

CIVIL SERVICE REFORMS-II

Sustained Political Commitment Is Required

By AARTI KHOSLA

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The call for radical reforms in the administration is, therefore, urgent. The question is, from where does one begin? The goals need to be defined clearly. Productivity, accountability, transparency, integrity and sensitivity are perhaps the most important characteristics a citizen expects from the public service. He wants the police to protect his life and property, to maintain law and order. He wants the municipal bodies to provide him with basic services - clean drinking water, sanitation, good roads.

The administrative system needs to be so geared that we do not have situations where people die of starvation in some parts of the country, while foodgrain rots in the godowns of FCI; where we have schools with thatched roofs and missing teachers; where primary health centres are without doctors or equipment; where we have rural employment schemes but no employment. Even the basic law and order machinery is malfunctioning and has failed the people.

Corruption

We have police who kill rather than protect; which robs rather than catches the thief, which helps rather than prosecutes the scamsters; which extorts rather than punishes the extortionists. Cases do not get settled for years. Delays take heavy toll of physical and financial health of the litigants. Denial of justice is common and the judiciary at the lower level is equally suspect so far as corruption is concerned.

The task is, therefore, stupendous. The entire machinery of the government at the political, decision-making and implementation levels needs oiling. But for administrative reforms to succeed sustained political commitment is required. The Prime Minister has started the exercise by starting with two very important planks of administration — stability of tenure and raising the motivation and morale of officers who get punished by doing the right things or by being honest.

Transfers have become instruments of awards and punishment and even of making money by politicians. Some of the states have ridiculous tenures. In UP once 500 officers were transferred in five months by the chief minister at the behest of MPs and MLAs. A police officer was transferred thrice in two days. Some officers were transferred



five to eight times in two months. Transfer has been converted into an industry in several states, where it is said that money gets exchanged for lucrative posts. An officer who offers money to get a good post is bound to make several times the amount he has paid. This has led to more corruption.

Stability of tenure

Besides, the short tenure of officers can hardly ensure governance and proper delivery of service. If the district magistrate stays in his district for less than one year, how can he perform and show results? The Prime Minister has, therefore initiated his reforms of civil service by emphasising the need for stability of tenure. In his letter to chief ministers he has requested them to ensure the stability of tenure of officials in key posi-

tions. He has reminded them that frequent transfers of public servants have a debilitating impact not only on their performance or morale but also on the whole process of governance.

To raise the morale and motivation of officers he has also instituted a grievance mechanism to deal with officers' grievances regarding delay in post-

perative that the victims' grievances are heard at a level where quick redressal is possible. Severe punishment may be meted out to those who fiddle with cases and deliberately delay the processing of files for promotion, confirmation and appraisal or who indulge in harassing officers who want to do correct things and are honest.

But what of the political level? No reform of administration is possible unless the administration is insulated from political pulls and pressures and there is commitment at that level also to improve the system. Hopefully the Prime Minister will include this in his agenda for administrative reform. If the commission is constituted as provided for in the CMP, the terms of reference of the Administrative Reforms Commission should also include ways and measures to insulate the bureaucracy from politicians' self-promotion agenda without minimising the sanctity of authority at political level.

Vacancies

Other areas of reform which need to be addressed by such a commission would be transparency, integrity, attitude of the civil servants towards public, sensitivity to the needs of the people, efficiency for which recruitment and training procedures may also require to be overhauled. But no exercise at administrative reforms would complete without pruning the size of bureaucracy. The right way to do this would be not to cut down on the number of vacancies at the higher level but to review and abolish all departments and offices which have ceased to be relevant and where there is hardly any work. We will find a good number of such no longer required but existing entities in government. Perhaps an exercise to identify such departments can be undertaken, as the next step at "operation governance" without waiting for the next Administrative Reforms Commission to come up.

Officers are demoralised when superiors show no inclination to right the wrongs done intentionally or even unintentionally at the lower level. The bureaucracy has developed the knack of thwarting the court judgments, also taking full advantage of the imperfect and over-stressed judicial system. It is, therefore, im-

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Public Good Versus Individual Greed

By AARTI KHOSLA

The Prime Minister has initiated the much-needed steps towards administrative reforms. In his address to the nation on 24 June, he bemoaned the fact "that the government at every level is today not adequately equipped and attuned to deal with the economic and social challenges facing the nation". He promised that the reforms of administration and of public institutions to improve efficiency and the quality of delivery services will be "our immediate priority". That this way no empty rhetoric was evident from the common minimum programme drawn up by UPA with which Dr Manmohan Singh was closely involved. The setting up of an Administrative Reforms Commission "to prepare a detailed blueprint for re-vamping the public administration system" is very much on the agenda.

Inefficient

That the existing machinery of governance has failed is an accepted fact. All our efforts at economic growth, development with social justice have not met with the desired success because the instruments of administration are ineffective, inefficient and corrupt. The need to improve the system to make it more "responsive" had been felt all through since Independence. The British had developed a perfect system to achieve the goals relevant to the empire. It could be said then that "no bureaucracy has ever been better officered", as R Coupland wrote in his *Britain and India* (Longmans Green & Co, 1941).

When India became free, the same bureaucracy was found by our first Prime Minister, Jawaharlal Nehru to be "fossilised to

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by-gones and absolute methods and refused to move with the times". This civil service we inherited from the British was the subject-matter of Constituent Assembly debates too. We were not sure whether this civil service could be relied upon to be loyal to the new order. Mr B Dass, a member of the Constituent Assembly has this to say: "I



hope and pray God that from 26 January 1950 the indigenous spirit of administration will come into existence".

The indigenous spirit did come into existence with time but the administrative machinery time and again failed to deliver the goods in our democratic, welfare state. Bureaucratisation with its hallmark of red-tapism, rigidity, adherence to rules rather than results, lack of integrity and commitment became a hurdle rather than help in the way of rapid growth and development.

Initiatives

Hence the concern for administrative reforms was there all along. Many initiatives were undertaken to improve the system. Several committees and experts looked into it and some altera-

tions were made and institutions created to streamline government machinery and prevent corruption.

A major exercise in administrative reforms was undertaken in 1966 with the setting up of the Administrative Reforms Commission to conduct a comprehensive review of the administration. The commission submit-

ted 19 reports and approximately 600 recommendations over a period of four years. Many of these recommendations were given effect to. However, with passing years and growing challenges on the social, economic and political fronts, the inadequacy and ineffectiveness of the system grew.

The gap between what was expected of civil servants and their actual performance became wider and wider resulting in all schemes and plans for improving the lot of masses of this country going awry with inefficient and corrupt delivery mechanism. It was Prime Minister Rajiv Gandhi himself who told the people that out of Re 1 only 15 paise reached the beneficiaries for whom it is meant. The rest — 85 paise, were either pocketed

or wasted on the way. His was, therefore, another sincere attempt at improving the system.

In his 5 January 1985 address to the nation after being elected with a massive majority, he gave a call for responsive administration. His mandate to the bureaucracy was "simply rules and procedures; reduce the levels of decision-making delegate powers; reduce paperwork; cut down on inessential staff; make use of improved technology for communication". It was during his time that computerisation was introduced in government offices.

Fossilised

In spite of all these attempts during the last half a century and more since Independence, the administrative machinery remains what the first Prime Minister of the country called fossilised. It only grew in size. While the staff strength of the Union government alone in 1948 was 14.4 lakhs; it is nearly 40 lakhs today. The all-pervasive menace of corruption has made life for every citizen difficult as it subordinates completely the public good to individual greed.

India has attained the dubious distinction of being among the 30 most corrupt countries, according to the Corruption Perception Index (CPI) of Transparency International. Nor has its rank risen very much in the Human Development Report of UNDP in spite of substantial resources assigned to literacy, health and growth of per capita income. It is still at number 127 out of 177 countries indexed in the latest report of 2004. It is still among the medium human development countries. Bad governance is indeed wasteful, anti-development and anti-people and in the face of current challenges to the security of the nation, anti-national too.

(To be concluded)

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Mani Shankar promises 'clean' panchayats

STATESMAN NEWS SERVICE



**Mani Shankar Aiyar:
Promising the moon?**

GUWAHATI, Nov. 27. — Union minister for panchayat, Mr Mani Shankar Aiyar, today promised a "corruption free and democratic" panchayati raj set-up as dreamt by the Father of the Nation, Mahatma Gandhi.

Inaugurating the two-day 6th round table conference on panchayati raj on the theme of Election and Audit here today, Mr Aiyar asserted that backed by the Left parties, the UPA government was committed to establish a "more democratic panchayati raj system" in the

country by the year 2006.

In answer to the allegation that the panchayati raj system in the country has become a symbol of decentralisation of corruption, Mr Aiyar pledged to purge the system and asserted that the system would no longer be allowed to be misused for the "decentralisation of corruption", and deviate from the goal of facilitating effective local governance for the benefit of grassroots populace.

The first such round table conference was held in Kolkata and the last and the seventh one is going to be held in Jaipur within a month. Once the Jaipur conference is over the panchayati raj department at the Centre would submit a detailed report to the Prime Minister and the Planning Commission for necessary financial and other infrastructural support needed to make the system more efficient.

Mr Aiyar praised the Left Front government in West Bengal for successful implementation of the "three tier panchayati raj" set-up, and pointed out that late Rajiv Gandhi had acknowledged the initiative of the West Bengal government in implementing panchayati raj through decentralisation of power over the past two decades by holding regular elections.

However, Mr Aiyar was critical of the established political system for not attaching due importance to the panchayati raj system which is the only means of empowering the people of rural India to enjoy the fruits of development. He sees a key role for panchayati raj institutions in the sectors of rural health, universal education and empowerment of women.

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THE STEEL FRAME-II

Bureaucracy Should Have Best Talent From Specialised Disciplines

By SAUMITRA MOHAN

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While corruption stems from an uninspiring reward structure compared to what is obtainable in the private sector, the dreaded politico-bureaucratic nexus depends on the crucial lever of control given to the elected political class, something which was highly recommended by the German thinker Max Weber.

While it is definitely no argument that a poor reward structure and political control resulting in indiscriminate and demoralising transfers should lead the bureaucracy to justify its sins, it is true that many of us have actually yielded to our desires and urges. Here, one would say that a society gets what it deserves. Bureaucracy cannot but be a reflection of the society it comes out of. Many of us enter the service with a misplaced notion of minting money rather than serving the society to which they owe a lot and which has reposed a trust in them by giving them responsibility of bettering the lives of its members.

Age limit

Some members of the bureaucracy, hiding behind the Official Secrets Acts, could get away with many of their acts of omissions and commissions. But that is no longer so. Not only is there a Right to Information in the offing; there is also a conscientious civil society ably assisted by a vibrant media and multiple interest groups which have put paid to the continuation of the lordly way in which the bureaucracy has functioned so far. Hence, the need for reform in the bureaucracy and reform in the outlook of the people towards the bureaucracy.

As for the recent set of proposals, one feels that the reduction in the age limit is something which should be seriously pondered over. Having an entrance for civil services at the undergraduate level would not only compromise the future of innumerable students who have been painstakingly preparing for the present civil services examination but would also have an in-built elitist tinge because given the state and standard of our government schools that would mean that only those students who have had a good education in English medium convent schools and a good family background would have an upper hand. Our society where the overwhelming majority is backward and underprivileged still

lacks the motivational capital required for making it big in such services. So there are many students who are not aware of the many career opportunities available while at undergraduate level and are not decided as to what would they should do for their career. Such students would actually lose out to the students with good family background resulting in better motivational capital and better schooling.

