchayats

OUR SPECIAL  
CORRESPONDENT

**New Delhi, July 25:** The Centre is ready to bring a constitutional amendment bill to give greater financial and administrative powers to the panchayati raj institutions.

The amendment might also include direct election of chairmen of zilla panchayats as indirect polls had led to irregularities.

The government has no objection to including the panchayati institutions in the Concurrent List, if the states want it and if all parties agree.

Winding up discussions in the Lok Sabha on a government motion on 10 years of the panchayati raj since the 73rd and 74th Constitution amendments in 1993, rural development minister Kashiram Rana today said the Centre also plans to institute awards for best zilla, block or taluka and gram panchayats.

The awards, for six zilla, 12 intermediate (block/ taluka) and 50 gram panchayats, would carry prize money of Rs 30 lakh, Rs 20 lakh and Rs 10 lakh each, in the three categories.

Rana said the government is not averse to the idea of direct elections of the chairman of zilla panchayat. Giving more powers to these institutions means strengthening democracy at the grassroots level, he added.

Except Karnataka, no state has devolved powers on panchayati institutions in all 29 subjects under the 11th Schedule of the Constitution, the minister said.

A similar discussion in the Rajya Sabha saw minister of state for rural development Anasaheb M.K. Patil saying the Centre had convened a meeting

of the empowered sub-committee on August 2 to resolve the contentious issue of devolution of financial and other powers to these bodies.

The sub-committee has been constituted by Prime Minister Atal Bihari Vajpayee to deal with all aspects of the panchayati bodies. This would be the second such meeting in recent months, Patil added.

Rana said the Centre would also ensure that targets are met and funds meant for the panchayati institutions are not siphoned off. It also plans to allot more funds for the training of panchayati raj representatives. There are 30 lakh elected representatives of which 10 lakh are women.

Referring to the complaints of several members that funds are not reaching the grassroots level, the minister said vigilance committees headed by MPs would be made more effective.

Rana said the Centre had no objection if state governments decide to give some allowances to the elected representatives.

The rural development minister, who moved the motion, said while some states had devolved more powers on district and intermediate panchayats, some had done so only on gram and intermediate panchayats, ignoring zilla panchayats.

Rana also stressed on giving panchayats powers to levy and collect their taxes and generate own resources.

Initiating the discussion in the Lok Sabha yesterday, Congress member Mani Shankar Aiyar said efforts should not merely be aimed at decentralisation but also to ensure that these institutions are not turned into agencies of state governments.

40-12  
23/7

## ATTACK ON PANCHAYATI RAJ

9-80/india

A LITTLE OVER a decade after the 73rd and 74th Amendments to the Constitution were enacted, the dream of panchayati raj is turning sour. While in a few States — West Bengal and Madhya Pradesh are notable examples — elections have been held on schedule and funds have been transferred to the panchayats, in most the commitment to decentralisation has not lasted for more than a few years. Now attempts are being made to destroy the decentralisation process even where it was initiated on a major scale. The ongoing attack from various sides on the People's Plan Campaign of Kerala illustrates panchayati raj's struggle for survival. The criticism of the Kerala experiment could have been dismissed as absurd but for its viciousness. The People's Campaign is now being described, in paranoid style, as a plot of the Central Intelligence Agency to destabilise Kerala society. Considering that it was the Left Democratic Front Government, of which the CPI(M) was the main coalition partner, that launched the People's Campaign in 1996, this is farcical criticism.

Yet there are enough political forces in Kerala opposed to devolution of powers to local bodies that are ready to use any stick to beat panchayati raj with. The ruling United Democratic Front has always been less than enthusiastic about its support for the People's Campaign and is now less than forthcoming in its defence of decentralisation against the bizarre allegations. On another front, government rules have been drawn up to stifle activities taken up by the panchayats. For example, funds for 2002-03 were partially released only in the last week of the fiscal year and now the local bodies have been told to return any funds that remained unutilised in end June. The People's Campaign

is also being undermined by attacks on well-known institutions that were involved in the process. The Kerala Sastra Sahitya Parishad has for decades organised movements for the popularisation of science, literacy and local empowerment. But it now has to face the accusation of being part of a CIA-inspired plot to weaken Kerala. Another institution, the Centre for Development Studies, which achieved national and international recognition for its research that brought the "Kerala Model" of human development to the notice of the world, stands accused of being part of the same foreign plot; the so-called evidence is a research project on local level development funded by the Netherlands Government. In addition, a number of civil society organisations have been smeared with allegations of destabilising local society with their grassroot activities. It is unfortunate that the political discourse in Kerala has degenerated to the extent such arguments are being taken seriously.

There were and are problems with the People's Campaign in Kerala. Poor project selection, improper choice of beneficiaries, and under-utilisation of funds were not uncommon practices. But considering the scale of the transformation in governance that was being attempted, these shortcomings were no more than part of a learning process. They must not be exploited to do panchayati raj in. Perhaps the biggest irony is that earlier this month, even as a relentless attack was launched on the People's Campaign, decentralisation in the State received international notice in the 2003 *Human Development Report* of the United Nations Development Programme. The Kerala experiment was praised for its involvement of citizens and for its contribution to equity.

# Axe the dead wood, says panel

Statesman News Service

NEW DELHI, July 10. — Remove the “dead wood”. This is the message of a committee set up by the Centre to assess the performance evaluation system of the bureaucracy. The report, submitted to Mr LK Advani today, recommends competitiveness and supersession in the bureaucracy and allows the bureaucrat a say in his/her posting.

The “dead wood” — non-performing, corrupt or seriously ill officials — should be identified when they turn 50, or on completion of 20 years of service, and told to voluntarily retire at 50. Bi-annual medical tests will keep a tab on officials' health. If they don't take this offer, the committee suggested a review of their performance after five years at the Cabinet Secretary level. Those who don't improve in this grace period should be compulsorily retired.

The committee — headed by former UPSC chairman Lt-Gen. Surendra Nath — has recommended fresh norms for promotion of All Indian Services members that would not only take into account an official's performance but also his experience. If accepted, the recommendations would be applied gradually to all central government employees.

Former personnel secretary Mr AK Aggarwal, Prof. Vinay Sheel Gautam of IIT Delhi, additional secretary in the economic affairs department Mr Prodipto Ghosh and joint secretary in the personnel and training department Mr OP Aggarwal were other members of the committee.

Besides recommending introduction of transparency and computerisation and replacing the five-point grading system by a 10-point numerical system, Lt-Gen Nath said the report aimed at bringing about

greater efficiency and objectivity in the performance evaluation system. Promotions should not be based on a predetermined benchmark level of performance or seniority but must be competitive and allow for supersession. Empanelment for joint secretary-level posts and above in the central government would be based strictly on the merit system with equal weightage to performance and preparation for policy formulation.

Officials may be streamed into three out of 11 domains to harmonise the concept of generalist civil servant with the imperative of specialisation. The committee has also called for empowering UPSC to empanel officials.

The panel has also called for an overhaul of the posting procedure, saying the government should circulate a list of vacancies to the empanelled officials and ask them to submit their choice.

THE STATESMAN

11 JUL 2003

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# Cabinet clears new Lok Pal Bill

By Our special Correspondent

**NEW DELHI, JUNE 28.** The Union Cabinet has once again decided to put in place a Lok Pal regime, intended to check corruption in high places.

The office of Prime Minister has also been brought under the jurisdiction of the proposed Lok Pal. The Government would try to get the proposal passed in the coming monsoon session of Parliament.

The decision was taken at a Cabinet meeting this evening presided over by the Prime Minister, Atal Behari Vajpayee.

The Cabinet decided to incorporate the recommendations of the Standing Committee on Home Affairs on the Lok Pal Bill, 2001 (introduced in the Lok Sabha on August 14, 2001).

The Standing Committee presented its report to the Lok Sabha Speaker and the Rajya Sabha Chairman on December 31, 2001; and, the report itself was laid on the table of the House on February 26, 2002.

Like its many predecessors, the Vajpayee Government too has intermittently sought to mobilise parliamentary

support for an anti-corruption institutional watchdog. In fact, the first time a Lok Pal Bill was introduced was as early as 1969; since then, six more attempts were made, and each legislative initiative was allowed to lapse, invariably with the dissolution of the Lok Sabha.

The Bill approved today is said to retain most of the key features of the 2001 legislative proposal — selection by a committee consisting of the Vice-President, the Prime Minister, the Lok Sabha Speaker, the Home Minister, and the Leader of the House in Rajya Sabha (in case the Prime Minister is from the Lok Sabha), and the Leaders of the Opposition in the Lok Sabha and the Rajya Sabha.

Similarly, the proposed law keeps intact the provisions intended to secure the independence and autonomy of the Lok Pal: no incumbent ombudsman would be removed except after an inquiry made by a committee consisting of the Chief Justice of India and two seniormost judges of the Supreme Court.

Opinion among political parties has been divided on the desirability of bringing the

office of the Prime Minister within the purview of the Lok Pal.

According to Sushma Swaraj, the Minister for Parliamentary Affairs who briefed the media, the National Commission for the Review of the Working of the Constitution was against the inclusion of the Prime Minister.

However, a group of Ministers, headed by L.K. Advani, which examined the Commission report, was of the view that the Prime Minister should come under the ombudsman's scrutiny.

The Standing Committee, too, suggested that the Prime Minister "may be included."

Ms. Swaraj was unwilling to give more details, as the Lok Sabha has already been summoned to meet on July 21 and hence the parliamentarians had the first right on the details.

However, she did indicate that the Government had decided to craft a mere statutory status — rather than constitutional sanctity — for the proposed Lok Pal. Now the Government can hope to get it passed as an ordinary piece of legislation.

# LF wins Balurghat, but CPM loses to RSP

**Statesman News Service**

KOLKATA, June 24. — The Left Front maintained its firm grip on a majority of the 13 municipal bodies and forced the Opposition to think whether they should cobble up a mahajot or lose control of three municipalities.

And what could be described as a severe jolt to Alimuddin Street, the Left Front won the Balurghat municipality but the CPI-M lost to the RSP! Having fielded 21 candidates out of 23 against the RSP, the CPI-M had to eat crow as the RSP romped home with 17 seats, thereby decimating the CPI-M. Mr Biswanath Choudhury, RSP minister and party strongman of Balurghat, was so thrilled that he called up the Press Corner at Writers' to drive home the point.

The CPI-M could bag only five seats against seven it had won in 1998. A jubilant RSP state leadership said the victory confirmed that "the people have no difficulty in identifying the true Left party when it works in the interests of the people". Asked if the RSP did not consider the CPI-M a "true Left party", party state secretary

Mr Debabrata Bandyopadhyay shot back: "I meant what I said."

The acrimony between the CPI-M and the RSP heightened during the run up to the polls with RSP leader and minister for jails, Mr Biswanath Chowdhury, being heckled allegedly by CPI-M supporters while campaigning. The CPI-M district leadership had accused the RSP of sabotaging LF unity and fielded its candidates in seven seats of the Balurghat municipality even before talks for sharing seats were finalised.

LF chairman Mr Biman Bose, however, said: "We believe a municipal board dominated by the CPI-M belongs as much to the LF as a board which has majority of its councillors from any other LF partner."

Burdwan, Guskara, Panihati, Chakdah, Balurghat, Dalkhola (newly constituted), and Mekhliganj remain under Marxist control. A predictable increase in the Left Front's kitty has been because of the Left's victory in the Habra municipality, which earlier had a Trinamul board. The Marxists, however, lost the Dubrajpur and Diamond Harbour municipalities to the Opposition. The Con-

gress is ahead of the Trinamul as it was in the zilla parishad and panchayat samiti results in the recently concluded polls.