A recent study shows that the social profile of the people

vice on the pattern of IITs and IIMs is advisable or not just because the entrants to these institutes are said to be efficient and are said to be doing better in their respective profession. We also need to ask whether being an efficient executive in a multinational company or a successful business house is the same as being an efficient civil servant? Are efficiency and profitability the only qualities we are looking for in a civil servant, more so in a welfare state like ours?

Should the new system be



selected to civil services in recent times has been heavily in favour of people from rural and underprivileged India which is, indeed, a positive sign. People from such a background can better appreciate the problems of our country than those from comfortable backgrounds.

There is much that is positive in the proposals. Professionalisation in any sphere, no doubt, leads to efficiency and accountability. But it needs to be asked what kind of professionalism is needed for which kind of work and how early such professional training should begin.

General education

There is much to be said for broad-based general education up to the early twenties, especially since there are numerous young people who do not always know their own minds or cannot assess their aptitudes until they have matured to the graduation stage. The administration especially requires a degree of general understanding.

In fact, we also need to think whether moulding our civil ser-

introduced, it would pre-empt the civil service from availing the services and talent of all students of specialised disciplines like medicine and engineering as they have to decide right in the beginning as to where they wish to go, civil services or specialised vocations.

Once they decide they would have no scope to come back. The truth is that a lot of young people at the undergraduate level decide their career on the basis of the suggestions of their elders. While no one is suggesting that careers suggested by elders would be wrong, quite often that may not be the career that they actually wish to go in for. That is why today many students from medicine and engineering background are entering the civil services.

Once the new system is in place, we would have no way to avail of their services. If country's administration has to be manned by the best, avenues should be open for talent from all around to enter the civil services. So, thought should also be given to some sort of lateral

entry in the civil services at certain levels. The attempt should be to widen the pool of the best and the talented from across the country whose services could be availed for manning bureaucratic posts. It is argued that the entry of doctors and engineers into civil services means wastage of resources. This argument is not very well taken because if the idea is to have the best in the civil services then they should also be welcome as they have proved themselves to be best in their area of selection. The argument that their specialised training is wasted in civil service is also not well-founded because today such specialised training is very useful at various levels of development. More than that, their success in their specialised field proves their aptitude and determination to succeed. We often forget that administration is not simply all-India services or other class I services. It is, in fact, the entire machinery of the government at the political level, the senior decision-making level and the implementation level.

Good career

It is not only the District Magistrate at the district level but also the patwari, the tehsildar, the revenue officer, the head clerk, the policeman, the teacher of the government-run school, the doctor in the primary health centre and various elected officials of the panchayati raj institutions.

At many places, it has often come to be seen that even though the senior officials are quite honest, it is the lower rung staff which has worsened the situation. Here we would have to think of the whys and wherefores of their negative acts including the various ways to provide them a good career and incentive structure, something which is very much lacking in our system. Finally, merely tinkering with bureaucracy would be of no avail unless and until we do the same for the whole society.

If we really wish to translate the goals of the welfare state, we need reforms at every level, from top to bottom with a better incentive and monitoring structure backed by a sound education and value system. More than that, we need a conscientious civil society ably assisted by the Fourth Estate to bring about a social and economic revolution.

(Concluded)

THE STEEL FRAME-I

Indian Bureaucracy Has Done Pretty Well

By SAUMITRA MOHAN

Jawaharlal Nehru had once confessed that the failure to reform the civil services was among his greatest regrets. So, after the findings of the Civil Services Reforms Committee including TKA Nair, principal secretary to the Prime Minister and BK Chaturvedi, cabinet secretary, were made public recently, a debate has been raging for the past few days as to how to tame the bureaucracy. Reams of papers have been wasted on proposals to reform the bureaucracy. Definitely we need reform but whether we need reform of the kind being suggested is a moot point. But before we discuss the proposal, it is better to get down to the brasstacks.

Professional governance

In a hi-tech age, the idea of specialisation surely has an irresistible attraction. That is what it feels like given the zeal of the UPA government to overhaul the steel frame of the bureaucracy whose functioning, it is often said, is shrouded in mystery. So, if the suggested proposals, based on the French model, fructify, aspirants to the civil services will be put through a specialised course instead of banking on tutorial classes for familiarisation, the long-term objective being professionalisation of governance instead of approaching it in an ad hoc manner.

By reducing the eligibility criteria to Class XII level, the proposal envisages holding the all-India entrance examination for central civil services on the pattern of the National Defence Academy, medical and law colleges and IITs. But passing the entrance will not be a guarantee for making it to the civil services.

Students who pass the entrance would join a national academy for a five-year course. At the end of three years, all students who complete the course would get a graduate degree. But only 90 per cent would be given service allotments on the basis of their performance; the remain-

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ing 10 per cent at the bottom of the merit list would have to quit. Candidates who get service allotments can then go in for a two-year service-specific professional course designed for the service concerned. This course would lead to a degree equivalent to an MBA degree but the government would reserve the right to drop students who "are not found good enough" and those who are not able to cross the

should have, like many other contemporary fellow-travellers who started their development journey with us. But because of many ills, including the one emanating from our Frankenstein bureaucracy, India seems to have got stuck in a development time warp. Now the point is, is that really so? Have we lost so much because of this behemoth, the formidable steel frame bequeathed to us by the Raj when it



set efficiency bar. These students "can go out into the market with their MBA-equivalent degrees".

The proposals being too radical, they have been put in the public domain for a wider and healthy debate. Similar proposals were made by the Economic Administrative Reforms Commission headed by Mr LK Jha way back in 1982. The YK Alagh Committee had also come forward with many proposals to reform the bureaucracy including bringing down the age of aspirants to the civil services.

Inherent constraints

If one takes a look at the articles and research papers on various socio-economic issues published in national broadsheets and magazines, it does seem that underdevelopment and other ills that ail this country stem from the various maladies afflicting the Indian bureaucracy and that is the prime reason for India not taking off the way it

departed from this country?

Hegel, the celebrated German philosopher, had said that history has its own logic and inherent dialectical force whereby it allows evolution to proceed through a synthesis of thesis and anti-thesis. Howsoever may one strive, one cannot change it. Karl Marx based his entire expostulations on scientific communism on Hegel's dialectical materialism, but today Marx and Marxism are maligned words. After all, is everything really as pre-ordained and pre-decided? Man has always lusted for better and striven in that direction, notwithstanding many glitches en route. But as they say, those who do not learn from history are foredoomed to repeat it. So, instead of being consigned to the soiled history pages by being its part, it is often advisable to make history, blaze a new trail and chart a new course.

No doubt the bureaucracy is to blame to some extent, along with other usual suspects, for many of

our problems. But no good student of Indian development history would and should deny the credit that the Indian bureaucracy deserves. True, many comparable nations have surpassed us but is it not true that many of them have also fallen by the wayside and are almost in tatters? We always look at the successful to criticise and despise our own development processes and achievements, without also looking at and comprehending the inherent constraints India is burdened with. Comparing the incomparable is never advisable.

Time and place

Look at Pakistan, Bangladesh, Nepal and many other countries in Africa and Latin America, and then we can better appreciate our own achievements. We were fortunate in not only having some selfless, dedicated and committed leaders at the helm at the time of Independence, who led us successfully through the many initial teething troubles. But we were also fortunate in having this strong institution of Indian bureaucracy which proved to be a great asset, something lacked by many.

Given the multi-layered complexities of Indian society, the Indian bureaucracy has done pretty well and our development would not and could not have been any different. Development proceeds as per the logic and genius of the time and place. One can only tinker with it without any avail. Is one sounding pessimistic and trying to justify the many wrongs committed in the past?

The answer is yes and no. Yes, because it could have been worse and no because one still has a rainbow future to be built on based on the lessons learnt from those wrongs and mistakes. And that is why the bureaucracy which is said to be hiding in a cocoon has itself been frantically trying to come out of it, responding again to the logic and genius of time and place which have changed a lot by now.

(To be concluded)

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THE STATESMAN

Cabinet defers decision on Lokpal Bill

Our Political Bureau
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RESISTANCE from within the Congress as well as the allies over the inclusion of the Prime Minister's office within the purview of the Lokpal on Wednesday forced the Union Cabinet to defer a decision on the Lokpal Bill. The introduction and passage of the Bill in Parliament is high on the Prime Minister's agenda.

However, it hit a roadblock on Wednesday in the Union Cabinet as a large number of members, cutting across party lines, voice their opposition to certain provisions of the Bill.



Their apprehensions ranged from the spectre of political instability which, they feared, would rear its head if the PMO was brought within the Lokpal's ambit, to the lowering of the dignity of the office.

In deference to the wishes of these members, a decision on the Bill's fate was deferred. The official version, of course, was that the Bill's clearance was put on hold to allow the government to hold more consultations on the subject. Also, it was said that a few senior members of the Union Cabinet, including Sharad Pawar and Ramvilas Paswan, were not present at the meeting.

It was only last month that the Prime Minister had made out a strong case for the introduction of the Bill as a way of checking corruption in high places and to enhance administrative accountability. He had also favoured the inclusion of the Prime Minister's office within the institution's ambit — a proposal which has been opposed by people such as vice-president Bhairon Singh Shekhawat and former Prime Minister Chandra Shekhar.

The Bill, which has been waiting to see the light of the day for some 35 years, was last introduced in the Lok Sabha in 2003 when the Vajpayee government tabled amendments bring the PMO within its coverage area. It has been introduced in Parliament at least half a dozen times, but could not make any headway each time because of the lack of consensus among and within political parties.

শিলিগুড়ি বামফ্রন্টেরই

শিলিগুড়ি পুরসভার নির্বাচনে অপ্রত্যাশিত কিছু ঘটে নাই। প্রত্যাশা মতোই বামফ্রন্ট এই পুরসভার দখল ধরিয়ে রাখিয়াছে। শুধু তাহাই নহে, ফ্রন্টের মোট আসনও আগের মতোই রহিয়াছে। অর্থাৎ পুরসভার ছত্রিশটি আসনেই বামপন্থীরা জয়ী হইয়াছেন। সুতরাং নির্বাচনী ফলাফল প্রত্যাশা মতো হইয়াছে, এ কথা বলাই যায়। আবার প্রত্যাশা মতো হয় নাই, ইহাও বলা যায়। কেননা বামেরা, বিশেষত সি পি আই এম, বিশেষত নির্বাচনের ভারপ্রাপ্ত রাজ্যের পুর ও নগরোন্নয়ন মন্ত্রী অশোক ভট্টাচার্য মহাশয় আশা করিয়াছিলেন, ফ্রন্ট অন্তত চল্লিশটি আসন দখল করিবে। যাহাতে আসন বাড়ানো যায়, সে জন্য পুর মন্ত্রী নিজে এবং তাঁহার দল চেপ্টারও কসুর করেন নাই। শাসনকার্য এমনকী নাওয়া-খাওয়া ভুলিয়া বিগত বেশ কিছু কাল যাবৎ মন্ত্রী মহোদয় শিলিগুড়িতেই হতো দিয়া পড়িয়া ছিলেন, ভোটাররা তাঁহাকে বিমুখ করেন নাই বটে, তবে প্রত্যাশা মতো একেবারে তাঁহার ভিক্ষার বুলি উজাড় করিয়া ভরিয়াও দেন নাই। মনের কোণে এই খেদটুকু পুষ্টিয়া রাখিয়াই পুরমন্ত্রীকে আগামী পাঁচ বছর অর্থাৎ পরবর্তী পুর নির্বাচন অবধি অপেক্ষায় থাকিতে হইবে।

শিলিগুড়ি কলিকাতার পরেই পশ্চিমবঙ্গের দ্বিতীয় গুরুত্বপূর্ণ শহর। সমগ্র উত্তর-পূর্ব ভারতের প্রবেশপথ তথা সিংহদুয়ারও বটে। শহরের গুরুত্বের সহিত তাল মিলাইয়া শহরে জনসমাগম যেমন বাড়িতেছে, নগরায়নের ন্যূনতম পরিকাঠামো নির্মাণের কাজটিও গুরুত্বপূর্ণ হইয়া উঠিয়াছে। এ শহরের পুর বোর্ড দখলে রাখা তাই বামপন্থীদের কাছে একটা বড় চ্যালেঞ্জ ছিলই। বামফ্রন্ট সফল। তবু অশোকবাবুর মুখে যে হাসি ফুটিল না, তাহার কারণ দুইটি। এক, বিরোধী পক্ষ হিসাবে তিনি কংগ্রেসকে দেখিতে চাহিয়াছিলেন। সে গুড়ে বালি দিয়া ভূগমূল কংগ্রেস তাহার জেট সঙ্গী বিজেপির জেতা একটি আসনের দৌলতে বিরোধী পক্ষের মর্যাদা পাইয়া গেল। দুই, বিজেপির একটি আসন লাভ। ইহাতে অশোকবাবু রীতিমত মর্মাহত। দিল্লিতে গদিলাভের গৌরবে গৌরবান্বিত কংগ্রেস আশা করিয়াছিল, শিলিগুড়িতে সেই মহিমার প্রতিফলন ঘটিবে। সেই আশা পূর্ণ হয় নাই। দিল্লি হইতে এক ঝাঁক মন্ত্রী ও নেতাদের নির্বাচনী প্রচারে হাজির করাইয়াও কংগ্রেস ভোটারদের মন গলাইতে পারে নাই, বরং একটি আসন কম পাইয়া নেতাদের কিছুটা লজ্জাতেই ফেলিয়া দিয়াছে। জেলা কংগ্রেস সভাপতি হয়তো ইতিমধ্যেই গদি হারািবীর জন্য প্রস্তুত।

তবে বিজেপির একটি আসন জয়ে বামফ্রন্টের পুর মন্ত্রীর অত 'লজ্জা' পাওয়ার কী আছে, তাহা বোঝা গেল না। এমন তো নয় যে বিজেপির এ রাজ্যের কোথাও কোনও রাজনৈতিক অস্তিত্ব নাই। পাঁচ বছর আগে পর্যন্ত এই শিলিগুড়ি পুরসভাতেই বিজেপির আসন ছিল। কলিকাতা পুরসভায় বিজেপির সমর্থন ছাড়া ভূগমূল কংগ্রেস বোর্ড গঠন করিতে পারিত কি? দমদম ও কৃষ্ণনগর লোকসভা কেন্দ্র হইতে জয়ী হইয়া বিজেপি সাংসদরা রাজ্য হইতে কেন্দ্রীয় মন্ত্রী থাকিয়াছেন। বিজেপি ছয় বছর ধরিয়ে ভারত শাসন করিয়াছে, এখনও মুখ্য বিরোধী দল, বেশ কয়েকটি রাজ্যে শাসক দল। শিলিগুড়ি পুরসভায় এই দলের একটি আসন লাভ কেন 'সর্বনাশের সংকেত' হইবে, বোঝা মুশকিল। ধর্মনিরপেক্ষতার অভিযান অন্য বস্তু, তাহা এই দুই একটি আসনের পাটিগণিতের ব্যাপার নয়। আর, বামফ্রন্টের নিজের ফল তো ভালই হইয়াছে। ৪৭টির মধ্যে ৩৬টি আসন দখল করা যথেষ্ট কৃতিত্বের কথা। সি পি আই এমের একার পক্ষে নিরঙ্কুশ গরিষ্ঠতাও কম কৃতিত্বের নয়। বিজেপির একটি আসন প্রাপ্তি লইয়া অত স্পর্শকাতরতা পুরমন্ত্রী না-ই বা দেখাইলেন! এত 'লজ্জা' দেখিলে হয়তো পুরসভার মনে হইতে পারে— আদিখ্যেতা।

REFORMING BUREAUCRACY

Flaws In The New Idea Of Recruitment

5/8 9/10

By AARTI KHOSLA

The idea of "catching them young" in the context of administrative reforms being mooted by the new government according to recent press reports is, no doubt, appealing. "Efficiency" must be the motivating factor behind the suggestion. We think that when our boys and girls who join IITs through the Joint Entrance Examination and IIMs through the common admission test for engineering and MBA degrees become so professionally competent, a similar system of selection will give us a crop of efficient administrators. Is being an efficient executive in a multinational company, global bank, financial institution or a successful business house the same as being an efficient civil servant? Is efficiency the only quality we are looking for in a civil servant?

These questions are very relevant in devising new systems for bureaucratic reforms. Where has the administration failed the people? We talk of an inadequate and inefficient delivery mechanism. Benefits meant for the people do not reach them. As the Prime Minister himself accepted in his first address to the nation: "the government at every level today is not adequately equipped and attuned to deal with economic and social challenges facing the nation".

Class XII entrance

Bad governance is like a stumbling block in improving the lot of our people and a hindrance in the speedy development of the nation. Revamping the administration is, therefore, the need of the day and any exercise in reforms has to cover the entire spectrum of administration, including the mode of recruitment. The current methods of recruitment to the higher echelons of civil service through the Union Public Service Commission, though well organised and systematic, may not be perfect considering the fact that it is not giving us men and women with the right attitude, a spirit of service and qualities of leadership.

Of course, there are a few exceptions here and there. Is the new idea an answer to the present system? An all-India entrance test for central services after class XII may be appropriate, but how many candidates will be selected? Obviously more than the number of vacancies since there would be a provision for weeding out some at the end of three years and then again at the end of the five-year period.

The author is former additional secretary, department of administrative reforms

Admitting such a number in the National Academy of Administration and "educating" them for a graduate degree will mean wastage of public resources. The academy will turn into a degree college only. This will also give rise to "pulls and pressures" for not turning out those not considered fit for any specific service at the end of three years.

Another flaw in the idea of an entrance test for selection to join the National Academy of Administration is that only those who have passed out of public

servants into a degree college only? Are we training our would-be civil servants for a college degree course for three years? The same is true of the MBA degree at the end of five years. What would be its worth? Is the course the same as the MBA course for management schools? If so, is it relevant for civil servants? If not, how will those left holding this MBA degree find placements after spending five years in the academy unlike MBAs from management schools who get placements du-



schools in Class XII would get selected. Does it not happen with admission tests for IITs and IIMs or medical courses? Children of well-placed parents educated in elite schools only get selected. It is indeed a "rare" phenomenon when a rickshaw-puller's son or daughter makes it to the medical course through an all-India entrance test. Under the proposed system, we will make the services more "elitist" contrary to the belief that it would become less elitist. Even their stay for five years at the elite academy meant to groom civil servants for the elitist services would add to the aura of their elitism.

Faux degree

It will definitely put them apart. One can visualise our civil servants strutting about after they are out of the academy and into their jobs. At present, the two-year training course for the IAS in the National Academy of Administration, Mussoorie, even makes them lose their touch with Mother Earth!

Secondly, what happens to those who are left holding their graduate degrees at the end of three years? Is this graduate degree the same as that of a university? If so, are we not turning the academy into a training centre for civil

ring campus recruitment itself?

If the course at the academy is going to be professional, is it desirable or meaningful for the administrator of tomorrow? What we need for civil servants is a broader outlook which come with liberal education covering areas like arts and literature, languages, political philosophy and economics rather than vocationalisation of education.

A better recruitment alternative would perhaps be to continue with the graduate qualification for recruitment to civil services as at present but let the selection be for the number of vacancies for that particular year as a whole for all the services. There should then be a two-year intensive training for all those selected for the National Academy of Administration.

This common training should aim at inculcating qualities of leadership, empathy for common people, integrity, ethics in administration, spirit of service, efficiency and transparency in all their actions and commitment to public duties with a sense of justice — qualities so very essential in an administrator of a welfare state.

At the end of two years and depending upon their performance and option, they should be allotted to different

services — IAS, IFS, IPS and other central services.

Subsequent to service allotment, a one-year intensive professional training should be imparted to them in the professional training institute of their particular service, which should also include field training relevant to each service. The service-specific training will equip them to handle their job while the two-year training with all their fellow officers in the academy will prepare them to deal properly with the public, their peers, their colleagues in other departments besides promoting efficiency and a desirable value-system.

While we debate on the ways to improve administration, let us not forget that administration is not simply all-India services or other Class I services. It is, in fact, the entire machinery of the government at political level, the senior decision-making level and the implementation level. It is not only the district collector at the district level but the patwari, the tehsildar, the head clerk, the policeman, the teacher of the government-run school, the doctor in the primary health centre.

Lower rungs

It is not only the secretaries or joint secretaries, the commissioners of income tax or Customs, the senior police officers; it is the section heads, assistants, accountants, auditors, inspectors, ticket-checkers, constables and all those at the lower rungs of the bureaucracy whose role is very crucial as most of them come face to face with the public.

Good governance will be a distant dream if we do not cover such functionaries in our efforts to improve the recruitment and training methods. If we believe that with good leaders at the top rung of the administration, the middle and lower-rung functionaries will deliver, we are wrong.

Let us, therefore, first define the goals for administrative improvement and then think of ways of achieving them. These goals were defined for us by leaders in the past. Dr Radhakrishnan had said, "We should have in this country, administrative integrity first, efficiency next, economy third". C Rajagopalachari had emphasised: "Character is a fundamental requirement of a good administrator, as well as qualities including honesty and integrity". Let us look for an indigenous model. The French model, for example, will not do for a country of our size with millions still below the poverty line.

Manmohan push for Lokpal Bill

Statesman News Service

DEHRA DUN, Sept. 29. — Stating that the institution of Lokpal is urgently needed at the Centre now more than ever, Prime Minister Dr Manmohan Singh said the Lokpal Bill has to be enacted as it also figures in the Common Minimum Programme.

Dr Singh was addressing the august gathering at the valedictory function of the three-day conference of Lokayuktas and Uplokayuktas at the Forest Research Institute here. "Over the past three decades, the Lokpal Bill has been introduced in the Parliament as many as eight times, but unfortunately could not be entered into the statute book", Dr Singh said, adding, that the absence of an institution such as this was also to some extent affecting the working of Lokayuktas at the state level.

"After deliberations and discussions, the consensus is in favour of a multi-member institution with quasi-judicial powers. Members of Parliament, ministers and even Prime Ministers can be brought under the purview of the proposed legislation", Dr Singh said. He did not, however, voice his comments on this, unlike the President, who had spoken of the need to bring the President and the Prime Minister's office under its purview.

Admitting that the bureaucracy was in a pathetic shape, the Prime Minister conceded that the public administration system would be revamped

PM promises aid

DEHRA DUN, Sept. 29. — Before flying back to New Delhi, Dr Manmohan Singh promised his one-time colleague Uttaranchal chief minister Mr ND Tiwari an aid of Rs 850 crore, besides other benefits. He also promised Mr Tiwari help in handling Maoist insurgency at the border. — SNS

and an administrative reforms commission would be set up by the government for this purpose.