But that is not the story. Even after accepting defeat in these two municipalities, Alimuddin Street

**AT A GLANCE**

- No. of Wards: 265
- Overall votes cast: 82 per cent
- No. of Municipalities: 13 (plus four by-election wards)
- Left Front Wins: 8 (175 wards)
- Congress Wins: 2 (42 wards)
- Undecided: 3
- Dubrajpur (16 seats) — LF 7 Cong 5 Trinamul-BJP 3 Indep. 1
- Midnapore (24 seats) — LF 8 Cong 7 Trinamul-BJP 6 Indep 3
- Diamond Harbour (16 seats) — LF 7 Cong 1 Trinamul-BJP 7 PDS 1

can take solace in the fact the Congress and Trinamul will now have to put on their thinking caps and decide if they would go for an alliance to retain con-

trol of the Dubrajpur and Diamond Harbour municipalities. The same applies to the Midnapore municipality where the prelude to an Opposition-led board should be a mahajot.

Whether a mahajot depends on the fancies of Miss Mamata Banerjee and Mr Pranab Mukherjee remains to be seen as experience suggests that such alliances have always been forged by the local leaderships.

As for the Midnapore municipality, Independents hold the key if the Congress and Trinamul-BJP fail to join forces. Of the 24 seats here, the Trinamul-BJP combine has 6 seats, with the Congress notching up seven seats. The Left has eight seats, but will not be able to form the board even with the support of Independents. If the three Independents desist themselves from supporting the Trinamul-BJP, the alliance will still be able to form the board, but only with Congress support. As for the Congress, it too will need the Trinamul-BJP support.

Diamond Harbour is a lost case for the Left Front, which had to suffer the indignity of the breakaway PDS bagging a single seat to become

a factor in the formation of the municipal board. Here, eight is the magic figure, with the Trinamul-BJP combine bagging seven seats. With PDS support, the TMC-BJP will be able to form the board, unless Mr Saifuddin Choudhury decides to throw his weight behind his once dear comrades at Alimuddin Street.

The Congress has retained the Alipurduar and Haldibari municipalities. But the party is dependent on the Trinamul-BJP, if not, on a single Independent too. A mahajot here would mean one short of the magic figure of nine. To reach that, the Congress will have to woo the single Independent. In the by-election results, the CPI-M has bagged two of the four wards — at Jamuria (ward 6) and Halisahar (ward 15). The other two — English Bazar (ward 8) and Garulia (ward 6) — has been retained by the Trinamul and Congress respectively.

State election commissioner Mr Ajay Sinha, while declaring the results today, expressed his solace at the generally peaceful polls. "There had been a few complaints on the day of the election but all that has been solved," he said.



# ফ্রন্ট ৭, বিরোধী ৫, পুর ভোটে পাল্লা প্রায় সমান সমান

অনিন্দা জানা

রাজ্যে ১৩টি পুরসভার ভোটে প্রায় সমানে সমানে পাল্লা দিলেন শাসক বামফ্রন্ট এবং বিরোধীরা। বালুরঘাট বাদ দিলে ফ্রন্ট পেয়েছে সাতটি পুর বোর্ড। বিরোধীরা পাঁচটি। যে যার এলাকায় মোটামুটি শক্তি ধরে রাখতে পারলেও ডায়মন্ড হারবার পুর বোর্ড ফ্রন্টের হাতছাড়া হয়েছে। আবার হাবড়া পুর বোর্ডটি ফ্রন্টের কাছে খুইয়েছে তৃণমূল-বি জে পি। বীরভূমের দুবরাজপুর বোর্ডটি মিলিত ভাবে দখল করেছেন বিরোধীরা। আবার নবগঠিত ডালখোলা পুরসভায় বিরোধীরা সম্পূর্ণ ধরাশায়ী।

১৩টি পুরসভার সঙ্গে চারটি পুরসভার একটি করে ওয়ার্ডে উপনির্বাচন ছিল। সেখানেও শাসক-বিরোধী সমান সমান। ইংলিশবাজার ও গারুলিয়ায় জিতেছে যথাক্রমে তৃণমূল ও কংগ্রেস। হালিশহর ও জামুরিয়ায় জিতেছে সি পি এম।

পুর ভোটের ফল বলছে, উত্তরবঙ্গে তৃণমূলের জনভিত্তি এখনও গড়ে ওঠেনি। গঙ্গার ও-পারে ৭৭টি আসনের একটি আসনও পায়নি তৃণমূল। তবে তাদের জোটসঙ্গী বি জে পি আলিপুরদুয়ারে একটি আসন পেয়েছে। ডালখোলায় ভুলুগিত হলেও গত বারের মতো আলিপুরদুয়ার এবং হলদিবাড়ি পুর বোর্ড দখলে রেখেছে কংগ্রেস। দক্ষিণবঙ্গেও ডায়মন্ড হারবার বাদ দিলে বাকি চিত্রটা তৃণমূলের পক্ষে খুব আশাব্যঞ্জক নয়। পানিহাটি পুরসভায় যাঁকে চেয়ারম্যান হিসাবে তুলে ধরে ভোট লড়েছিল রাজ্যের প্রধান বিরোধী দল, দলের সেই বিধায়ক নির্মল ঘোষ বিপুল ভোটে হেরেছেন। বস্তুত, পানিহাটিতে গত বারের চেয়েও বেশি আসন পেয়েছে ফ্রন্ট। তৃণমূলের অন্য বিধায়ক তপতী দত্ত হাবড়া পুরসভার চেয়ারম্যান ছিলেন। তপতীদেবী নিজে জিতলেও বোর্ডটি হাতছাড়া হয়েছে তাঁর। হাবড়া পুরসভার ২২টি আসনের ১১টি পেয়েছে সি পি এম। তৃণমূল ছ'টি এবং বি জে পি একটি। কংগ্রেস এবং নির্দল যথাক্রমে একটি এবং, তিনটি আসন পেয়েছে। তিন নির্দলের মধ্যে দু'জন ফ্রন্টকে সমর্থন করবেন, এক জন তৃণমূলকে। ফলে তৃণমূল, বি জে পি এবং নির্দলের আসন হবে আট। সঙ্গে কংগ্রেসের একটি। গত বার তৃণমূল-বি জে পি জোট পেয়েছিল ১৬টি আসন।

দীর্ঘ এক দশক পরে দক্ষিণ ২৪ পরগনার ডায়মন্ড হারবার পুর বোর্ড হাতছাড়া হয়েছে সি পি এমের। ওখানে পুর বোর্ড ত্রিশঙ্কু। ভাইস চেয়ারম্যান হেরে গিয়েছেন। ১৬টি আসনের মধ্যে সি পি এম পেয়েছে সাতটি, তৃণমূল ছ'টি। কংগ্রেস, বি জে পি এবং সি ডি এস একটি করে। সি ডি এস-কে সঙ্গে নিয়ে বিরোধীরা একজোট হলে তারা বোর্ড গঠন করতে পারবে। কিন্তু সি ডি এস দিক পাল্টে সি পি এম-কে সমর্থন করলেই দু'পক্ষ সমান হয়ে যাবে। সেই ক্ষেত্রে টস করে ক্ষমতা ভাগাভাগি

করা ছাড়া বোর্ড চালানোর উপায় থাকবে না। বোর্ডে অংশ না-নিয়ে বাইরে থেকে বিরোধীদের সমর্থনের ইঙ্গিত দিয়ে সি ডি এসের সাধারণ সম্পাদক সমীর পুতুও মঙ্গলবার রাতে বলেন, “মানুষের রায়ের প্রতি মর্যাদা দিয়ে আমরা ধর্মনিরপেক্ষ বোর্ড গঠনে সহায়তা করব।”

বামফ্রন্টের চেয়ারম্যান বিমান বসু বলেছেন, “পুর এলাকাতেও বামফ্রন্টের পক্ষে সমর্থন ক্রমবর্ধমান। যেখানে ফল আশানুরূপ হয়নি, সেখানে এর কারণ খতিয়ে দেখা হবে।”

সি পি এমের রাজ্য সম্পাদক অনিল বিশ্বাসের কথায়, “এই ফলাফলে আমরা খুশি। আমাদের প্রত্যাশামতোই ফল হয়েছে। ডায়মন্ড হারবার হাতছাড়া হলেও হাবড়া পুর বোর্ড আমরা তৃণমূল-বি জে পি জোটের কাছ থেকে ছিনিয়ে নিয়েছি।” অন্য দিকে, তৃণমূল কংগ্রেসের নেতাদের বক্তব্য, পানিহাটি এবং হাবড়ায় সম্মান চালায়ে হারিয়ে দেওয়া হয়েছে তাঁদের। ওই নেতাদের মতে, “দুবরাজপুর এবং মেদিনীপুরে বিরোধীরা জেতায় প্রমাণ হয়েছে যে, সেখানকার মানুষ ভোট দিতে পেরেছেন।” প্রদেশ কংগ্রেসের প্রাক্তন সভাপতি সোমেন মিত্র বলেন, “জিতলে তো ভালই লাগে। তবে এমন কিছু বড় ব্যাপার ঘটেছে বলে মনে করছি না। মনে হচ্ছে, ধীরে হলেও কংগ্রেসের উপরে কর্মী এবং মানুষজনের আস্থা ফিরে আসছে।”

আর এস পি যে উত্তরবঙ্গের বালুরঘাট পুরসভা দখল করেছে, সেটাকে ‘বামফ্রন্টের জয়’ বলেই বর্ণনা করেছেন বিমানবাসু। কিন্তু একমাত্র ওই পুরসভাতেই ফ্রন্টের দুই শরিক সি পি এম এবং আর এস পি-র সরাসরি লড়াই হয়েছিল। সেখানে পরাজিত সি পি এম। মেখলিগঞ্জ পুরসভা থেকে আবার কংগ্রেস সাফ হয়ে গিয়েছে। ন'টি আসনের মধ্যে চারটি করে পেয়েছে সি পি এম এবং ফরওয়ার্ড ব্লক। বাকি একটি নির্দল। ডালখোলা পুরসভার ১৪টি ওয়ার্ডের মধ্যে তিনটি কংগ্রেসের, বাকি সব সি পি এমের। এই ফলাফল রায়গঞ্জের কংগ্রেস সাংসদ প্রিয়রঞ্জন দাশমুদিকে নিঃসন্দেহে চিন্তায় ফেলবে।

যেমন দক্ষিণবঙ্গে চাকদহ পুরসভার ফলাফল চিন্তায় ফেলবে কংগ্রেসের ডাকাবুকে বিধায়ক তথা জেলা কংগ্রেসের সভাপতি শঙ্কর সিংহকে। পুরসভার দখল এ বারেও ফ্রন্টের। সি পি এম ১৭টি এবং সি পি আই তিনটি আসনে জিতেছে। কিন্তু বিরোধীদের অনৈক্যের জন্য তারা কার্যত ওয়াক-ওভারই পেয়েছে। প্রথমে ঠিক ছিল, পুরসভার ভোটে বিরোধীদের মহাজোট হবে। কিন্তু নবদ্বীপের উপনির্বাচনে হারার পরে ভোট বয়কট করেছিল তৃণমূল-বি জে পি জোট। কিন্তু কংগ্রেস বয়কটের পথে যায়নি। অলিখিত মহাজোটের ফলে তারা আবার সাতটির বেশি আসনে প্রার্থীও দিতে পারেনি। সেই সাতটিতেই হেরেছেন