On the functioning of Lokayuktas, Dr Singh said that they have been unearthing corruption cases and recommending measures to redress the grievances of people.

According to Dr Singh, Lokayuktas should work systematically, quickly and effectively to ensure that people not only get justice, within a reasonable time frame. Further, they should not be perceived as "overbearing organisations" creating bottlenecks in the functioning of government.

"We live in a world of uncertainty and administrative decisions have to factor in this," while appreciating the valuable service rendered by these in making state governments effective.

Stating that corruption was on the rise, the Prime Minister said such institutions were necessary for good governance. On the recommendations made by the Lokayuktas, he suggested that an all-party legislative committee should be set up to examine the possibilities of implementation and public opinion invited on this.

CoS and effect ✓

9-10-08 To reform the bureaucracy 2/19

Atal Behari Vajpayee had tried to reform the bureaucracy, appointed a committee and received its recommendations. Nothing happened. Vajpayee's first finance minister, Yashwant Sinha, had tried to reduce government waste, appointed an expenditure reforms commission and received its recommendations. Nothing happened. Now Manmohan Singh is trying to reform the bureaucracy and cut down expenditure and UPA spin doctors are saying something will happen. For proof, we are being offered selectively leaked deliberations of another committee, the committee of secretaries (CoS), the permanent body of the bureaucracy's big boys. CoS has apparently decided that officials will have to make do with fewer luxuries. Foreign trips will be restricted, staff and staff salary will be reduced, vehicle use will be monitored, etc. The funny thing about this is that the secretaries are calling this minimalist cutback austerity, demonstrating, spectacularly, the adage that everything is relative. Even assuming CoS can push these measures through, a very generous assumption, the cumulative impact on government waste will be moderate at best. The expenditure commission had actually come close to a radical solution. The Vajpayee government could never muster the guts or the will; as I&B minister, Sushma Swaraj had suavely sabotaged attempts for a leaner ministry.

Now, another raft of proposals have been added to those already existing. The Prime Minister will personally vet CVs for crucial bureaucratic appointments, suitability will be assessed in a professional manner, and a national debate will take place on whether civil servants should be recruited straight after high school. The last proposal has been touted as revolutionary. Regressive is a better adjective. Recruiting 18/19-year-olds will not increase the efficiency of civil service because the two or three years of extra training and the early career start will do nothing to change the system. Post-high school recruitment will, however, reduce the quantum of talent available for higher education, including technical and scientific courses. The government is thinking too small or too big. A practical approach will start with three basic proposals — find money for early retirement schemes, allow lateral entry from the private sector at senior levels and make it possible for officials to get sacked. And please don't ask the committee of secretaries to clear the plan.

STEAL FRAME

How Bureaucratic Corruption Can Be Curbed

By SUDHANSU MOHANTY

The Prime Minister seems earnest in putting the bureaucracy in shape. Well begun is half done. The rationalisation of postings in the highest echelon of bureaucracy in the central government seems to have gone down well. His missive to the chief ministers to ensure transparency and accountability, though an admission of bureaucracy's failure to deliver, couldn't have been more apt. Nor for that matter his exhortation to the ministers that they cease to use the PSUs in their domain as their personal fiefdoms.

Bureaucracy needs clinical surgery if it is to deliver the goods. It is clearly not going to be easy. So entrenched are the vested interests and so well networked are they that it would be indeed a Herculean task to clear its Augean stables.

Rat-race

To start with, it needs to be asked why people wish to or wished to join government service. The answer is not hard to find. In the past people flocked to join the rat-race to join bureaucracy because in a government-controlled polity and economy, there was the feeling of exercising power. Plus government service had a halo attached to it. This is not to forget that it was deemed that government service was like a Hindu marriage difficult to marry and difficult to be divorced!

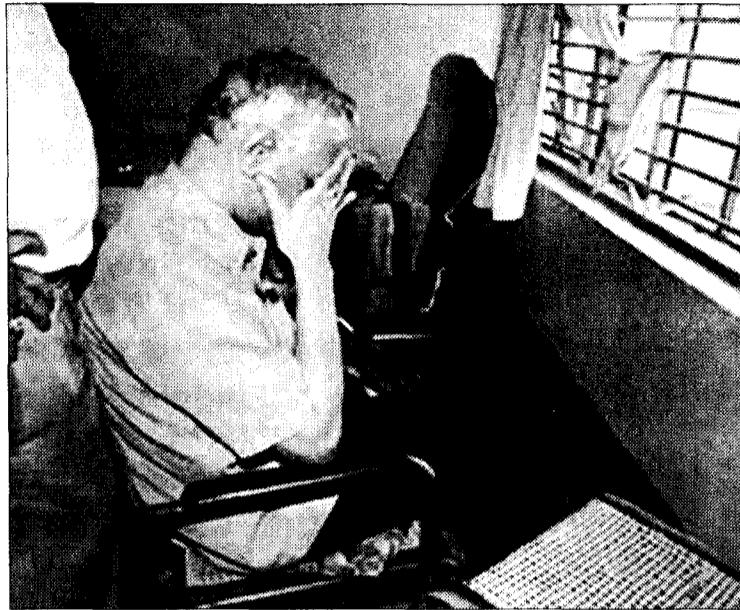
The time-scale promotion prescribed on the basis of what is clearly a subjective annual confidential report written at the end of the year put the bureaucrats on an escalator. Since promotion was more or less assured and the threat of departure tenuous till one attained the retirement age, there was no urge to walk on one's assigned path. The civil servants clearly lacked the serving will. The change-over from the British-era mindset of revenue collection and command/control administration to developmental administration left much to be desired. The condescending attitude to the subjects continued unabated, more exacerbated now with the chimera of a rapid social mobility for self.

So full of themselves did the bureaucrats get that they refused to see anything beyond their individual noses. The first casualty was service delivery. This was coupled with rampant corruption, only made worse by investment of huge discretionary power in their hands with the ushering in of a socialistic pattern of society. The Indian summer of state control reached its apogee with the permit-quota-license raj.

The author is Controller of Finance and Accounts in a Pune-based organisation.

Nor has liberalisation of the 1990s helped much to denude their immense clout. The civil servants reinvented themselves, and corruption and its first cousin, nepotism, continued unabated. So endemic are these that upright civil servants lament why they ever joined a kleptocracy. They feel utterly marginalised and bereft of any motivation to work.

Their disillusionment is not



hard to comprehend. They see the corrupt and smart-alecs go places without doing a spot of work up and up the totem pole of bureaucracy, to choice postings laid thick with perks and lucre. The translucent transfer policy helped them to reap rich dividends. Civil servants identified themselves wholly with their political masters forgetting the basic dictum of civil service neutrality; such servility was apotheosised with cushy postings and post-retirement sinecures. The largesse has gone on unhindered.

Criteria

Take the simple issue of selection to higher posts in the central government. The process involves empanelment of officers from organised civil services by a Civil Services Board comprising a few senior secretaries who are required to go through the dossiers of eligible officers who fulfil the requisite number of qualifying service. Surprisingly the criteria of empanelment are not made public; they are treated with utmost secrecy and the process shrouded with mystified and bizarre rules of the game to facilitate just reward for well-networked officers. The result is there for all to see.

Questionable officers of impeccable antecedents are empanelled while others more deserving are left out. This in times when the right to information is the buzzword the world over!

What staggers human comprehension is that no questions could be asked about the process of selecting personnel. And to think that the higher echelon of Indian bureaucracy would be handpicked from these panels!

The Prime Minister seems to understand these groundswells of resentment and disenchantment. Hence two redressal bodies have lately been constituted to reform the top layers of the

bodies as a permanent and formal arrangement to examine the ills in the bureaucracy and motivate the officers by directly addressing the problem.

All these doubtless are extremely laudable moves. But it is important to remember that it is about time that the basic terms and conditions of civil service need a drastic change and revamp. Complacency engendered by permanency of service that is built into the system needs to be replaced by calculated uncertainty that can only be addressed by working towards a non-tenurial civil service where performance and performance only should be the yardstick. The New Public Management successfully worked out in advanced western countries that limits the politicians' role to oversee outcome while output remains the bureaucrats' domain should also keep the charge of outside interference at bay. It inexorably would force the civil service to believe in brutal meritocracy. And, of course, the system more transparent.

Ridiculous

The Official Secrecy Act that continues to be all-encompassing needs a drastic change. In a country where decisions are taken in utmost secrecy, perhaps a strict observance of this omnibus Act could mean divulging even such trivia as, say, the Prime Minister's food habits, amounts to violation of the Official Secrets Act. Such is the all-pervading reach of Section 5 of this law. Truly our fondness on bans and for going secret can often travel ridiculous distances. India was the first country to ban the entry of copies of Salman Rushdie's *The Satanic Verses* under the Indian Customs and Excise Duty Act.

In times today of blind corruption when individual possessive instinct subordinates societal weal and given man's natural proclivity to grab and steal, adequate checks have to be necessarily put in place. A true Right to Information Act that believes in transparency is only the foundation. It is necessary but not sufficient. Sufficiency can be ensured if such threats to public propriety are checkmated by whistle blowers.

The CVC has already empowered officials to whistle blow so that the wrongs reach the public. It is time whistle blowing is recognised as one of the salutary ways to contain the growing malaise of corruption in society government and corporate and sanctified through law in India. The hands of civil society must be strengthened for only it can act as true ombudsman to purify the system and contain the growing menace of corruption.

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Panel of 'outsiders' to help pick top bureaucrats

■ **Panel of 'outsiders' to help pick top bureaucrats** | Expert committee of management guru, ex-officials will look into annual confidential reports of secretaries

RITU SARIN

NEW DELHI, SEPTEMBER 14

WINDS of reforms are set to sweep across one of the most closely guarded territories in the country—the bureaucracy. In a radical move, the Government has decided to allow 'outsiders', including a management guru, into the secretive zone of appointments of bureaucrats—and examine their annual confidential

reports (ACRs).

By next month a three-member panel of experts will be in place to assist the Appointments Committee of Cabinet (ACC) in picking Secretaries, Additional Secretaries and Joint Secretaries.

Sources say that the committee will comprise a management expert, probably a former or serving head of an Indian Institute of Management, a retired



secretary to the Government and a former chairman of the Union Public Service Commission.

The idea is said to have come from Prime Minister Manmohan Singh who has now given his approval for its composition.

The expert panel will scrutinise ACRs of senior bureaucrats who are in line to be empanelled and will thus provide a second opinion to the ACC before key appointments.

The ACC presently comprises four secretaries to the Government.

Sources say the motivation for setting up the group was the concern expressed by the Prime Minister over the manner in which ACRs of senior bureaucrats were prepared and handled. While ACRs of several officers in contention for important posts were found to be incomplete, some were found to be



The panel idea was his very own

missing altogether. After a series of meetings in the Cabinet Secretariat, the names of the two former officials have been finalised and two management experts have reportedly been sounded off for the third position on the panel.

The panel is expected to function from the Cabinet Secretariat and will hold sittings every month. Officials say the preference is for a

management expert who does not belong to Delhi so that he is away from the jockeying that goes on for the top posts.

The appointment of the expert panel follows the setting up of a three-member committee consisting of Cabinet Secretary B K Chaturvedi, Prime Minister's Principal Secretary T K A Nair and Personnel Secretary A Tewari to streamline the ACC appointments and look into complaints of officers above the rank of Joint Secretaries.

They go strictly by the rules

If one looks back into the past, one may be able to think up a long list of former parliamentarians, politicians and experts who have had their say in administrative reform. It is one of those things to which lip service is readily paid, given the added bonus of routine payment and a satisfying sense of a duty fulfilled. I.K. Gujral, former prime minister, was among the few who struck a note of discord when he declared: "I don't have a magic wand that can get rid of all the bureaucrats. This is reality and we have to face it". Now we have the prime minister, Manmohan Singh, boldly entering the war against babudom, yet without a "magic wand".

Two reform units have been set up, one to examine the "grievances" of senior officials, and the other to consider how they are to be removed. Underlying these and other related reports is the facile assumption that the *babus* are a "demoralized" lot and they alone, not anyone else, are victims of a system that needs readjustment or fundamental change. Yet, surely, babudom is itself the system, and if it is believed that they are victims of a system they have created and continue to uphold, it is a tribute to their skills of projecting myth as reality.

Consider, for example, the information bill. There was nothing in it to which the *babus* objected. It was put together in detailed consultations with the bureaucrats themselves. But there was considerable dragging of feet when a proposed amendment made *babus* accountable. Two things emerge from this. First, no reform worth the name is possible without the cooperation of the *babus*, who are the subject of the reform. Second, babudom is never so alert as when its interests, including its survival, are threatened. In the present context, there seems to be a near-decisive will to leave things alone, to go on tinkering around.

Attention has been deflected to such riveting details as the 267 points on which Planning Commission files must

obtain clearance before they are finally sanctified. On the other hand, a methodology has been introduced in the prime minister's office by which the wanderings of a file can be "tracked". But if the number of clearance points is cut down, "tracking" will cease to be a problem. Senior bureaucrats have proposed "brainstorming" sessions in the PMO to replace the old arrangement of addressing complaints separately to the cabinet secretariat or the department of personnel. Nowhere in this hapless tinkering is any reference made to complaints or grievances other than those of the *babus* themselves. This is not to say that *babus* have no cause for discontent. But it is a discontent against the system that has been shaped by the *babus* and in which they have consolidated themselves in a position that is impregnable.

Among these minor grievances or problems, magnified by the publicity given to them, not the least by the *babus* themselves, are transfers, the politician-babu nexus and appointments. All of these can be set right or partially remedied only at the cost of "improving" a system that has already been proved unsatisfactory.

Transfers first began as a trickle to which the establishment could turn a blind eye. Soon its volume ballooned till it acquired the status of a convention. It enabled governments new to office to organize massive displacements of officials, it allowed ministers to appoint *babus* of their choice and penalize others, and provided an opportunity to powerful outside influences to interfere in appointments and transfers in blatant violation of the rules.

No surprise that the *babus* resented this and have ever since agitated against the "transfer policy", though in practice they have taken the easy way out by cultivating their political bosses. The theory that the role of independent civil servants is to provide ministers with expert and objective advice and opinion has remained just that — a theory that was in-

N.J. Nanporia asks if Manmohan Singh will be able to reform a bureaucracy weighed down by its inheritance and lack of pragmatism



Book-keeping

herited from the Indian civil service of yesteryear, oblivious of the fact that the ICS's primary responsibility was to serve the imperial interest. The last can now be read as "national interest", but today it means nothing more than the minister's interest.

Who can deny that in this climate the majority of *babus* have fallen back on the mutual back-scratching that now governs the *babu*-politician nexus. One

cannot be certain who is more responsible for this unhealthy relationship — the *babus* or the politicians. But both have combined to preserve this nexus and it is this that is the source of Gujral's ire.

Does the citizen have a voice in all this? His encounters with the *babus* at all levels of the administration have become a legend so much so that the routine is now accepted without protest. Ironically, this is exactly what the "steel

frame" of the ICS was designed to promote — to keep the citizen at a distance and deny him accessibility.

That was the imperial idea. And an approximation of it is what the *babus* have inherited and have tried, much too successfully, to protect. The steel frame, once conceived as a device for holding the country together, became a way to distance the civil servant from the people. This was reinforced by a lack of accountability except within the brotherhood conditioned to protect its own interests, predictable salary increases and "fixed" tenures. Indira Gandhi's idea of a "committed bureaucracy" was not an offshoot of these conditions but a bid, however misconceived, to reject them.

So what is the flaw that has to be addressed? The average Indian *babu* is as efficient, intelligent and dedicated as his counterpart in similar service anywhere in the world. But the scope for these qualities has been steadily reduced by the *babu*-politician nexus and the *babu*'s inherited attitude. Attitude cannot be changed by rules or structural adjustments or by fiat, particularly when both the *babus* and the politicians have a stake in maintaining the *status quo*.

A successful engineering firm that dated back to the pre-independence era and had become an institution once approached a journalist to write its history. The offer was accepted. In due course, the journalist was informed by the firm's manager, rather apologetically, that someone from Delhi would arrive to "vet" the proposal. The *panjandrum* eventually arrived, polite, suave, self-assured — a quintessential member of *babudom*.

In every detail of his manner it was communicated to the journalist that the latter was a supplicant who was merely seeking clearance for his project from the great man from Delhi. The infuriated journalist eventually walked out of the meeting.

The rules no doubt required the offi-

cial to go through the motions of examining the project, yet it was his attitude that had proved to be the spoiler — an attitude which regarded every proposal as suspicious, as something which someone wanted to push and it was the *babu*'s prerogative to prevent and deny.

In the administrative-cum-political jungle that is Delhi, with everyone watching everyone else in the hope of catching the other take the wrong step, it is infinitely safer to say no rather than yes. The offshoot of this is that a problem is either ignored or is kept pending or made the subject of an inquiry. The alternative of getting round the problem by subordinating the rules to the priorities of the proposal is routinely evaded. The pragmatism that makes this turnaround possible is unknown in *babudom*.

In an interview, not long before his death, Jawaharlal Nehru confessed that his failure to "reform the civil servants" was among his "greatest regrets". That he even attempted anything of this sort will surprise many. Has Manmohan Singh then taken on a "mission impossible"? It would seem so though it is more than likely that he has scaled down his original ambition of "reform" to the more modest goal of making the best of *babudom* as it is.

As foreign investments poured into China, doubts began to be aired about the limitations of the Chinese judicial system. Pragmatism was called into play and the judiciary was bypassed in favour of an efficient system of arbitration that suited the needs of modernity and of promoting the confidence of foreign investors. That is an attitude ruled out in *babudom*. In the long term, hopefully, some amount of pragmatism may seep into the bureaucracy along with the new blood which the prime minister is trying to infuse into the *babudom*. Till that happens, India's bureaucracy, as the Political and Economic Risk Consultancy ruled, will rank as the worst in Asia.

‘In China, the judiciary was bypassed to institute an efficient system of arbitration that suited the needs and promoted the interests of foreign investors. That pragmatism is absent among India's babus’

Taking power to the people

With a few changes, the proposed conciliation board bill could meet the demand for legal services, at the grassroots, argues N.R. Madhava Menon

For an outside observer, the controversies arising out of the introduction of the West Bengal pre-litigation conciliation board bill, 2004 are inexplicable and unfortunate. An otherwise welcome initiative in providing access to justice to rural litigants at the block level is today the victim of misguided propaganda and party politics. Instead of throwing out the baby with the bath water, the measure could be examined in content, and changes recommended in the provisions capable of inviting mischief. It is possible to redeem the instrument which the country desperately needs in order to address the unmet demands for legal services at the grassroots.

Bill No 9 of 2004 in the Statement of Objects and Reasons explains that it aims to settle disputes which have not yet reached the courts by providing a forum at the block level. It is upto the parties to decide whether they want to petition the block-level conciliation board seeking settlement of their disputes or file a litigation in appropriate court. The attractions are: a local forum, quicker decision, less cost, participatory methods and mutually acceptable settlement. Jurisdiction in civil cases is limited to matters not exceeding the value of Rs 1 lakh and to compoundable offences in criminal matters. Obviously small complaints against government departments which otherwise require travel to district or state headquarters can also get processed at the local level through the conciliation board. There is no jurisdiction if a court is in seisin of the dispute, or if the subject matter of the dispute falls outside the territorial jurisdiction of the block concerned.

Conciliation is not defined in the bill. It is understood as a third party intervention (in this case the conciliation board) in settling a dispute outside the

courts. A "conciliator" is defined as a "person of integrity and repute residing within the area of the block whose name is included in the panel maintained by the Panchayat Samithi". The conciliation board is constituted by the *panchayat samiti*. It is to be a three-member body with the conciliator acting as the chairman and a counsellor and a legal advisor as members. A counsellor is defined as one trained in counselling, engaged in social work and whose name is included in the panel maintained by the *panchayat samiti*.

Similarly, a legal advisor is defined as an advocate residing in the area and whose name is included in the panel maintained by the *panchayat samiti*. The *panchayat samiti* appoints the members, is empowered to remove them (subject to an appeal to the legal services authority), supervises the working of the board and controls the conciliation board fund. The *panchayat samiti* is immune to legal proceedings for anything done in good faith under the provisions of the act or any rules made thereunder.

Obviously the *panchayat samiti*, a politically elected body, is to be a key player under the conciliation board bill. Its powers are sought to be moderated by requiring consultation with the state legal services authority and the sub-divisional officer in preparing the panels of conciliators, counsellors and legal advisors. Does this role of the *panchayat samiti* militate against the impartial functioning of the conciliation boards? Would people of repute and integrity volunteer to function as members of the board? Would political considerations prevail in the choice of members, thereby undermining the credibility of the institution and the process of dispensation of justice?

These are legitimate concerns which need to be addressed while processing the bill in the assembly and its standing committee. As a body exercising quasi-

judicial functions, it is better to employ a retired judicial officer settled in the area as the conciliator/chairman. Alternatively, the District Legal Services Authority, of which the district judge is the chairman, may be given the authority to

seen to be so by keeping the executive hand out of it.

To inspire the confidence of women, Dalits and other marginalized sections, the conciliation board must have at least one member from amongst them. It

should be mandatory for the board to explain the process to the parties, clarify the rights and obligations under the law and provide alternative solutions which appear to be fair and closer to decisional law. This is important when parties are not

represented by lawyers. The district legal aid committee should act as an ombudsman of conciliation boards to ensure the independence, fairness and rule of law in conciliation processes and settlements.

According to section 7, the secretary of the board, who is a low-paid officer of the block, is supposed to examine the application and decide whether it should be referred to pre-litigation conciliation. This is an invitation for corruption. It is better that the board or any member of it personally hears every applicant on appointed time and decides on action to be taken. The secretary is only to collect and register applications and give dates in consultation with the chairman of the board if there are too many to be handled on a given day.

The board after hearing the parties is to pass a resolution and accordingly prepare a conciliation report. The passing of the resolution requires interaction with parties and accommodation of their legitimate concerns. It is here that the counsellor and conciliator have to be proactive and people-friendly in their approaches and techniques.

Given the existing power relations in rural areas, it is prudent to allow parties to be represented by lawyers and to arrange for a legal aid lawyer when the party is indigent. However, a condition may be imposed that no case will be adjourned to suit the convenience of lawyers. There must be a provision compelling the revenue authorities, police, district administration and *zilla parishad* to cooperate with the conciliation boards and execute their obligations under settlements reached without delay.