এর পর সাতের পাতায়

মানন্য বাজার পত্রিকা

## পুর ভোট

প্রথম পাতার পর  
কংগ্রেসের প্রার্থীরা।

বর্ধমান পুরসভা ভোটের আগেই কার্যত জিতে নিয়েছিল ফ্রন্ট। বর্ধমানের গুসকরায় বিরোধীরা জোট বেঁধেছিলেন। তাঁদের সঙ্গে সামিল হয়েছিল ফ্রন্ট-শরিক ফরওয়ার্ড ব্লক। কিন্তু বিরোধীদের জোট কোনও কাজে আসেনি। বর্ধমানের ৩৫টি আসনের মধ্যে ভূগমূল পেয়েছে একটি। আর গুসকরায় ১৬টির মধ্যে তারা পেয়েছে তিনটি। একটি আসনও পায়নি কংগ্রেস এবং বি জে পি। গুসকরায় বিরোধী জোট মুখ খুঁড়ে পড়লেও এই জোট কাজে এসেছে প্রদেশ কংগ্রেসের সভাপতি প্রণব মুখোপাধ্যায়ের জেলা বীরভূমের দুবরাজপুরে। কংগ্রেস পেয়েছে পাঁচটি, ভূগমূল-বি জে পি তিনটি এবং নির্দল একটি আসন। সি পি এম পেয়েছে সাতটি আসন। বিরোধীরা জোট করে এখানে বোর্ড দখল করেছে। গত বার নির্দল কাউন্সিলরের সমর্থনে বোর্ড পেয়েছিল সি পি এম। এ বার ক্ষমতা নিশ্চিত করতে নির্দল কাউন্সিলরকে দলে টানছে কংগ্রেস।

মেদিনীপুর পুরসভা এ বারেও বিরোধীদের দখলে থাকছে। ২৪টি আসনের মধ্যে একক সংখ্যাগরিষ্ঠ দল হিসাবে সি পি এম আটটি আসন পেয়েছে। কিন্তু কংগ্রেস সাতটি এবং ভূগমূল পাঁচটি আসন পাওয়ায় তারা এগিয়ে। নির্দল দু'টি, একটি বি জে পি, ও একটি পেয়েছে ফরওয়ার্ড ব্লক।

শ্রীমানন্দ বাজার সান্দলা

# Old MMiCs angry with new portfolios

Arindam Sarkar & Rakeeb Hossain  
Kolkata, June 11

THE TRINAMOOL Congress may have just managed to retain its board at the Kolkata Municipal Corporation (KMC), but councillors were seething in rage on Wednesday after the Mayor swapped the portfolios of four of his 10 MMiCs.

Despite the Mayor's insistence that the changes had been approved by party chief Mamata Banerjee, the councillors threatened that they wouldn't allow the "tainted" Trinamool board to continue for long since it would "affect their poll prospects in the long run". Even Subrata Mukherjee's promise to Mamata — he would conduct an inquiry into the alleged corruption charges levelled by some MMiCs — failed to cool tempers.

What seemed like a patch-up on Tuesday night ended up widening the rift between the Mayor and his council the next morning. When the swearing-in started at 11.15 am, some councillors were shocked to learn that their old portfolios had been taken away.

The immediate reaction was to reject the new portfolios, but some councillors then pointed out that it would be better if they continued in their new departments and "exposed more corruption in the Trinamool board".

"I accepted the new department on a note of protest," Mala Roy said after taking over as MMiC, drainage and sewerage, having exchanged the conservancy portfolio with Rajib Deb.

"Mamata Banerjee has not done the right thing by accepting the Mayor's proposals. Mamata should have allowed the board to fall or allowed us to remain simply councillors. People have already started saying that my removal from the conservancy department is a signal that the Mayor and the party are trying to hush up corruption charges. This is the beginning of the end. The Left Front and the Congress will take advantage of the situation and topple the board soon," Mala said.



HT PHOTO

## CHANGE OF GUARD

MMiC	Old portfolios	New portfolios
Mala Roy	Conservancy, Advt	Drainage
Rajib Deb	Drainage	Conservancy
Pradip Ghosh	Bustees, Parking	Health
Javed Khan	Health	Bustees
Anup Chatterjee	Roads & Engineering	Roads
Meinal Haq Chowdhury	Education, Amusement	Education, Publication
Sovan Chatterjee	Water supply	Water supply
Swapan Samadhar	Buildings	Buildings
Shamsuzzaman Ansari	Markets	Markets
Hridayanand Gupta	Parks & gardens	Parks & gardens

Pradip Ghosh and Javed Khan are also unhappy at their portfolios being interchanged. "Such cosmetic changes don't mean that the Mayor has had his way. In fact, he has only precipitated a situation that could go completely against the Trinamool board," said Ghosh. Khan said such changes wouldn't help the Mayor absolve himself of the charges against him and his lieutenants.

However, Mamata would like people to believe all is well with the board. During Tuesday night's meeting, the Mayor reportedly told her that he would reinstate the MMiCs only if he was allowed to make some changes. Mamata agreed on the condition

that the MMiCs weren't given "unimportant departments".

"Subrata consulted me before making the changes. I spoke to Mala last night and asked the Mayor to give her drainage. There is no reason to be upset; there are enough funds in this department for development work. As for Javed, he was finding it difficult to work in health and wanted bustees," she said.

But Mala made no bones about her displeasure. "The monsoons are round the corner and I know little about the work in this new department. It will be tough job. I have been removed from conservancy for protesting against illegal activities," she said.

# Mayor purge after assault

A STAFF REPORTER

**Calcutta, June 9:** Seven members of Subrata Mukherjee's mayor-in-council today manhandled the municipal commissioner in his chamber, forcing the mayor to dissolve his team of 10 in the Calcutta Municipal Corporation and taking the Trinamul Congress to the brink of a split.

This is the first time in the three-year lifetime of the Trinamul-controlled corporation that such an incident has taken place. The rebel seven are believed to have pulled Debasis Som out of his chair and assaulted him after he refused "to take orders from them".

A fuming Mukherjee — rattled by what political circles claim was an unconcealed challenge to his authority — tonight announced his decision at a hurriedly called news conference: "The mayor's 10-member council as you all have known in the past three years ceases to exist from this moment.

"I had selected them to assist me and my officers in discharging our responsibilities. I shall bring in new faces and retain a few of the old ones to set up a new council." The council functions as the mayor's ministry.

Trouble began around 1.15 pm when the seven members, mayor-in-council — Anup Chatterjee, Mala Ray, Pradip Ghosh, Samsuzzaman Ansari, Moinul Haq Chowdhury, Swapan Samaddar and Javed Khan — barged into Som's room. They had asked Som to meet them in the conference room to thrash out who was supposed to be taking orders from whom, but he had kept them waiting.

They asked Som on what legal basis he claimed that he was not bound to listen to them. If he was not able to give a satisfactory answer, he would have to go, they added. After a brief altercation, the rebels tried to unseat Som. Then they manhandled him for nearly half-an-hour.

The municipal commissioner — with backing from the mayor and Mamata Banerjee — has filed a first information report against his attackers. New Market police station said late this evening that it was looking into the charges made by Som.

Mukherjee said the new council would be formed "within a few days". He said the decision to dissolve the council had been taken after approval from Mamata.

The mayor said he might call off his Naples visit, scheduled to begin on Wednesday, because his priority is running the CMC.

■ Picture in Metro

# Panchayat elections and violence

By George Mathew

**W**EST BENGAL has been the role model for grassroots democracy, decentralisation and local governance since 1978. So much so that when the Janata Party came to power in Karnataka in the early 1980s, a team of legislators went to West Bengal to study the working of the panchayats before drafting their path-breaking Panchayat Bill of 1983. West Bengal blazed a historic trail for the entire nation by institutionalising democracy at the base of India's democratic edifice, thereby creating the necessary environment for Rajiv Gandhi to move the 64th Constitution Amendment Bill in Parliament on May 15, 1989.

But today, after 25 years, West Bengal is in the news for the intensity of violence in the elections to the very institution which had occupied a pride of place in the nation as a whole. The recent elections surpassed all State records in violence, killings, coercion, intimidation and terror tactics.

The notification for the election was issued on April 3, 2003, and the elections were held on May 11. According to reports (*Ananda Bazar Patrika*), 47 persons lost their lives till May 9 and thereafter another 29 were killed. Of 76 victims, 31 were CPI (M) workers, 19 were from the Congress, eight from the Trinamool Congress, eight from the BJP and 10 from other parties. The CPI (M) was singled out for attack.

However, a matter of greater concern is the number of uncontested seats reaching nearly 11 per cent at the three levels. About 6,300 seats went uncontested and most of them went to the CPI (M) and its allies. In Hooghly district alone, it was over 40 per cent in gram panchayats, 42 per cent in village samithis and 25 per cent in Zilla Panchayats. Whatever the explanation, poll violence has taken the shine out of the much-awaited panchayat elections in a State which could be considered the cradle of grassroots democracy.

After the 73rd Constitution Amendment became law in 1993, vi-

olence in local elections has increased. In Madhya Pradesh, the first State to hold elections (1994), 17 persons died in poll-related violence. In the same year, the toll in Tripura was eight and during the 1997 Orissa panchayat elections, 12 persons died. In Tamil Nadu, though there were no casualties during the 1996 elections, there were incidents of killing in the post-election months

har panchayat elections of 1978 held without official party participation, the casualties were about 750. During the 2001 elections to the panchayat in Bihar held on party lines, it was feared that the casualties would be 10 times that of 1978. But the unofficial estimate put the figure at 136.

The West Bengal elections present the picture of the opposition parties trying to overthrow through demo-

come. It is well acknowledged that West Bengal has made exceptional progress in rural development after the new panchayats were launched 25 years ago.

The recent *India Today* survey of States shows that Bengal has gained one point each in prosperity, agriculture, health, infrastructure, investment scenario and consumer markets over the last survey (1991), but in two areas the State has gone down — law and order and education. Election-related violence and country bomb-making are manifestations of this general deterioration. In 1993, after the panchayat elections, this writer met the then Chief Minister, Jyoti Basu, along with a Chinese delegation which had come to study the elections. Mr. Basu admitted that the progress in the field of education was unsatisfactory and that the State would make all efforts to catch up through the panchayats. But after 10 years, West Bengal is still lagging behind.

The most notable achievement of the CPI (M) Government is that clientelism and patronage, based on religion, caste, communal or feudal interests, have almost disappeared from West Bengal. They are now along party lines in the State. It may be seen as a higher level of social development but if it leads to violent tensions and conflicts, then steps are needed to stem the rot.

A Bengali villager cannot imagine his/her life without the panchayats. The recent panchayat elections recorded one of the highest percentages of polling — 80 — because the people have a great stake in it. For the same reason, elections are fought bitterly and aggressively. But there is a price. About 10 years ago, one could see that in the West Bengal villages, while local leaders from different ideological backgrounds fought elections bitterly, they overcame their divide when it came to fighting for the development of their village. Is this something gone forever? If recent panchayat elections provide an extraordinary opportunity for the CPI (M) to pause and reflect.

*In the absence of a strong tradition of checks and balances and organised people's power, the tremendous possibilities for development of our villages are being sabotaged by the elected leaders for personal aggrandisement.*

(Madurai, Melavalavu). The figures for some other States are: Uttar Pradesh (2000) 20; Andhra Pradesh (2001) 14 and Jammu and Kashmir (2001) 14.

There is a view that the involvement of political parties in the panchayat elections is the root cause of violence. West Bengal was the first State to hold elections to the panchayat with the official participation of political parties in June 1978. Although there was opposition to the involvement of the political parties, the CPI (M) and its allies preferred, and perhaps rightly so, the official recognition of parties in the panchayat elections because it would put an end to the age-old tradition of rural coterie reaping the benefits for narrow, sectarian and caste interests.

Also, the direct involvement of political parties in the panchayats could make the local level leadership more disciplined and responsible. In fact, the 1978, 1983 and 1988 panchayat elections in West Bengal were relatively peaceful. (But in the 1993 elections, 42 persons lost their lives). Moreover, in about 13 States where parties have been actively participating in these elections since 1994 there has been no serious instance of violence. At the same time, in the Bi-

cratic and violent means the party which has been ruling the State for so long and the party at the receiving end and its allies retaliating using the same means. In the process, peaceful democratic tools have become the casualty.

It must be recognised that increased violence in local elections is because of the proximity of the people to the candidates, their conflicting interests and the parties or their candidates representing one or the other of the traditional rival interest group. With the strengthening of the panchayats in the last 10 years and their having enormous potential for governance and development, with large resources at their command, the elected members and presidents have become the main stakeholders.