Pre-litigation conciliation is part of legal aid as it enables access to justice without having to go for expensive, protracted litigation. The conciliation board is also supposed to explain the law to the parties and improve legal awareness of the people of the block which a regular court does not per-

form. This is indeed promotive of rule of law. If carefully managed it has the potential to contain avoidable litigation and promote village solidarity essential for development.

Decentralized governance through *panchayati raj* institutions under the 73rd constitutional amendment is incomplete without dispute resolution mechanisms also put in place at the grassroots level. The ideal situation would be the *gram nyayalaya*, consisting of a professional judge and two respected lay members of the locality hearing and deciding disputes in the villages through conciliatory methods quickly, fairly and efficiently.

A model in this regard is recommended by the Law Commission of India in its 142nd report. The conciliation board cannot be a substitute for Law Commission proposed *gram nyayalaya*, a first level multi-member court subordinate to the district court with all the powers of a civil court. Its special feature is it is a mobile court which hears and decides matters in the village where the event happened, procedures are less adversarial and more conciliatory and remedies are restitutive rather than punitive.

Conciliation, mediation and arbitration are now part of mainstream methods of dispute resolution in every country in the world. Section 89 of the amended Civil Procedure Code now mandates every court to employ them liberally in cases filed in courts. It is accepted widely by litigants in as much as Lok Adalats help settle thousands of cases every year pending for long years in court.

In the circumstance that the state constitutes another forum for conciliated settlements at the block level, it is to be welcomed. However it has to be structured as a fair, credible institution free from local politics and power struggles. The legal profession has a duty to give constructive support in the development of such a structure in the cause of justice to the poor.



Misguided and unfair

Conciliation, mediation and arbitration are now part of mainstream methods of dispute resolution

The author is director, National Judicial Academy, Bhopal

SPECIAL CADRE

The idea of specialization holds an irresistible attraction in a high-tech age. The Indian government is no longer satisfied with merely toning up the existing bureaucratic set-up, but wishes to have a shiny new generation of bureaucrats glistening with specialized training from the day they leave school. The policy-makers have looked to France for inspiration, and have evidently been encouraged by the prestigious reputation of the schools of administrative training there. The plan now is to introduce an all-India entrance examination for civil services after Class XII for a five-year course in a national academy. The proposal is but newly-hatched; it awaits responses and debate. The actual procedure, if at all it is finalized and implemented, is likely to be less interesting than the attitude revealed. Governance is being seen as a profession and a vocation, like a doctor's or a lawyer's, and as a matter of intense and focussed education, such as that given in the Indian institutes of technology.

There is much that is positive in the idea. Professionalization in any sphere leads to efficiency and accountability. But it needs to be asked what kind of professionalism is needed for which kind of work and how early such professional training should begin. There is much to be said for broad-based general education up to the early twenties, especially since there are numerous young people who do not always know their own minds or cannot assess their aptitudes until they have matured into graduation stage. Administration especially requires a large fund of general understanding. To have a specialized entrance test would also devalue the school-leaving examination: instead of ensuring that it comes up to scratch, this merely introduces a new set of papers to sit for. Should the new system be introduced, it would exclude all doctors and lawyers, and all aspirants who have been studying for the present civil services examination. It is up to the policy-makers to see how these disadvantages can be turned into gain. Also, in its present form, the proposal is short on security: for those not successful after three years, the course will merely become a three-year degree in administration with which to face the harsh world of job shortages. Much more thought has to be expended on the proposal if it is to become the first step towards the effective administrative system the government is dreaming of.

Govt proposes national exam after school

Catch 'em young bid for babus

ALOKE TIKKU

New Delhi, Aug. 18: In a move that can radically alter the procedure for joining the civil services, the Manmohan Singh government has thrown up for discussion a proposal that envisages an entrance exam at the undergraduate level to qualify for IAS, IFS, IPS and allied services.

If the proposal fructifies, civil service aspirants will have to go through a specialised, hold-all course instead of banking on private tutorials. The long-term objective, said PMO sources, was to "professionalise" governance rather than approach it in an ad hoc manner.

By reducing the eligibility criteria to the Class XII level, the plan is to hold the all-India entrance exam for central civil services on the pattern of the National Defence Academy, medical and law colleges and IITs. But passing the entrance will not guarantee a job.

Students who pass the entrance would join a national academy for a five-year course. At the end of three years, those who complete the course would get a graduate degree. Of them, 90 per cent would be given service allotments on the basis of their performance; the remaining 10 per cent at the bottom of the merit list would have to quit.

Candidates who get service allotments can go in for a two-year service-specific course. This course would lead to a degree equivalent to an MBA but the government would reserve the right to drop students who "are not found to be good enough". They "can go out into the market with their MBA-equivalent degrees".

Officials acknowledge that the proposal, worked out by principal secretary to the Prime Minister T.K.A. Nair and cabinet secretary B.K. Chaturvedi, is too radical to be implemented without a public debate. It will be put up on the website of the department of personnel and training over

the next few days and the feedback examined by the proposed Administrative Reforms Commission before an official view is taken.

An official said a similar proposal mooted by the Economic Administrative Reforms Commission headed by L.K. Jha in 1982 was considered too radical by subsequent governments for implementation.

The Y.K. Alagh committee that looked into the recruitment process for the civil services had also spoken of the need to bring down the age of aspirants. Existing rules prescribe graduation as the minimum educational qualification and a maximum age limit of 30.

SHAKE-UP

- All-India entrance exam for all-India and central services (IFS, IAS and allied services) for class XII students like the joint entrance exam for IITs
- Students passing can enrol in a national academy for a five-year course
- At the end of three years, a graduate degree will be given
- Candidates will be offered jobs based on merit after three years
- Candidates with a service-specific allotment will enrol for a two-year service-specific course
- Degree at the end of five years will be equivalent to an MBA

If the proposal is implemented — officials suggest it may take a couple of years — lakhs of students in their twenties, who have spent years preparing for the exam, would be out of the race in one stroke, as also doctors and engineers.

The government believes the new breed of bureaucrats would be more honest as they would not have had to spend lakhs on graduation and then tutorials.

Officials believe the services would no longer remain elitist as the course would be affordable to poor students.

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THE TELEGRAPH

Radical proposals to change face of bureaucracy

By Our Special Correspondent

NEW DELHI, AUG. 18. The Manmohan Singh Government has proposed a number of initiatives aimed at almost re-inventing the administrative system in the country. Of these, the most radical proposal is to begin the process of civil service recruitment right after a student passes her/his Class XII examination.

The proposal is to conduct an All-India Entrance Examination for the All-India and the Central Services for Class XII students on the pattern of the National Defence Academy, Medical or Law schools or the IITs.

The idea is that successful candidates would join a "National Academy" for a five-year course. However, it is not yet clear how big would be the annual intake of this proposed Academy.

At the end of three years, the selected students would get a graduate degree; but there will be a merit list and those at the top would be inducted for a two-year service-specific course.

Those who make it to the two-year course will be subjected to examinations and tests and the successful ones will get a degree equivalent to an MBA.

But not all would automatically get absorbed in the services.

However, it is clarified that "the recruitment procedure [to services] will adhere to [the] existing reservation quota and requirements of individual All-India Services.

Apart from the radical proposal to change the recruitment paradigm of the All-India Services such as the Indian Administrative Services, the Indian Foreign Service and the Indian Police Service, the Manmohan Singh Government also proposes to reorient the administration. All these proposals are part of the Prime Minister's promise to make the Government accountable.

A high-level committee, under the chairmanship of the Cabinet Secretary, has been constituted to study the recommendations of two earlier committees — the Surendranath Committee and the P.C. Hota Committee — to suggest systemic changes in the administration. Another committee will go into the grievances redress mechanism within the administration.

Yet another committee — headed by the Cabinet Secretary and consisting of the Principal Secretary to the Prime Minister and the Chief Vigilance

Commissioner — will consider how to improve probity, efficiency and transparency in the Central and State Governments.

The Prime Minister has also ordered a review of the Central services conditions as there is a widespread feeling that promotions in these services are slow and erratic.

Model code

The Administrative Staff College in Hyderabad has been asked to prepare a Model Code of Governance, applicable to government employees.

Dr. Singh has asked for a review of the administrative structure in the entire north-east region to tone up the delivery system.

The Department of Personnel has been asked to initiate a dialogue with all the State Governments on improving the service delivery at the district-level.

Lastly, to send a message across the bureaucracy that the Prime Minister is serious about bringing about a new work culture, the Government has banned senior government officials from accepting short-term international consultancy assignments, putting an end to a practice abused on a large scale in recent years.

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Another reason to withdraw Pre-Litigation Bill

The experience of the Ghosh family in Manikbati village, in danger of losing 17 acres of land to CPI-M cadres, is typical of the terror that compels villagers to toe the party line. It is a grim reminder of the burning alive of a villager in Gopiballavpur in full view of the police. The only crime the Ghosh family has committed is not to subscribe to the Marxist line. It soon discovered that the family land was usurped by Marxist hoodlums who alleged it is vested in the district land and land reforms department which does not possess the documents to prove this. That is of no consequence to cadres who hold that non-sympathisers have no place in the village. This is the way villages have been "cleansed". District officials are cautious in their reactions — for obvious reasons — while the Ghosh family must be convinced that it is a long-drawn battle with little hope of the local administration aiding the process of justice.

All this raises fresh doubts about the Pre-Litigation Block Level Conciliation Board Bill, held back under pressure. It is reasonable to ask what fate awaits the Ghosh family if the "dispute" over the land reaches conciliation board level. The CPI-M talks glibly about "speedy justice" to bring relief. Everyone else has doubts about the verdict with the board composed predominantly of political activists. Would denial of an opportunity to seek redress in a court of law bring relief to the Ghosh family? The answer is known to everyone except the CPI-M. The administration has been so hopelessly politicised that villagers know that, though protracted, the normal legal channels provide a more level playing field. Withdrawal of the Pre-Litigation Bill altogether is necessary. The CPI-M must relent.

Internal warnings on mole threat ignored

By Praveen Swami

NEW DELHI, AUG. 3. Research and Analysis Wing analysts warned of the possibility that their organisation may have been penetrated by hostile intelligence services as early as 1994: a full decade before the escape of a suspected CIA mole, Rabinder Singh.

Counter-intelligence experts at RAW issued the warnings on the basis of a series of inhouse studies, which looked at the case of the CIA's highest-ranking defector, Aldrich 'Rick' Ames. Ames' case was compared with those of a dozen RAW officers whom hostile intelligence services had attempted to compromise, in some cases successfully.

In general, the studies found, RAW had failed to address early warning signs. Subsequently, successive chiefs received warnings that the organisation needed a thorough evaluation of its counter-espionage procedures, but calls for reform were largely ignored.

Ames began working for the Soviet Union's external intelligence service, the KGB, in 1985. During his nine-year career as a double agent, Ames almost sin-

gle-handedly succeeded in blinding the CIA's eyes in the Soviet Union. Until his arrest, he sold the KGB the names of 25 top CIA assets in the Soviet Union, a list which included one woman. Ten of the CIA's agents were subsequently exe-

RAW IN CRISIS — II

cuted by the Soviet Union. Ames' role as a double agent was only discovered after the collapse of the Soviet Union, and the scandal shook the CIA to its roots.

Lessons from Ames case

Among the lessons of the Ames affair that most interested RAW experts was that his eventual recruitment by the KGB was preceded by a long history of professional misconduct. During his early career, Ames' superiors complained about violations of security regulations, disregard of financial and procedural requirements, unauthorised sexual relationships, and alcoholism.