In the prevailing political culture and in the absence of a strong tradition of checks and balances and organised people's power, the tremendous possibilities for development of our villages are being sabotaged by the elected leaders in many a case for personal aggrandisement or for the party's short-term advantage. This situation attracts a sizeable number of lumpen elements to contest the elections and large-scale violence is the inevitable out-



# PANCHAYATI RAJ-II

## Ministering To Womanisers

By SUNANDA SANYAL

The CPI-M catches the operators of its "election machinery" young. Recall some of the recent students' union elections, of which this year's panchayat election is practically a re-run. The Students' Federation of India, like all the outfits of its parent body, the CPI-M, has a flair for winning elections uncontested. The Trinamul Chhatra Parishad held the Garbeta College union during 1999-2000. Yet they did not contest the December 2000 election, having been threatened with dire consequences if they did.

Expectedly, the SFI's explanation was that Trinamul had to opt out to avoid a crushing defeat. A Trinamul student, Alfazuddin, was abducted. Having thus won the election, the SFI students rushed out to ransack the BJP party office. Similarly, Chandrakona College, Medinipur, witnessed the SFI students snatch away five ballot boxes and tear up the contents. They lost the election all the same.

### Slogans

Before the Basirhat College union election the goons brought in by the SFI told the sitting president, Mithun Ghosh, to stay off the campus till the election was over. Mithun asked why, and was shot at. The bullet grazed his forehead. The goon fired a second shot, but the revolver didn't go off. He then hit Mithun on the head with the butt. Mithun fell to the ground, bleeding profusely. The newsmen found the SFI supporters shouting slogans thereafter. In December 2002 again, at Pakuahat College, Malda, a scuffle ensued as a girl was all but stripped, while she was trying to submit her nomination paper on behalf of the Congress party-affiliated Chhatra Parishad. She was taken round the campus in her undress. The Congress leader Ghani Khan Chowdhury, accompanied by his sister Ruby Noor, met the District Magistrate and the Superintendent of Police to demand punishment for the CPI-M musclemen. The SFI leaders claimed that the whole incident had been trumped up to malign the SFI.

It has been discussed in these columns before how the CPI-M started, soon after coming to power, to exploit the biological vulnerability of women as part of general violence as its political strategy. It is heard, chief minister Buddhadeb Bhattacharjee, generally believed to be more straightforward than his predecessor; is anguished over the festering rot at the "bottom levels" of his party. But a rot such as this starts at the top, or else he wouldn't have to pen the play called "Duhshomoy" (Worst Of Times) and resign from

what he called the "choreder cabinet" (cabinet of thieves) in the 1980's. But his claim today that women are safe in West Bengal echoes *Ganashakti*, the CPI-M mouthpiece — which cannot but embolden the guilty at all levels.

The paper carried (6 May, 2001) a report entitled "Mahilader opor otyacharer ghotona rajye onek kom" — that is, far fewer women are harassed in Bengal (than in other states). The paper made the point with reference to

Roy, Ramakrishna Paramahansa, Swami Vivekananda and Rabindranath Tagore (who) have contributed to the typical Bengali mentality". That is, in Bengal the number of rapes today is "as low as 757" in spite of the CPI-M, or "as high as 757" because of the CPI-M — take what point of view you like. In other words, under CPI-M rule we have been regressing to the pre-Rammohun times.

Take just the case of Amarabati, a quiet little hamlet in south 24-



the information provided by the National Bureau of Crime Records, which, as we know, depends on the state governments for inputs. And the NBCR itself states that not more than one out of ten such crimes gets recorded. *Ganashakti* stresses that the NBCR records "just 757 rape cases in West Bengal as against Uttar Pradesh (1605), Bihar (1421), Madhya Pradesh (3354) and Maharashtra (1154)." The paper, however, omits mentioning that eight major states fare better — Assam, Orissa, Kerala, Gujarat, Haryana, Tamil Nadu, Karnataka and Punjab. More galling is our atrociously low rate of conviction and adamant police refusal to record first information reports.

### Ratio

Add to this the fact that the "ratio of the crimes against women to the total cognisable crimes is the highest, namely, 9.9 per cent for West Bengal". This is shocking because, as Leena Mehendale, joint secretary to the government of India, working with the National Commission for Women, puts it, Bengali society has traditionally "respected a woman's search for independent intelligent pursuits", having been influenced by "stalwarts like Raja Rammohan

Parganas. The traumatising humiliation of the women there has escaped media attention in the furor over the panchayat election. And the State Women's Commission, which practically acts as an extension counter of CPI-M's Alimuddin Street office, has apparently forgotten about it, despite the fact that the women concerned work for the various CPI-M outfits. This shows that closeness to the CPI-M no longer ensures security for women.

According to the Association For Protection of Democratic Rights, this quiet little hamlet under Namkhana Police Station, South 24-Parganas, was upset over the unnatural death of a housewife. An APDR team visited the village on receipt of a complaint from the victims of police atrocities. Its report to the West Bengal Human Rights Commission begins by saying that the horror of Amarabati far exceeds that of Dhantala and Ghoksadanga.

It started with the unnatural death of Anjali Das, which her in-laws claimed to be a suicide, but the villagers suspected it to be a murder. Some 3000 people gathered, threw stones at the police and set fire to their jeep. A larger contingent arrived and forced the grieving father to bring down his

daughter's dead body hanging from a pole. Police then went away, but came back at midnight, broke open a number of huts, pulled out the men, women and children. One of the victims, Bandana Mondol (30), said the policemen "kicked me as you would a football". She fell to the ground — "half-naked".

However, the worst sufferers were Ajay Mallik and his wife Malati. At around two am some 30 policemen broke into their house, pulled out Malati, her husband, their son, son-in-law, and Malati's sister-in-law Sikha. Police dragged the women by the hair and hit their pubis, before finally stripping them.

### APDR report

Malati said, now that everybody had seen how she had been humiliated, nothing could hold her tongue. To quote her: "One policeman punched me down to the ground and tossed and turned my breasts and pressed my vulva with his knees. They tied the other girls to the trees, stripped them and poked their breasts with sticks". The APDR report says: "Malati's sister-in-law was delivered of a baby seven months ago. A policeman pulled her to the ground, screwed a stick into her navel, and pressed her vulva with his knees. They forced Malati to lick her husband's penis and have an intercourse with him with all the others forced to look on. Malati started bleeding from the nose, but the policemen went on remorselessly nevertheless. They dragged Sikha by the hair to the street and threw her seven-month-old baby to the ground".

Of course police brutalised the men no less, but I make special mention of the women because *Ganashakti*, the Women's Commission, Jyoti Basu, Anil Biswas, Biman Bose and now even Buddhadeb Bhattacharjee sing in chorus that women are safer in Bengal than in the other states. And like them Dinesh Vajpeyi, Director General of Police, West Bengal, insists that the triple crime of rob-rape-murder at Dhantala is not new to this state.

Footnote. The SDPO and the second officer of Namkhana Police Station, Pares Chakraborty, led the police violence at Amarabati, reports the APDR. This isn't new either, or is it, Mr Vajpeyi?

The question, however, remains: how safe are the 33 per cent women who are becoming panchayat members now? "I have a feeling, those defeated will be safer", says Radhikaranjan Pramanik, still a CPI-M MP. Any comments, Mr Vajpeyi?

(Concluded)

# Living with evil

Alarming signals from panchayat victory

After the RSP, it is the turn of the Forward Bloc to come out openly against the CPI-M warning that more blood could be shed during the formation of panchayat boards if the CPI-M does not restrain its cadres. What Kamal Guha means is that Alimuddin Street has lost control over hoodlums who are indulging in shameless extortion in return for allowing people to be in their homes, looting shops and installing signboards of Citu and the CPI-M's peasants' wing wherever they want. A minister could not be saying this only to protect the interests of his party. He and many others see that CPI-M rural units are being taken over by criminals. The chief minister's admission that criminals have infiltrated the party confirms that it was muscle-power that brought victory to the CPI-M. Buddhadeb Bhattacharjee must balance his responsibilities as head of the administration with the obligation to toe the party line. That explains the figures presented to show that CPI-M workers were the "main victims" of violence. That figures don't tell the story is proven by outbursts of Left partners. They couldn't have gone public if they didn't think the situation had gone out of hand.

The other point is the confession by the Forward Bloc that there is no longer anything positive to expect from panchayats dominated by people with dubious records since all those with any self-respect shied away from the contest. The question is, why did Alimuddin Street allow this to happen? That, too, after Biman Bose's declarations that the wrong 'uns would be weeded out and panchayat accounts would be audited. Simple: that was the only way of keeping the party intact even if everything pointed to the situation getting worse. The distress is that of dissenting Left parties who see no hope of peace and progress and see the Marxists as tormentors and are yet obliged to carry on the fight from within. The message, loud and clear, is that power is as tempting for the junior partners as it is for the CPI-M. They may draw some comfort from Buddhadeb's confessions. But in the end they have chosen to sup with the devil and have not had the foresight to use a long spoon.

# Make panchayats financially sound, says Fernandes

9. 12. 1965

By Our Special Correspondent

**SRINAGAR, MAY 17.** The Defence Minister, George Fernandes, today called for making the Panchayati Raj institutions financially sound in order to achieve the desired results of development at the ground level.

Speaking at a training programme for panchayat representatives in the Kashmir Valley here organised by the New Delhi-based Institute of Policy Studies, Mr. Fernandes said that "it is important to look at how the panchayats can deal with finances. Since they cannot impose tax as these are being collected by the States and the Centre, it is the responsibility of these Governments to take care of the financial aspect.

You need not ask for something in charity but as a matter of right guaranteed by the Constitution," he told over 150 sarpanches who had turned up for the programme.

Panchayati Raj needed to be implemented in letter and spirit in order to achieve the

dream of taking development to the ground level.

"It is impossible to see the development of rural areas without the panchayats," he said.

Referring to his recent visit to China, Mr. Fernandes said that decentralisation of powers was key to their success and that was what we need to follow here as well.

Lauding the role of Ram Manohar Lohia, Jai Prakash Narayan and Sheikh Mohammad Abdullah, he said they gave a new direction to the role of the masses in the overall development of the State.

"When there was an assault on democracy, J.P. Narayan led the fight against that and it has been continuing till this day," he said.

He said if the development of Jammu and Kashmir had been taken care of, the unemployment problem would not have touched such an alarming level.

The former Rural Development Minister and National Conference leader, Abdur Ra-

heem Rather, taking credit for holding panchayat elections after 30 years, said "nobody can supersede panchayats as they are guaranteed by the Constitution".

He said elections to these institutions had to be held in six months. He asked the sarpanches to work fearlessly. He said the Government could give more powers to them but they still have enough as per the Act.

The ISS Director, George Mathew, outlined the importance of Panchayati Raj institutions and called for creating awareness about their concept.

He said the ISS was playing an important role in strengthening these institutions with the help of State Governments.

The Secretary, Rural Development, Basharat Ahmed Dhar, the Director, Rural Development, Bashir Ahmed Runiyal, were also present. But, the Minister for Rural Development, Peerzada Mohammad Sayeed, who was scheduled to inaugurate the programme was absent.

9 ADV (P. 10)

## SECOND FROM LEFT

17/5

MORE SIGNIFICANT THAN the victory of the Left Front in the panchayat poll in West Bengal is the third-place finish of the Trinamool Congress-BJP alliance with the Congress re-emerging as the principal Opposition party of the State. While the sweep of the Left Front was expected in the three-tier poll, the point of interest was whether the Trinamool Congress would be able to smother the challenge from the Congress in the rural panchayats. In the event, the Congress re-surfaced as the alternative to the Left Front in time for the Lok Sabha election next year. The Left coalition won 15 of the 17 zilla parishads, and the Congress the remaining two. In terms of panchayat samitis and gram panchayat seats too, the pattern was the same: the Left a clear winner, the Congress a distant second, and the Trinamool Congress a poor third. As polarisation is more likely in a Lok Sabha election than in a local bodies poll, the implications for the future are not difficult to foresee. The Congress can hope to gain at the expense of the Trinamool Congress. Although the party still has a lot of catching up to do with the Left Front, it could shut out the BJP by occupying the anti-Left space in West Bengal.

The lessons for the Trinamool Congress, and its firebrand leader, Mamata Banerjee, are clear: shortsighted political strategies and opportunistic alliances would not work. In her attempt to build a viable alternative to the Left Front, Ms. Banerjee moved from the BJP to the Congress and back to the BJP. But, finally, confrontational politics and hot rhetoric were no substitute for organisational strength and ideological clarity. While Ms. Banerjee sees a contradiction between the friendship of the Congress and the Left at the national level and the rivalry of the two parties in West Bengal, she does not see any inconsistency in the Tri-

namool Congress hopping from one alliance to another. Although the Trinamool Congress managed to win more Lok Sabha seats than the Congress in the previous two elections from West Bengal, the support-base was limited mostly to Kolkata and a few other urban seats. Ms. Banerjee was unable to break the organisational structure of the Congress in rural Bengal, even while becoming a front-runner in Kolkata. In such a situation, the Trinamool Congress can never expect to be a serious contender for power in the State. It might beat both the Left and the Congress in Kolkata, and yet end up as an irrelevant third in the rest of Bengal.

Interestingly, the Congress did exceptionally well in Murshidabad, where CPI(M) and Congress workers were involved in violence. Not surprisingly, the Congress explanation is that the party performed better wherever it could counter the violence of the CPI(M) cadre. But the real task for the State Congress leaders is to look beyond the panchayat poll and woo back the Trinamool Congress from the BJP fold, or better, force a merger of the two parties. Ms. Banerjee might want to run her own outfit, and not like to surrender her freedom to a Delhi-centric high command. But, surely, she would realise the need for closer coordination between the Trinamool Congress and the parent Congress. If the alliance failed to click in the Assembly election, then the self-evident political opportunism of the Trinamool Congress in walking out of the National Democratic Alliance at the last moment must take most of the blame. In any case, the panchayat poll has shown that there is little benefit for the Trinamool Congress in continuing the alliance with the BJP except for the "influence" with the NDA Government at the Centre. In the long run, it is the BJP that would benefit from the alliance, and not the Trinamool Congress.

17 MAY 2003

# 18/5 51.8 J. Pan - (P. Pan) Farcical poll

## Marxists rig panchayat poll to subvert democracy

Sunday's panchayat elections proved to be the bloodiest that West Bengal has so far seen in a long time. The loss of 25 lives, the maiming of at least 30 people and huge destruction of property have exceeded all previous records of violence and by a large margin. For the first time even women were not spared. Two women Opposition workers were brutally gunned down while they were waiting to vote. And as usual the perpetrators of this unprecedented burst of violence in most of the districts in the state were the Marxists.

The dastardly killings took place in all those areas where Marxists faced stiff opposition; the answer was to rig the elections with the use of knives, bombs, guns and a pliant district administration and the police. Curiously, no one died in police firing. Polling centres were converted into virtual battlefields wherever the Opposition resisted the Marxist marauders. Ironically polling was peaceful in all those districts where the Marxists by terrorising the Opposition had already scored a record number of "dubious" uncontested victories or had only independent dummies as contenders who did not pose any challenge. On polling day also they did not spare the RSP cabinet minister Amar Chowdhury, who, for the second time in a week, was abused and "jostled".

The minister's car was stopped and his party candidate dragged out for signing a blank paper. The armed police present were silent spectators while this drama was played out. The Opposition has named three Marxist ministers who had unleashed terror, violence and rigging by "roving around" in official cars leading armed party goons. There is a specific charge against one of them for aiding abetting the "capture" of 40 polling booths in Joynagar and Kultali from where he is desperately trying to banish the SUC. 11 May will go down in history as a black day when democracy was butchered by the Marxists in Bengal. Debabrata Bandopadhyay of the RSP is right when he says killing innocent Opposition voters on the polling day is a "dangerous signal" for democracy.

There is no doubt that democracy in Bengal is in peril because even the state election commissioner Ajay Sinha said that he was "absolutely satisfied" with the polling in a "free, fair and peaceful manner". According to him there were only "sporadic and no massive incidents of violence" as had been expected.

By acting in such a manner he has not only proved himself incapable of telling the truth but by his "highly partisan conduct" in the last two months, Sinha has made himself an "appendage" of Alimuddin Street. He and his state election commission have done everything possible to ensure that their Marxist masters are able to record another famous victory. They are not bothered at all whether all this will reduce the whole electoral process in the state to a farce and erode popular faith in elections and parliamentary democracy.

Time has come to consider whether the Marxists are at all serious about the democratic process. That this may give strength and justification to the rise of extra constitutional forces, which are again rearing their head in the state, is immaterial. Keeping the Marxists in power in the state is all that matters.

Anil Biswas, the state party secretary, says — the opposition parties could not find suitable candidates in their strongholds as they were much too weak in those areas. He offered CPI-M help to lead them to their nominations. He claims that the Opposition candidates went berserk and attacked CPI-M men who are paragons of virtue and restraint. All the murders were in self-defence and even junior partners of the Left Front followed the opposition in harassing the CPI-M. If Anil would work on his piece of pure fiction and produce a book, it bids fair to win next year's Booker Prize!

# Violent run-up ends in rural bloodbath 18 dead in 'peaceful' Bengal poll

OUR BUREAU

Calcutta, May 11: Blood stained the most prized trophy in the Left Front government's 26-year showcase as 18 people died in the panchayat poll which the chief minister dubbed largely peaceful.

"All things considered, the election today was free and fair and, by and large, peaceful. I regret the deaths, regardless of the victims' political affiliations. Death figures are not indicative of violence in the districts," chief minister Buddhadeb Bhattacharjee said. The government pegged the death toll at 11.

Today, over 70 per cent of 3.38 crore voters exercised their franchise to 58,357 seats that were the focus of a fierce power struggle between the ruling Marxists and the fragmented Opposition.

The state election commission ordered repoll in 81 booths, down from 1998's 179. "We had to order repoll for various reasons," commissioner Ajoy Sinha said.

Bhattacharjee, claiming "our party suffered the most in terms of death toll and injury", backed his contention of a largely peaceful election by saying there were no reports of violence from 14 of the 17 districts that went to the polls.

The death toll, he said, was six in the last panchayat poll in 1998 — though the unofficial figure was 10 — and 13 in 1993, when the rural poll was clubbed with elections to 15 municipalities.

Contesting his claim, Trinamul Congress chief Mamata Banerjee said: "The election was a farce. They (the Front) used violence to push us out of the reckoning. We will meet on May 15 to decide our course of action."

The violence today was restricted to Murshidabad, North and South 24-Parganas, and Nadia in south Bengal and Jalpaiguri in the north.

Murshidabad, a substantial part of which is a Congress stronghold, recorded the most deaths at 10, including six in bomb explosions since midnight.

South 24-Parganas followed with four deaths, including two women, North 24-Parganas with two and one each in

Jalpaiguri and Nadia.

PWD minister Amar Chowdhury and animal resources development minister Anisur Rahaman were attacked today at Canning, South 24-Parganas, and at Domkol, Murshidabad.

The RSP's Chowdhury alleged he was attacked by CPM supporters and Rahaman accused Congressmen in his Assembly constituency of Domkol.

In Murshidabad, six persons carrying bombs in bags died when these exploded — three at Saranpur and one each at Domkol, Raninagar and Naoda.

The trouble started at Domkol around 8 am when some CPM supporters spotted Congress wo-



An RAF team in South 24-Parganas. Picture by Amit Datta

rkers fleeing with two ballot boxes and some unused ballot papers at Ghoramara. After bombs were hurled, police fired seven rounds to disperse the mob, injuring at least 20 people.

In the afternoon, bombs were hurled at a voters' queue from the roof of an adjacent building, killing two CPM supporters. The voting was halted for nearly an hour. At Gufarpara primary school at Ranitala, Congress' Manirul Haque was shot dead in the queue.

The police fired 16 rounds at five places in the district to disperse rampaging mobs.

Though the poll was mainly peaceful in north Bengal, a CPM man died in a clash with RSP workers at Jalpaiguri's Kohinoor tea estate.

■ See Page 10

**I**S the media looking at the internecine fight among the Left Front partners over the panchayat polls from the wrong end of the telescope? Or, to put it slightly differently, will it be premature to presume — from the fierce CPI(M)-RSP clashes — that the break-up of the Left Front is imminent? It's certainly wrong for the CPI-M to accuse the media of deliberately highlighting the LF's failure to put up common candidates for "only a few thousand" seats and ignoring the LF unity in more than 50,000 of the 58,000 (approximately) panchayat seats. For, the blood that has been spilt as the CPI-M and the RSP have gone about settling their dispute — over who the local boss is — certainly can't be mistaken for adhesive further strengthening the LF's edifice. On the contrary, it is a sign of collapse of the 26-year-old monolith called the Left Front.

Yet, the maxim that there's no smoke without a fire may prove wrong in LF's case, especially when it's fighting the crucial battle for the control of panchayats, which have become honeycombs of power and pelf.

The god that rules the panchayats is no ideological giant, but liquid cash. It's money that matters. And, if money can divide, it can unite too.

Hence, the media are right when they splash the bloody CPI(M)-RSP clashes or the dastardly act of attacking ministers.

But the media are wrong when they assumed the role of a prophet of doom for the LF. For, if money can unsolder LF union at the panchayat level, it can also weld the Front into a unity at the state level.

Lack of unity among the Front partners during the panchayat elections has been a common feature since 1978, a year after it came to power. But, never before has it assumed such serious proportions. What has caused more damage to the Front's image as a unique experiment in coalition politics is north and south Bengal CPI-M cadres' abuses and threats against two RSP ministers.

# Moolah power

Money, not ideology, rules the panchayat elections. Money can divide the Left Front but it can unite it too, writes UDAY BASU



**TMC candidates (sitting on the bench) of Bhajachauli area and some of their supporters who have taken shelter in a hideout near Contai in East Midnapore fearing an attack by CPI-M cadres. — Sailendra Mal**

Is the present acrimony an aberration? It depends on the perspective with which you look at it. The number of seats won uncontested by the Front can give a clue to the riddle: the numbers were 338 in 1978, 332 in 1983 and 1,716 in 1993. It had risen to 4,200 in 1988, dipped to 600 in 1998, but jumped to 6,800.

The detractors of the CPI-M will attribute this year's unprecedented rise

to red terror, though they would accept with tons of salt the Trinamul's complaint that the terror stopped about 20,000 of its candidates from filing nominations. The question, however, is why would a party with more than 10 million Kishan Sabha (its peasants' wing) members resort to such a terror tactic?

Simply because fear is the key, the key to the treasury's locker.

Panchayats are no longer looked upon merely as a means to lay new roads, dig ponds, create mandays, unearth surplus land for distribution among the landless or record names of *bargadars* (sharecroppers). They've become money-making machines. The state government spends 50 per cent of its Budget allocation through the panchayats. Who can resist the lure of lucre, especially, when the bait is being dangled before men who have mostly spent their childhood in poverty and hunger?

As a Front leader told this writer in north Bengal during his pre-panchayat poll assignment, how can a farmer be expected to exercise restraint while handling huge amounts of cash, swivelling in a revolving chair in the panchayat office?

Well, one such typical behavioural pattern was discernible last month when nomination papers were being filed. Every candidate was accompanied by at least 10 cycle-van full of his supporters. They spent Rs 10,000 to Rs 15,000 each to give their supporters free sweets and lunch and money to compensate their daily income from a farm for accompanying him to the poll officer's office.

Such a conduct doesn't admit of ideological differences. The plague has visited all the parties, irrespective of colour. The bonus, of course, is the power to nominate candidates of the panchayat members' choice for school committees and cooperative societies.