However, the locker-room camaraderie amongst CIA staff — one common to most intelligence organisations — meant his career did not suffer. Ames'

long history of misconduct was never entered in his service record and he received no real admonishment from the organisation.

Mr. Singh's career followed a remarkably similar path. His superiors complained about his conduct as early as 1985, while he was part of a covert intelligence unit targeting Khalistan terrorists. On that occasion, he was charged with attempting to secure the release of a convict in return for personal favours, using his intelligence work as cover. This affair, and later suggestions that he was living beyond his means, were never investigated. Potential problems posed by his inappropriate contact with both affluent civilians and politicians, as well as the fact that his family was living in the United States, were ignored. So were rumours that Mr. Singh was fishing for information he did not need from colleagues.

Structural problems

CIA counter-intelligence personnel also discovered several structural problems with security that enabled Ames to operate with relative ease. He often carried classified work home. On

occasion, he walked out of both the CIA's Headquarters in Arlington, Virginia, and the U.S. Embassy in Rome carrying bags and envelopes stuffed with documents. The CIA's computer system allowed him to download secret documents on to disks and his personal laptop, making it easy to pass on the material to his KGB handlers. Like RAW, the CIA had minimised random searches of staff leaving their offices.

On the basis of the Ames affair, counter-intelligence experts recommended a series of counter-measures. RAW's physical security had to be beefed up, they said, and searches of senior staff made a regular feature at its offices. Searches had been minimised through the 1980s as a result of staff protests but a firm stand now needed to be taken, counter-intelligence personnel said.

New data security measures were also recommended, including the purchase of photocopiers that made it impossible to copy documents without authorisation. Several of these measures have been instituted in the wake of the Rabinder Singh scandal.

(Concluded)

আদালতের অধীনেই সালিশি ব্যবস্থা চায় কেন্দ্র, আইন কমিশন

দেবব্রত ঠাকুর

সালিশি আইন-বিধি চায় কেন্দ্রীয় সরকার, জাতীয় আইন কমিশনও। কিন্তু সেই সালিশি পশ্চিমবঙ্গের বামফ্রন্ট সরকারের ঢঙে পঞ্চায়েত নিয়ন্ত্রিত 'রাজনৈতিক' সালিশি নয়। বিকল্প বিবাদ-মীমাংসা ব্যবস্থা (অলটারনেটিভ ডিসপিউট রেজোলিউশন বা এ ডি আর) এর সালিশি (মেডিয়েশন) ব্যবস্থাকে আদালতের অধীন একটি কাঠামো হিসাবেই গড়ে তুলতে চায় কেন্দ্র ও জাতীয় আইন কমিশন।

অন্য দিকে, বামফ্রন্ট সরকার যে-সালিশি বিলটি বিধানসভায় পেশ করেছে, তাহলে আদালতকে পাশ কাটিয়ে সরাসরি পঞ্চায়েত সমিতিতেই প্যানেল তৈরি থেকে বোর্ডের সদস্য নিয়োগের ক্ষমতা দেওয়া হয়েছে। সালিশি বোর্ডের কাজকর্মের নিরঙ্কুশ তদারকির দায়িত্ব সেই পঞ্চায়েতের হাতেই। সালিশিকারী কে হবেন, সেই বিষয়েও বলা হয়েছে। বিজ্ঞ পেশার স্থানীয় বিশিষ্ট মানুষের কথা। সেই ব্যক্তির রাজনৈতিক আনুগত্য নিয়োগের ক্ষেত্রে বিচার্য হবে না, এমন গ্যারান্টি নেই ওই বিলে।

রাজনৈতিক প্রচারে নেমে বামফ্রন্ট তথা সি পি এম বারবার বলার চেষ্টা করেছে, এই সালিশি ব্যবস্থা আদতে রাজীব গান্ধীর সময়কার, ১৯৮৭ সালের। সেই সময়েই কংগ্রেস কেন্দ্রীয় স্তরে আইন করে গিয়েছে। সি পি এম '৮৭ সালের লিগাল সার্ভিসেস অথরিটি আইনের কথাই বলছে। সেই আইন-বলেই মহকুমা স্তর পর্যন্ত লোক আদালত বসেছে। কিন্তু সেই আইনে রাজনৈতিক কর্তাদের হস্তক্ষেপের কোনও সুযোগ নেই। তবে অন্য সুযোগ ছিল। লিগাল সার্ভিসেস অথরিটি আইনকে ব্লক স্তর পর্যন্ত প্রসারিত করলে 'বিচার ব্যবস্থায় রাজনৈতিক নিয়ন্ত্রণ'-এর যে-প্রশ্নটি নিয়ে এত তর্কবিতর্ক, টানাপোড়েন, বামফ্রন্ট সরকার বা সি পি এম-কে তার মুখোমুখি হতে হত না।

কয়েক বছর আগে তামিলনাড়ুর 'সালেম বার অ্যাসোসিয়েশন বনাম ইউনিয়ন অব ইন্ডিয়া'র একটি মামলার রায়ে বিকল্প বিরোধ-মীমাংসা ও সালিশি বিষয়ে দু'টি আলাদা বিধিনিয়ম তৈরির জন্য আইন কমিশনকে অনুরোধ করেছিল সুপ্রিম কোর্ট। তার ভিত্তিতেই কমিশন দু'টি আলাদা বিধির মডেল খসড়া কেন্দ্রের কাছে জমা দিয়েছে। দু'টি মডেল বিধি রয়েছে। সেই বিধিতেই স্পষ্ট, বিচার ব্যবস্থাকে সচেতন ভাবে রাজনীতিকদের হাতের বাইরে রেখেছে আইন কমিশন।

এ ডি আর সংক্রান্ত বিধিতে বলা হয়েছে: ● কোনও বিবদমান পক্ষের আবেদন পূরণে আদালত প্রথম শুনানিতেই ঠিক করবে, সেই মামলায় মীমাংসার জায়গা আছে কি না এবং মীমাংসা দু'পক্ষের কাছে গ্রহণযোগ্য হবে কি না। আদালত চাইলে দু'পক্ষের মতামত ১৫ দিনের মধ্যে জানতে চাইতে পারে। বাদী ও বিবাদী রাজি হলে আদালত সালিশিকারী বা মধ্যস্থের কাছে বিষয়টি পাঠাবে। ● কে হবেন সালিশিকারী বা মধ্যস্থ, সেই সম্পর্কে দু'পক্ষের পছন্দ জানতে চাওয়া হবে। আদালতও মধ্যস্থ নিয়োগ করতে পারে।

● মধ্যস্থের প্যানেল তৈরি করবে হাইকোর্ট, জেলার প্যানেল তৈরি করবেন জেলা জজ এবং জেলার দায়রা জজ। ● জাতীয়, রাজ্য ও জেলা স্তর ভেদে মধ্যস্থের প্যানেলে রাখা যাবে সুপ্রিম কোর্ট, হাইকোর্ট এবং জেলা ও নিম্ন আদালতের অবসরপ্রাপ্ত বিচারকদের। ১৫ বছরের আইন ব্যবসার অভিজ্ঞতা আছে, এমন আইনজীবী, ১৫ বছরের অভিজ্ঞতা আছে এমন অন্য পেশার ব্যক্তি, অবসরপ্রাপ্ত আমলা-অফিসার এবং পেশাদার মধ্যস্থদের এই প্যানেলভুক্ত করা যাবে। কোন দোষে দুই হলে প্যানেলে থাকা যাবে না, সদস্যকে খারিজ করা যাবে, তা-ও স্পষ্ট করা হয়েছে ওই খসড়ায়। খারিজ করার অধিকারও থাকবে উর্ধ্বতন আদালতের হাতে। ● মীমাংসায় কেন্দ্রীয় সাক্ষ্যপ্রমাণ আইন বা দেওয়ানি কার্যবিধির দ্বারা মধ্যস্থ প্রভাবিত বা চালিত হবেন না। তিনি ন্যায়-নিরপেক্ষতার নীতি, বিবদমান দু'পক্ষের অধিকার ও দায় এবং পারিপার্শ্বিক পরিস্থিতির নিরিখে বিবাদের মীমাংসা করবেন।

● তবে মীমাংসায় পৌঁছানোর মূল দায় কিন্তু বাদী-বিবাদীর। সালিশিকারী শুধু সেই মীমাংসায় পৌঁছতে তাঁদের সাহায্য করবেন। ● ৬০ দিনের মধ্যে মীমাংসা প্রক্রিয়া শেষ করতে হবে। ● বাদী ও বিবাদী নিজেরাই সালিশিকারীর কাছে সওয়াল করতে পারবেন। চাইলে আইনজীবীর সহায়তাও নিতে পারবেন তাঁরা। ● সালিশি মীমাংসা চূড়ান্ত হলে তাঁর ভিত্তিতে লিখিত চুক্তি হবে। সেই চুক্তি পাঠাতে হবে সংশ্লিষ্ট আদালতের কাছে। আদালত তা নথিভুক্ত করে সেই মীমাংসাকে আইনি বৈধতা দেবে।

বিলটিতে বলা হয়েছে: সংশ্লিষ্ট ব্লকের পঞ্চায়েত সমিতি রাজ্য লিগাল সার্ভিসেস অথরিটির সঙ্গে পরামর্শ করে সালিশি বোর্ড তৈরি করবে। বড় ব্লক হলে একাধিক বোর্ড গঠন করা যাবে। বোর্ডে এক জন সালিশিকারী, এক জন আইনি উপদেষ্টা এবং এক জন কাউন্সেলর থাকবেন। বোর্ডের সদস্যদের দু'বছরের জন্য নিয়োগ করা যাবে। বোর্ডের কোনও সদস্যকে সরিয়ে দেওয়ার ক্ষমতা পঞ্চায়েত সমিতিতেই দেওয়া হয়েছে।

বিলটিতে আরও বলা হয়েছে: যথেষ্ট কারণ ছাড়া কোনও সদস্য যদি পরপর তিনটি সভায় গরহাজির হন, কোনও সদস্য যদি কোনও কারণে দণ্ডিত হন এবং পঞ্চায়েত সমিতি যদি মনে করে, তাতে তাঁর নৈতিক বিচ্যুতি ঘটেছে, কেউ যদি শারীরিক বা মানসিক ভাবে সদস্যপদের অযোগ্য বিবেচিত হন, যদি তাঁর পদের অপব্যবহার করেন, তা হলে পঞ্চায়েত সমিতি তাঁকে সরিয়ে দিতে পারবেন।

অর্থাৎ বোর্ড-সদস্যদের নিয়োগ ও খারিজ করার ক্ষমতা সরাসরি পাচ্ছে পঞ্চায়েত সমিতি। পঞ্চায়েত সমিতির নিয়ন্ত্রক তার সভাপতি। তিনি নির্বাচিত রাজনৈতিক প্রতিনিধি।

10 minutes that shook the Assembly

HT Correspondent
Kolkata, July 19

IN A flash of vintage Trinamool rage, the party today wreaked havoc in the Assembly — attacking Law Minister Nisith Adhikari, draping him in black cloth, hurling rotten eggs and chairs, and generally making a mockery of House decorum.

The object of ire: the West Bengal Block-Level Pre-Litigation Conciliation Board Bill, 2004. While the Speaker dubbed today's ruckus as "a black day for democracy", the Trinamool justified it saying it had to block the "black law". The party believes that by taking the judiciary to the panchayat level, the Left is trying to influence the judicial system.