Neither political control from the top, nor sermons about Left unity can arrest the corrosive power of money. None knows this better than the Front partisans. The best strategy is to allow a free-for-all or accept the doctrine of might is right.

Once the heat and dust of the village order settle, senior Front leaders would begin calculating how best they can stick together so as not to upset their apple-cart. So much for the threat to LF's survival!

(The author is Kolkata-based Special Representative of The Statesman.)



AFTER SIKDAR, IT'S AMAR CHOWDHURY

9.5  
10.5

# CPM targets RSP minister

Jud. AD in (panels)

8.5

5.1

**Statesman News Service**

KOLKATA, May 7. — Political activists, allegedly belonging to the CPI-M, tried to attack the PWD minister, Mr Amar Chowdhury, of the RSP at Jeliakhali in the Sandeshkhali area of North 24-Parganas last night. This comes a day after CPI-M men attacked Union minister Mr Tapan Sikdar.

The incident occurred at 8 p.m. when the minister, now on the panchayat election campaign trail, reached Pakhirala Ghat in Sandeshkhali.

Mr Chowdhury was evasive on the political identity of the attackers either in his message to the chief minister or in his complaint to the Sandeshkhali PS. However, the RSP state secretary, Mr Debabrata Bandopadhyay, was more categorical. Seven of the those named in the FIR filed by RSP supporters have been identified as CPI-M activists, Mr Bandopadhyay told reporters this afternoon.

The IG (law & order), Mr Chayan Mukherjee, said no one has been arrested — a full 24 hours later.

The RSP state secretary said the chief minister had assured him that those involved would be arrested.

Police said as soon as the minister reached the ghat at Jeliakhali in a PWD launch, an RSP activist came running to tell him that some party activists were being beaten up by CPI-M supporters nearby.

Mr Chowdhury went to the spot and tried to intervene. The CPI-M cadre threw

stones at RSP members when they were campaigning in the area. When the RSP workers protested, the CPI-M men attacked some of them.

In his complaint, Mr Chowdhury alleged that he was chased and abused by one person at Pakhirala Ghat. "We took shelter in the house of Mr Atul Ghosh, a local RSP leader, which was one km away. Police rescued me at midnight."

Four RSP supporters, who tried to save Mr Chowdhury, were injured. One of them, Mr Ramprasad Das, later filed an FIR identifying seven attackers as CPI-M supporters.

However, Mr Bandopadhyay said when Mr Chowdhury, along with district party leaders, was approaching the venue of the meeting the minister was to address last night, armed CPI-M men attacked them.

The attackers, who were carrying arms, used abusive language and tried to hit Mr Chowdhury, he said. Party-men took the minister to safety. Four party workers were injured as CPI-M cadre beat them up.

Condemning the attack on Mr Chowdhury Mr Bandopadhyay said that such incidents by CPI-M supporters would intensify the bitterness among the two parties. He said that earlier another minister of the party, Mr Biswanath Chowdhury, and party leader, Mr Tapan Hore, were attacked by CPI-M men. He said the RSP would meet after the panchayat polls to

## Twist in the opposition tale...

**Statesman News Service**

KOLKATA, May 7. — The Trinamul Congress was quick to try and milk the issue of today's attack on the RSP minister. Miss Mamata Banerjee's party urged the RSP to break away from the Left Front and "lead the opposition". Earlier, such an invitation had always been extended to the junior Left partners to join a Trinamuled alliance or the mahajot.

The CPI-M, however, ducked questions on the attack on Mr Amar Chaudhury while accusing the media of trying to split the Left Front.

Mr Pankaj Banerjee, Leader of the Opposition, said his party was willing to offer support to the RSP if the latter breaks away from the Left: "We are ready to support the RSP if it takes the initiative to form a government sans the CPI-M."

Mr Anil Biswas, CPI-M state secretary, downplayed the attack: "There was a quarrel between two groups at Pakhiralay jetty in Sandeshkhali when the minister arrived. This sparked rumours from certain quarters. The chief minister and I spoke to the RSP secretary. We don't know who were involved."

Turn to page 2

— 8 MAY 2003

THE STATESMAN

MEMORANDUM SUBMITTED TO PM

# Mamata takes battle to Delhi

5/1  
21/4

Statesman News Service

NEW DELHI, April 20. — The BJP and the Trinamul plan to raise in Parliament the issue of Opposition candidates being prevented from filing nominations for the West Bengal panchayat polls. The Budget session reconvenes tomorrow.

Miss Mamata Banerjee met Mr Atal Behari Vajpayee and Mr M Venkaiah Naidu today in an attempt to put up an united front against the CPI-M's "reign of terror". Mr LK Advani was present at the meeting.

The Trinamul chief submitted a memorandum to the Prime Minister on the issue and was assured that he would do the needful, leaders said. Miss Banerjee and the BJP chief plan to address a joint rally in Kolkata on Thursday.

This was the first meeting between Miss Banerjee and the BJP's three top leaders since she left the NDA and joined hands with the Congress before the Assembly elections. BJP leaders said the Prime Minister may induct the Trinamul chief into the Cabinet after the Budget session. The BJP chief, who has often praised her for her strong anti-Left stand, has reportedly been lobbying for her induction.

The party's jubilation was evident when Mr Naidu and Miss Banerjee addressed reporters

jointly and declared their intention to launch a nationwide movement against the CPI-M "for stopping Opposition candidates from filing nominations for the panchayat elections". Terming it "a reign of terror" and "the biggest fraud" in the country, they vowed to raise the issue in Parliament. If needed, the parties would take the matter to the President too, Mr Naidu said.

"Marxist goons" have not allowed Opposition candidates to file nominations in 20,000 of the 49,144 gram panchayat seats in the state. Miss Banerjee claimed her candidates had good chances of winning the seats. "A woman candidate was paraded naked in Jalipora when she went to file her nomination." Even some of the candidates of CPI-M allies — the RSP, Forward Bloc and the CPI — could not file nominations, she claimed.

The BJP chief said: "The chief minister's appeal to his party cadre to allow Opposition candidates to file their nominations shows the state of affairs in West Bengal. It seems Opposition parties are at the mercy of the CPI-M."

Miss Banerjee alleged that in one gram panchayat seat in Trinamul MP Mr Nitish Sengupta's constituency, a family was fined Rs 50 lakh by CPI-M men for supporting her party.

More reports on page 9

21 APR 2006

# Midnapore awaits Central forces

## STATESMAN NEWS SERVICE

MIDNAPORE, April 12.— District authorities in Midnapore East and West feel that to conduct a peaceful panchayat poll they would need Central forces, 2000 and 4000 strong, respectively. Several requests later however, only a fraction of these forces have arrived.

Of the polling stations — 16 blocks in Midnapore East and 14 blocks in Midnapore West, are considered "vulnerable" needing armed guards.

So far only a 900 strong force has been received for Midnapore East. Even adding these 900 men to the district's own force of 700, might prove too inadequate to man the highly sensitive booths of Midnapore, a police spokesman said.

The sensitive Blocks of the district include Patashpur, Khejuri, Nandigram I, II (where a CPI-M panchayat member was killed two days back) and III, Contai I, II and III, Ramnagar I and II, Bhagyawanpur,

Bhupatinagar, Chandipur and parts of Mahisadal, Sutahata and Tamluk.

In Midnapore West, no Central forces have been received yet, said Mr KC Meena, SP. With only a force of 2000 the district has organised the patrolling of some vulnerable pockets. Some police camps have also been set up in Jamboni and Pingla areas. Flag marches will be staged when the Central forces are available, the SP said.

Central forces are badly required as major parts of the district are prone to MOC and PW and it is necessary to create confidence among voters and candidates as well, he said, adding that 14 Blocks have so far been earmarked as highly sensitive. They are — Garbeta I, II and III, Lalgar, Kespur, Chandrakona, Jamboni, Dantan II, Salboni, Pingla, Sabang, Daspur and Bimpur I and II blocks.

Mr Meena, however, said no spe-

cific complaints about candidates being obstructed by CPI-M men have been lodged by the Opposition. He even offered to provide police escorts to help the nominees to file, if they so required.

Mr Dipak Sarkar, district secretary, CPI-M, Midnapore West, issued a statement here tonight, offering his personal services to opposition candidates in filing nominations if they feel threatened from any quarter.

# Sikdar injured in CPM attack

6/5  
9 AM (Panchayat)

HT Correspondent  
Kolkata, May 5

UNION MINISTER and senior BJP leader Tapan Sikdar was injured on Monday when a mob of CPI(M) supporters, armed with choppers and sticks, attacked his motorcade at Koiful in North 24-Parganas.

Sikdar, who was on his way back after addressing a string of election meetings, was admitted to a private nursing home with minor wounds on his neck and hands, caused by flying shards from the shattered windscreen of his car. His bodyguard and 10 BJP supporters were injured in the attack.

Twenty people — including both CPI(M) and BJP supporters — were rounded up after the incident. In Kolkata, state CPI(M) secretary Anil Biswas owned up that there were some supporters of his party among the attackers. "We will take stern action

sticks. They dispersed only after the minister's security guard fired two rounds in the air," a BJP supporter said.

Recounting the incident, Sikdar said, "We were about 2.5 km from Koiful, when a crowd of about a hundred armed people surrounded our vehicles. First they hurled stones and smashed the windscreens of our vehicles with stones and sticks. Then they brought out their pipeguns, choppers, daggers and knives. Our party workers, who were in a separate vehicle following my car, were brutally assaulted.

"One of them, Shankar Mondal, who is our polling representative in the area, was attacked with a sharp weapon and got a deep wound on his throat.

"When some of attackers tried to force open my car door and attack me, my personal security guard fired a couple of rounds in the air, forcing the mob to step back."

## PANCHAYAT POLLS: MAYHEM TIME

**April 30** Four CPM supporters killed at Chopra in Cong attack

**May 1** Four Cong supporters hacked to death in retaliation in Chopra. Houses ransacked and torched by CPM supporters

**May 4** Cong and CPM supporters clash in Islampur. Ten people, including three women, seriously injured

against those who are involved," he said.

But he added that there was provocation from the minister's motorcade. "Some men in motorcades tore off our flags and festoons. They were also shouting provocative slogans. This is not how a responsible minister should behave." He advised his party's rank and file not to be provoked by the Opposition.

Chief Minister Buddhadeb Bhattacharjee spoke to Sikdar over the phone and assured him

that those behind the attack would be brought to book irrespective of party affiliations. Trinamool chief Mamata Banerjee, too, called up the wounded BJP leader.

Agitated BJP supporters, who blocked traffic on the VIP Road for more than two hours after the incident, said the CPI(M) supporters had attacked Sikdar's convoy without any provocation. "They broke the car windows and began striking those inside with choppers and

4 MAY 2009

# Chopra not ready for polls, says Cong

HT Correspondent  
Kolkata, May 3

A CONGRESS delegation that visited Chopra on Saturday expressed doubts over whether it would be possible to conduct free and fair polls in the block.

PCC chief Pranab Mukherjee, who led the team, said the atmosphere was tense with fear of further violence.

Thirty-two people have been arrested in connection

with the killings so far. The district has asked for more police forces to combat the volatile situation.

Hours before the Congress team arrived in Chopra, fresh clashes broke out at Pukuria in Jharkhand and Jharkhand Party cadres. Three people were injured while six members of both parties were abducted in retaliation.

With a week to go for the panchayat polls, Congress

leaders said party workers were in a state of panic in Chopra. Several had fled their homes even before the CPI(M) avenged the murder of Akbar Ali by killing four elderly Congress leaders.

The delegation comprising MP Priya Ranjan Dasgupta and former PCC president Somen Mitra said more than nine people have been killed in the last four days with the administration looking the other way. The Congress leaders visit-

## PANCHAYAT TRAIL

ed the houses of the victims and demanded the immediate release of Congress MLA Hamidul Rahaman.

"The situation is not conducive for holding free and fair polls in Chopra. People have lost faith in the administration. It is jungle raj here," said PCC general sec-

retary Manash Bhunia. He, however, ruled out any possibility of the Congress boycotting the polls.

In Pukuria, clashes between the CPI(M) and Jharkhand party activists over poll graffiti left three injured. In Parhathi village, the two parties traded kidnap charges. Members of the Jharkhand Party kidnapped four CPI(M) men in retaliation to the latter's abduction of two of its members. Jamboni police res-

cued the six victims and began investigations.

Meanwhile, Left Front chairman Biman Bose reiterated that the CPI(M) and its Left partners should refrain from friendly contests and prevent the Congress, BJP and the Trinamool from taking advantage of friction within the front. "We have come to know that there has been a grand alliance between the Opposition. We should work to prevent that," said Bose.

9 A. (Kolkata)

4/5

# 'Observe polls, don't intervene'

Manash Ghosh in Kolkata

115

April 30. — The state election commissioner, Mr Ajay Sinha, has made another comment which has shocked state government officials who will be observers for the 11 May panchayat polls. He reportedly told some of them at a meeting that they "should only observe and not, repeat not, intervene" even if the elections are rigged. He said this when some of the observers wanted to know what should they do if they saw the polls were being rigged or voters being turned away from polling centres, an official present at the meeting said.

To this Mr Sinha said the observer's job was "only to observe and not to intervene". He said he and his

office would intervene if reports were received from presiding and returning officers about rigging and intimidation of voters. To persuade Mr Sinha to reconsider his decision, one of the observers who had served as a Central observer in the Gujarat polls, recalled the Chief Election Commissioner's directive — "Consider you have done your job well if you as an observer have helped to inspire the confidence of a fearful minority community voter in exercising his or her franchise freely and fairly..." But, sources said, Mr Sinha did not budge from his position.

The Opposition has been critical of Mr Sinha, especially after he said that the poll process has been "peaceful, orderly and smooth".

1 MAY 2003

THE STATESMAN

# Funding for panchayats — I

By George Mathew

**C**ELEBRATING ANNIVERSARIES of political leaders and honouring men and women for their contributions to national development has become a popular pastime of our political class. The BJP-led Government at the Centre has dusted some old files and discovered new heroes to honour. But it seems to have forgotten the path-breaking events in independent India — panchayats becoming Part IX of the Constitution. It was on April 24, 1953, that the panchayats got the constitutional recognition after a long and arduous journey. The historic significance of this event is being ignored by the BJP leadership and thereby the Union Government. Of course, the panchayat is a State subject but the signal that the Union is sending may prompt the States to conclude that panchayats do not matter and that decentralisation and empowerment of the local self-government bodies can wait.

The Centre's perception seems to be that panchayats and municipalities found a place in the Constitution by a play of social and political forces. So why worry too much about it? What the Government has so far done is to take one step forward to satisfy some panchayat enthusiasts and move two steps backwards to undermine the institution. How else can one explain some of the decisions taken by the Centre in the last few years, especially after the BJP-led Government came to power?

On December 21, 2002, on the eve of the tenth year of the passing of the 73rd constitutional amendment, the National Development Council constituted a high-powered sub-committee for the financial and administrative empowerment of the Panchayati Raj institutions (PRIs). Although it took another three months for the Planning Commission which

development. The Minister of Finance and Company Affairs, the Deputy Chairman, Planning Commission, the Minister of Social Justice and Empowerment, the Minister of Tribal Affairs as well as the Chief Ministers of Assam, Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh and Rajasthan are members. The Secretary, Planning Commission, is the Convener and the Secretary, Department of Rural Development, is the Co-Convener.

## *What the Government seems to be giving to the Panchayati Raj institutions with one hand, it takes away with the other. This has dealt a body blow to the local self-government system.*

The committee's mandate included review of the actions taken by State Governments for the empowerment of the PRIs as per the 73rd Constitutional Amendment Act so that they could function as effective institutions of local self-government, working out modalities for strengthening the functional domains of the PRIs through transfer of resources from the Centre and the State Governments and assessing the capacity of the PRIs to raise resources and develop an action plan in this regard.

The committee also had the mandate to look into the capability of the PRIs at different levels to absorb the financial allocations made to them under different schemes, and develop a framework to ensure fiscal discipline and financial accountability at different levels; as also to suggest measures that need to be taken to ensure administrative control of the PRIs over State Government functions dealing with subjects listed in the XI Schedule of the Constitution, besides evolving a framework for preparing and projecting local plans that reflect the felt needs and

interests and working out training modalities for elected PRI members and its functionaries, working out a mechanism for linking Central assistance to States which is linked to the progress on PRIs' empowerment and other relevant issues are also things the committee has to look into. The first meeting of the committee is yet to take place and advocates of decentralisation and Panchayati Raj are eagerly awaiting the outcome.

What the Government seems to be

have been abolished and their functions handed over to the Zilla Parishad. The independent existence of DRDAs along with the Panchayati Raj institutions is highly desirable. I would, therefore, suggest that where DRDAs do not exist as a separate entity, you may take immediate steps for reconstituting them.

This decision of the Ministry came under flak from several quarters. For instance, the Standing Committee of Parliament on Ministry of Rural Development said in its 2000-2001 report: "The Committee would like to know about the impact of the scheme of strengthening of the DRDA administration on various rural development activities. In particular, the Committee desires that, bearing in mind Article 243 G of the Constitution, the bureaucratic overhead of DRDAs be seriously reconsidered and an earnest effort made to merge the function of DRDAs as administrative arrangements existing before the insertion of Part IX in the Constitution and with the giving effect to Part IX of the Constitution, DRDAs need to be demystified and rooted in the Panchayati Raj system".

By then, Venkaiiah Naidu had taken over as Minister for Rural Development. He ignored the suggestions of the Standing Committee. Therefore, the Parliamentary Committee for 2001-2002 reprimanded the Ministry thus: "The Committee is concerned to note the reply of the Government in response to their recommendation made earlier to merge the function of DRDAs with the district panchayats. Instead of addressing the issue and furnishing a categorical reply, the existing guidelines are reproduced according to which DRDAs are expected to co-optate effectively with the Panchayati Raj institutions. In view of this, the Committee reiterates their recommendations". Even after this, there was no action at all.

It is a sad commentary on the Central Government that it has not acted

9-10



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9-102

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It is a sad commentary on the Central Government that it has not acted decisively over the years to strengthen the constitutional democratic

ments and working out training modules for elected PRI members and its functionaries, working out a mechanism for linking Central assistance to States which is linked to the progress on PRIs' empowerment and other relevant issues are also things the committee has to look into. The first meeting of the committee is yet to take place and advocates of decentralisation and Panchayati Raj are eagerly awaiting the outcome.

What the Government seems to be

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ple's process.

Mr. Patwa did not take kindly to those State Governments which dismantled the DRDAs and merged their functions with those of the Zilla Par-

MEMORANDUM SUBMITTED TO PM

# Mamata takes battle to Delhi

Statesman News Service

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More reports on page 9

21 APR 2003

THE STATESMAN

## MARXIST TERROR

Panchayat poll reduced to a farce

**M**AMATA Banerjee's apprehensions over the 11<sup>th</sup> May panchayat poll are justified. It is now established in as many as 19,000 out of 58,357 constituencies opposition candidates have been unable to file nomination papers because of terror tactics adopted by the CPI-M. It is inconceivable that the ruling party could win as uncontested as many as 10,000 seats. This has never happened either in West Bengal or elsewhere earlier. In block after block in West and East Midnapore, Hooghly, Bankura and parts of Howrah, the two 24 Parganas and Burdwan districts, the Opposition has been forced to concede such large number of uncontested seats. In Hooghly alone the ruling LF, specially the CPI-M, has scored uncontested victories in 1,200 seats. The picture is worse in Midnapore's Marxist-liberated zones like Kespur, Garbeta and Pingla where the Marxists specially targeted seats bagged by the Trinamul-BJP alliance in the last election. To physical attacks and killings have been added original psychological terror — shrouds, widow's apparel and death threats have been sent to Opposition households. Figures speak for themselves. 1,850 such wins were recorded in 1993, five years later they came down to 668. This year's figure is nearly 20,000. It is probably worse; unknown independents have filed nominations in an effort at damage limitation, they will withdraw at the last moment and swell the number of uncontested winners. Yet the state election commissioner Ajay Sinha says the nomination process was conducted in an orderly manner and described allegations to the contrary as baseless, despite the evidence. He is only echoing the lies mouthed by CPI-M leaders earlier. For someone who has not exactly covered himself with glory during his service career he is lucky to be rewarded with a lucrative post-retirement job. He is needed to ensure the success of the Marxist tactics to encourage some Congress victories in order to damn the real opposition — the Trinamul. Pranab Mukherjee inadvertently confirmed the plot.

What is disquietening is the rising graph of Marxist terror in every successive election. They experimented with the Kolkata Corporation elections in 1990. Its lumpen elements armed with guns and bombs captured booths and rigged the poll which Jyoti Basu called a "glorious victory." The State Election Commission and the police abdicated their functions. The technique was repeated unabashedly in other elections including the Salt Lake Municipal poll in 2000 and 2001 assembly elections. The CPI-M don't believe in the maxim "as you sow so you reap" — they want to grab what they can and the devil take the hindmost. But it has already been paid back in the same coin by the Jharkhandis who got their candidates elected unopposed in Jamboni. Will Alimuddin Street draw the obvious lessons and mend their ways?

# Official figures confirm Mamata's stand

51-6  
1899

Statesman News Service

KOLKATA, April 17. — It's official now. Figures dished out by the state election commission today lent credence to Miss Mamata Banerjee's statement that thousands of her party candidates had been prevented from filing nominations for the panchayat polls.

Over the past few days, the Trinamul chief had been saying that about 20,000 Trinamul and BJP candidates had been forcibly prevented by CPI-M men from filing nominations.

State election commission statistics simply endorse Miss Banerjee's stand. Of the 58,357 panchayat seats, comprising gram panchayats, panchayat samitis and zilla parishads, Trinamul Congress and BJP have been able to file for only 39,297 seats, a shortfall of 19,060 seats which the Trinamul chief has attributed to CPI-M muscle-power. The Trinamul has filed for 28,451 seats, while its ally, the BJP, is contesting 10,846 seats.

Having found her apprehension turning right, Miss Banerjee told The Statesman tonight: "The Left Front government has lost the moral sanction to rule. Such uncontested victories show how democracy has been trampled by the CPI-M with brute force. I fear a spate of withdrawals because of red terror. It's indeed a black day for Bengal".

Mr Anil Biswas, CPI-M state secretary, told The Statesman that allegations made by Trinamul Congress, Congress and BJP "is a deliberate campaign to make CPI-M activists complacent about their victory and also create among people an aversion to the electoral process."

The state election commissioner till date has no such information that opposition are being forcefully held back from filing nominations though the chief minister was aware that oppositions are being barred from filing their nominations by his own party men.

Mr Ajay Sinha, state election commissioner, said that candidates of both ruling and opposition parties by and large were able to file their nominations peacefully.

Mr Sinha said about 60,000 nominations were filed yesterday, on the last day of filing nominations, among 1.25 lakh nominations filed altogether. Interestingly, the number of filing nominations increased only after the chief minister had appealed to his party men on Saturday that opposition party

Party	Zilla Parishad	Panchayat Samiti	Gram Panchayat
BJP	173	1,773	8,900
AITC	619	4,737	23,095
INC	662	4,675	22,445
CPI(M)	725	8,504	47,492
AIFB	73	844	4,949
RSP	94	856	5,399
CPI	35	322	2,327

nominees should be allowed to file their poll papers.

He said that there are 49,144 gram panchayat seats in 3,220 gram panchayats, 8,500 seats in 329 panchayat samitis and 713 zilla parishad seats in 17 zilla parishads.

This time, no panchayat election will be held in Darjeeling district.

When asked how Congress, Trinamul Congress and BJP failed to file nominations in about 20,000 seats, Mr Sinha said: "I've no such information that oppositions were forcefully stopped from filing nominations."

Mr Tathagatha Roy, BJP state president, said: "If Mr Sinha has said that, he is not fit to be a state election commissioner and I will say that Mr Sinha's utterances are baseless."

Mr Sinha said: "Whenever we receive complaints, I personally ask the respective district magistrates and SPs to take necessary action and try to make conducive situation for candidates to file their nominations."

Mr Debabrata Basu, general secretary, Pradesh Congress Committee, said: "In this panchayat election our candidates were forcibly stopped from filing nomination. This is for the first time we have taken police protection to file nominations. In previous panchayat polls we faced CPI-M's atrocity on election day but this year they started even from the first day of filing nomination."

Asked if CPI-M candidates were declared elected uncontested in three zilla parishad seats in West Midnapore, Mr Sinha said: "I've joined this office two months ago. I do not know about 1998 election results."

Asked whether postponement of polls is possible, as suggested by Mr Murali Monohar Joshi, Union minister of Human Resource Development, Mr Sinha said: "We will have to print few lakh ballot papers and for that we require some time. So it is not possible to postpone the panchayat polls right now."

16 APR 2003

THE STATESMAN

# CPM 'terror tactics' under attack

## Deferring polls the only solution, says Joshi

HT Correspondent  
Kolkata, April 14

UNION HRD minister Murl Manohar Joshi on Monday seconded the state BJP's demand for the postponement of panchayat elections in the state till the law and order situation improves.

Taking cue from Joshi, Trinamool Congress chief Mamata Banerjee too reiterated that free and fair polls cannot be held in the state unless the Centre intervenes.

Mamata called on Joshi on Monday and explained to him the terror network created by the CPI(M) in Bengal. She alleged that the CPI(M) goons are beating up Trinamool candidates. Mamata was accompanied by MP Dinesh Trivedi.

"Earlier the trend here before the elections was to attack the party candidates and workers, but now the CPI(M) is terrorising even the family members and also raping them. CPI(M) knows that if free and fair polls are held, they will not get a majority so they have resorted to such activities," Mamata told a rally at Esplanade.

"I have briefed Joshiji about the ground realities in Bengal. And I have

asked him to talk to Union home ministry to act under Article 355," she said.

Joshi expressed concern about the situation. "I have received several complaints from the block level that Trinamool and BJP candidates are not being allowed to file their nomination papers. So deferring the panchayat elections is the only way out. They are not being allowed to meet the BDO, who is also the returning officer of the panchayat polls. Now even CPI(M) allies are complaining of harassment. Even the CPI(M) is facing intra-party conflict," said Joshi.

He added that FIRs the families of party workers have not been allowed to file FIRs against CPI(M) atrocities. "This has exposed the hollowness of the CPI(M)'s claim that people are with them. It is actually a case of state-sponsored terrorism. A reign of terror has been let loose and we don't think free and fair polls can be held under such circumstances," Joshi said.

"I will urge the NHRC to take serious view of the situation in Bengal and suggest such actions to protect the civil and democratic rights of the people," he said.



FOLLOW THE LEADER: Mamata Banerjee at a rally on Esplanade on Monday.

## Oust-LF call at grassroots

Subhro Maitra  
Malda, April 14

GRASSROOTS WORKERS of the opposition parties are scripting an alliance entirely different from what their high commands would have. District leaders of the Congress, Trinamool and the BJP believe only a united opposition can prevent a splitting of the anti-Left vote at the panchayat polls.

The BJP and Trinamool have an alliance at the state level but Congress workers are now willing to join the

camp in certain pockets if it means an end to the Left Front rule.

District Congress chief Rubi Noor met Trinamool and BJP leaders on April 6, boasted by a go-ahead from veteran A.B.A. Ghani Khan Chowdhury.

Party workers, however, insist their alliance has little to do with state or national politics; it is the demand of vote politics in the rural areas. "It is neither Ghani Khan nor Mamata Banerjee who are making this alliance. They cannot

restrict the ground level workers," district Trinamool leader Debapriya Saha said. "We should not dictate terms to the workers at the villages. They feel the need of ouster of the CPI(M) regime."

Englishbazar block Congress president Sheikh Abdul Matin has decided to set aside one or two seats at strongholds such as Amrity, Sattari and Milky to the Trinamool. The Congress will get concessions at BJP strongholds such as Aihor and Bulbulchandi.

## Screen sheen for Red campaign

Saptarshi Banerjee  
Kolkata, April 14

THIS TIME around, the CPI(M) wants villagers to watch a film before they cast their votes.

Not any film though. The Indian Peoples Theatre Association, in its 60th year, has decided to celebrate the yardstick by producing a Left-inclined film.

"It's just a coincidence that the film is being made

just before the panchayat elections," says association secretary Sishir Sen but, "I don't rule out the possibility of the film being used for campaigning."

The short film, expected to be completed by April, will be sent to villages across the state. *Sada Bhaier Swapna* has one hero — the needy and exploited farmer of Bengal — whose fortunes are traced through the 1943 Tebhaga

### PANCHAYAT TRAIL

Andolan, introduction of land reforms, modernisation of the panchayat system and the present world of consumerism and globalisation. Lest any manifesto be read into it, the story will be narrated by a grandmother to her grandson who wants

to know how his grandfather died fighting for his rights and land. Shot in Bengali, it will be dubbed in German, French, Chinese, Spanish, Hindi and English.

"The film will be dubbed in many languages to reach out to the Left-minded people across the globe," said director Rhitobrata Bhattacharya. The film, produced by a company called Destiny, is being shot on a Rs 4.5 lakh-budget. Veteran

actress Gita Dey and Debol Kumar Ghatak will play the lead roles.

The film's muhurat was held on Monday at Bil Kanda in North 24-Parganas in the presence of CPI(M) district secretary Amitava Bose. Bose said the film would be shown in villages across the state to create awareness among the people. He denied any political motive behind the timing of the release.

14 APR

# Midnapore awaits Central forces

## NEWS SERVICE

April 12.— District Midnapore East and West are to conduct a peaceful operation in 2000 and 4000 blocks respectively. Several reinforcements, however, only a fraction have arrived. Stations — 16 blocks in West and 14 blocks in East, are considered as being armed guards.

So far only a 900 strong force has been received for Midnapore East. Even adding these 900 men to the district's own force of 700, might prove too inadequate to man the highly sensitive booths of Midnapore, a police spokesman said.

The sensitive Blocks of the district include Patashpur, Khejuri, Nandigram I, II (where a CPI-M pamphlet member was killed two days back) and III. Contai I, II and III, Ramnagar I and II, Bhagwanpur,

Bhupatinagar, Chandipur and parts of Mahisadal, Sutamata and Tamruk.

In Midnapore West, no Central forces have been received yet, said Mr KC Meena, SP. With only a force of 2000 the district has organised the patrolling of some vulnerable pockets. Some police camps have also been set up in Jamboni and Pingla areas. Flag marches will be staged when the Central forces are available, the SP said.

Central forces are badly required as major parts of the district are prone to MCC and PW and it is necessary to create confidence among voters and candidates as well, he said, adding that 14 Blocks have so far been earmarked as 'highly sensitive'. They are — Garbeta I, II and III, Lalgar, Kespur, Chandrakona, Jamboni, Dantan II, Salboni, Pingla, Sabang, Daspur and Binpur I and II blocks.

Mr Meena, however, said no spe-

cific complaints about candidates being obstructed by CPI-M men have been lodged by the Opposition. He even offered to provide police escorts to help the nominees to file, if they so required.

Mr Dipak Sarkar, district secretary, CPI-M, Midnapore West, issued a statement here tonight, offering his personal services to opposition candidates in filing nominations if they feel threatened from any quarter.

# Midnapore awaits Central force

**STATESMAN NEWS SERVICE**  
MIDNAPORE, April 12.— District authorities in Midnapore East and West feel that to conduct a peaceful panchayat poll they would need Central forces, 2000 and 4000 strong, respectively. Several requests later however, only a fraction of these forces have arrived.

Of the polling stations — 15 blocks in Midnapore East and 14 blocks in Midnapore West, are considered "vulnerable" needing armed guards.

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9-21  
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13 APR 2003

THE STATESMAN



HT Correspondent  
Kolkata, March 17

WATER TAX rates will no longer depend on the ferrule size of the pipeline. The KMC's 'realistic' budget on Monday spread the net, making water tax mandatory for house-owners whose property is valued annually at Rs 4,000.

The measure, in principle, brings more than 80 per cent of the households in the KMC areas in the tax bracket. They will now have to pay 10 per cent of the annual valuation of the premises as water tax.

Earlier, only households with annual valuation more than Rs 10,000 and pipelines with ferrules sized 20mm and above had to pay water tax. The KMC has now brought down the limit to premises valued annually at Rs 4,000.

Residents will now pay up to Rs 18,000 per year as water tax. Residents of added areas, however, are spared for now as their present annual valuations are much lower than the prescribed limit.

Car-owners too will have to dig deeper into their pockets — they will now have to pay Rs 200 each year as 'car washing charges'.

"Revenue collection from our own resources has increased significantly with a collection of over Rs 306 crore so far, up by Rs 65 crore from last year," mayor Subrata Mukherjee said. "And in spite of the state government not providing its entire quota of grants, we have spent Rs 643.28 crore — the highest any corporation board has ever spent."

The KMC, for the first time, empowered borough committees to plan their own projects for up to Rs 25 lakh. The budget also proposes to simplify the procedures for acquiring trade licences and mutation certificates, updating of store department accounts and calculation of drainage development charge on the basis of actual building area. An expert committee will be set up to work out the modalities of the area-based valuation system.

The street-washing proposal

**MONEY MATTERS**

REVENUE	770.57
EXPENDITURE	707.73
DEFICIT	207.17

(Figures in crores of rupees)

might have flopped but the mayor outlined a slew of new schemes for the beautification of the city. Streets will be swept twice a day; an early afternoon shift added to the morning routine. The corporation will buy 5,000 new hand-carts for garbage disposal besides adding six suction-cum-jetting machines to the existing fleet. The corporation will also restrict the laying of new deep tube wells. Licences will not be renewed in areas where pipeline water can be reached. In the added areas, solid waste management and bus-tie development will be taken up.

The corporation also plans to empanel promoters and make a list to monitor their activities. Empanelment fees will depend on the status of the promoter.

The mayor also set in motion measures to make the KMC more accountable. Employees responsible for delay in issuing mutation certificates will be penalised. The mayor announced a VRS scheme for 114 employees of the Municipal Service Commission and Election Authority's office. The remaining employees will be redeployed in other departments.

Hall owners now will have to pay Rs 3 per seat per year instead of the current fixed single amount levied per show per day. "It is a step towards saving the battered cinema house business and the industry as a whole," EIMPA president Arijit Dutta said.

Opposition leader Nirmal Mukherjee slammed the budget as a hoax without any concrete plans to improve services provided to citizens. The reduced budget estimates would deprive citizens of services worth Rs 165 crore, he said.



**BURDEN**

**Water:** 10% tax on property valued annually at Rs 4,000 and above. Maximum tax Rs 18,000

**Property mutation:** Procession fee of Rs 100 for simple mutation, Rs 300 for mutation with separation, amalgamation and apportionment

**Cars:** Rs 200 a year as 'washing charges' for any car parked anywhere in the city

**Advertisement:** Tax and licence fee for advertisement through cinematography, posters, hoardings

**RELIEF**

**Drainage development charge:** To be based on the area of the house or building and not on land area as before

**Cinema:** Amusement tax only Rs 3 per seat per year

**Local funds:** Rs 25 lakh to be given to each borough to enable decentralisation

**Simplification:** Easier rules for property mutation and obtaining trade licence. No objection certificate no longer required for mutation. Penalties on civic employees responsible for delaying mutation certificates

**NEW IN TOWN**

- Pet burial ground by April
- Gateway of Kolkata
- 50-storey building off Bypass
- Road sweeping twice daily