The drama in the House lasted about 10 minutes. As soon as the second half of the session commenced, Trinamool MLAs sporting black badges and waving black flags posted themselves at the entrance to block Speaker Hashim Abdul Halim. As Halim took the seat after managing to get in with the help of security personnel, all hell broke loose, with Trinamool MLAs shouting slogans against the Bill and clos-



BACK IN FORM: Trinamool MLAs protest in the Assembly on Monday.

HT PHOTO

ing in on the law minister.

Before the thinly attended Treasury Bench could figure out what the Opposition was up to, Sonali Guha had rushed to Adhikari's chair, shoved him aside and grabbed his microphone. Another Trinamool MLA, Ashok Deb, used the opportunity to drape a black cloth around his head in a symbolic gesture of hanging.

A stunned Adhikari slumped to his seat, his glasses lost in the melee of angry footfall

of Opposition MLAs. Seeing the comrade's distress, ministers led by Kanti Ganguly rushed to his defence. They formed a wall around him to help him introduce the Bill, the women ministers his only insurance against Sonali's ire.

Meanwhile, three eggs aimed at the Speaker landed on the secretary's desk. Deb along with Subrata Bakshi and Jyotipriyo Mullick mounted the desk and started waving black flags and showering

copies of the Bill on Adhikari.

The Trinamool then staged a walkout, but not before damaging the microphone, flinging chairs at the Treasury Bench and running away with the bulbs. The Congress also joined the walkout in protest against the law. After their attempts to stall the Bill in the House failed, Trinamool MLAs went out and blocked the Government Place East-Kiran Shankar Roy crossing, leading to the arrest of 38 MLAs.

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পুর-ভোট: ফল প্রত্যাশিত

রাজ্যের আঠারোটি পুরসভার নির্বাচনের ফলাফলে এ বার চমক নাই। এক দিকে বামফ্রন্ট, অন্য দিকে বিরোধী কংগ্রেস, তৃণমূল কংগ্রেস ও বিজেপির জোট যে যেখানে ছিল, সেখানেই দাঁড়াইয়া আছে। অন্তত বামফ্রন্টের পুরসভার সংখ্যা কমে নাই। পার্বত্য দার্জিলিঙের একটি পুরসভাতেও বামপন্থীরা জি এন এল এফকে ক্ষমতাচ্যুত করিতে পারে নাই। তবে দুইটি পুরসভায় বাম ও বিরোধীদের জেতা আসন সমান-সমান, মধ্যমগ্রাম পুরসভাটি বামফ্রন্ট তৃণমূল কংগ্রেস-কংগ্রেস জোটের কাছ হইতে ছিনাইয়া লইয়াছে। এক হিসাবে এই ফল লোকসভা ভোটের ধারাবাহিকতা রক্ষা করে নাই। ওই নির্বাচনের বিপুল সাফল্য বামফ্রন্ট পুরনির্বাচনে দেখাইতে পারে নাই। অবশ্য দুইটি ক্ষেত্র ভিন্ন। পরিণতবুদ্ধি ভোটার জানেন, কোন নির্বাচনটি স্থানীয় স্বায়ত্তশাসনের জন্য, কোনটি রাজ্যের শাসক গোষ্ঠী নির্ধারণ করার জন্য, কোনটি বা সারা দেশের শাসকদের বাছিয়া লওয়ার জন্য। পুরসভার নির্বাচন স্থানীয় উন্নয়ন ও বিকাশের নির্দিষ্ট প্রক্ষেপ লড়াই হয়।

সম্ভবত সেই কারণেই দেখা যায়, জাতীয় স্তরের যে সব দল নীতি ও কর্মসূচি লইয়া বিরোধকে কেন্দ্র করিয়া পারস্পরিক কাজিয়ায় লিপ্ত হয়, তাহাদেরই স্থানীয় নেতা-কর্মীরা পুরসভা বা পঞ্চায়েত দখলের লড়াইয়ে বিবাদ ভুলিয়া একজেটে আসরে নামেন। পশ্চিমবঙ্গের গ্রামে-গঞ্জে ইতিপূর্বে এই প্রবণতাটি ব্যাপকভাবে লক্ষিত হইয়াছে। এই প্রবণতা হইতেই রাজ্যের বাম-বিরোধী ভোটারদের একটি মঞ্চে টানিয়া আনিতে 'মহাজোট'-এর ধারণা চালু করা হয় এবং অন্তত নিচু তলায় কংগ্রেস, তৃণমূল কংগ্রেস ও বিজেপির কর্মী-সমর্থকরা বাম প্রার্থীর বিরুদ্ধে এক্যবদ্ধ হন। দেখা যায়, যেখানেই এ ধরনের জোট গড়া সম্ভব হইয়াছে, সেখানেই বাম প্রার্থীরা পরাস্ত হইয়াছেন। কিন্তু উপরতলার নেতাদের অহমিকার দ্বন্দ্ব, ব্যক্তিত্বের সংঘাত নিচু তলায় এই জোটকে বিকশিত হইতে দেয় নাই। ফলে বিরোধী পক্ষ ছত্রভঙ্গ ও বিভক্ত হই রহিয়া গিয়াছে, যাহার সুযোগে শাসক বামফ্রন্ট নিজের জয়যাত্রা অব্যাহত রাখিয়াছে। এবারকার পুরনির্বাচনেও ইহা লক্ষ করা গিয়াছে। বস্তুত, স্থানীয় অগ্রাধিকারের সহিত প্রাদেশিক বা জাতীয় স্তরের অগ্রাধিকারের তফাত শিরোধার্য করিয়া তদনুযায়ী স্থানীয় স্তরের সংগঠনকে স্বাধীনভাবে আপন কর্মসূচি প্রণয়ন ও রূপায়ণ করিতে না দিলে এই ঘটনা ঘটিতেই থাকিবে।

মমতা বন্দ্যোপাধ্যায় জাতীয় স্তরে সি পি আই এমকে কংগ্রেসের 'বি-টিম', রাজ্য স্তরে কংগ্রেসকে সি পি আই এমের 'বি-টিম' আখ্যা দিতেই পারেন। প্রণব মুখোপাধ্যায় বা সোমেন মিত্রের সঙ্গে নিজের রাজনৈতিক লড়াইও তিনি জারি রাখুন। কিন্তু আসানসোলে, কুলটিতে, উলুবেড়িয়ায় বা মধ্যমগ্রামে কংগ্রেস সমর্থকদের সহিত তৃণমূল কংগ্রেস সমর্থকদের একজেট হইতে না দিলে তাহার সুযোগ তো বামপন্থীরা সদ্ব্যবহার করিবেই।

তাই বিভিন্ন স্তরের সংগঠনকে স্বতন্ত্র দল রূপে গণ্য করার অভ্যাস আয়ত্ত করিতে হইবে। পঞ্চায়েত বা পুরসভা স্তরের সংগঠনকে দলের প্রাদেশিক বা সর্বভারতীয় স্তরের সংগঠনের প্রয়োজন, চাহিদা বা অগ্রাধিকার মানিয়া চলিলে চলিবে না, সম্পূর্ণ স্বাধীনভাবে নিজের প্রয়োজন ও চাহিদা অনুযায়ী সিদ্ধান্ত গ্রহণ করিতে হইবে। সে সিদ্ধান্ত যদি দলের সর্বভারতীয় কর্তা বা নেত্রীর পছন্দ না হয়, তবু তাহা প্রত্যাহার বা রদ করা চলিবে না। এ ধরনের সাংগঠনিক নীতি অনুশীলন করিলে প্রতিটি স্তরের সংগঠকরাই নিজেদের মতো কাজ করিতে পারিবেন, প্রাদেশিক বা জাতীয় প্রেক্ষিতের বেড়ি তাহাদের হাত-পা বাঁধিয়া ফেলিবে না। সদ্য-সমাপ্ত পুরনির্বাচনে তৃণমূল কংগ্রেস যে রাজ্য-রাজনীতিতে নিজের পায়ের তলার জমি হারাইবার ধারাবাহিকতা অটুট রাখিয়াছে, তাহা কতকটা ওই কারণেই। তৃণমূলের ক্ষতি অবশ্য কংগ্রেসের লাভ রূপে দেখা দিয়াছে, যাহা প্রমাণ করে, বাম-বিরোধী ভোট এখনও বীতশ্রদ্ধ হইয়া বাম পক্ষে ফিরিয়া যায় নাই, তৃণমূল কংগ্রেস হইতে কংগ্রেসে স্থানান্তরিত হইয়াছে মাত্র, একদা যেমন কংগ্রেস হইতে তৃণমূল কংগ্রেসে স্থানান্তরিত হইয়াছিল। তৃণমূল কংগ্রেস বামপন্থীদের রাজনৈতিক বিকল্প হইয়া ওঠার যে সম্ভাবনা জাগাইয়াছিল, নেতৃত্বের অদূরদর্শিতায় তাহা বহুলাংশে বিনষ্ট। রাজনীতিতে কোনও শূন্য স্থান থাকে না, তৃণমূল কংগ্রেসের খালি করিয়া দেওয়া স্থান ক্রমে কংগ্রেসের দখলে আসিতেছে। দুই বছর পরে রাজ্যে আবার বিধানসভার নির্বাচন হইলেও মমতা বন্দ্যোপাধ্যায় আর কোয়ার্টার-ফাইনাল, সেমিফাইনালের তামাশা লইয়া হাজির হন নাই। কারচুপির পরিচিত অভিযোগ ব্যতীত পরাজয়ের অন্য অজুহাতও দিতেছেন না। আত্মসমীক্ষা ও রাজনৈতিক বিশ্লেষণ অপেক্ষা 'শহিদ দিবস' উদ্‌যাপনের আনুষ্ঠানিকতা ও চড়া নাটকীয়তা তাহার কাছে অধিক গুরুত্বপূর্ণ।

Power to Panchayats

Prime minister has a prescription

to treat rural ills

It was Rajiv Gandhi who said only 20 paise of every rupee spent on development reaches the rural poor. Two decades later, another prime minister has raised questions about the effectiveness of our rural development measures. Prime minister Manmohan Singh's call for adopting a system of providing "block grants to districts based on their incidence of poverty to plan and implement strategies that optimise their resource potential" could raise the hackles of state governments. There is a fear that such direct funding would violate the 'federal' character of our polity. Until the 1970s, New Delhi's funds for states were strictly linked to specific programmes and projects. Over the years, the states have managed to reduce the role of the Centre to a fund distributor with little control over the disbursement process. This can work only where states are well-governed; but for the rest, it is a case of the black hole phenomenon. It is no one's case that New Delhi should play the role of Big Brother in funds allocation. But the argument that the Centre would use panchayats to diminish the authority of state governments does not hold any water in the context of today's fractured polity. With regional parties emerging as a strong political force and coalitions becoming the norm in New Delhi, there is hardly any case for such a fear.

The current political picture reveals that states that are serious about the panchayati raj model of development have achieved better results in terms of human development indices. West Bengal and Karnataka are prime examples. Rural development programmed in New Delhi or state capitals cannot provide solutions to local needs. Reform-oriented India should embrace all steps to weed out red tape. Babus and their political masters can be expected to try their best to stymie Singh's vision of rural development through panchayats. Singh has talked about 'a holistic vision of rural development encapsulated in a district plan'. Rightly so. One of the aspects of the decentralisation programme initiated in Kerala in the 90s was resource mapping at panchayat level. Capacity building to equip elected members was also part of the initiative. This approach enriched development programmes and enhanced the utilisation of funds. Grandiose schemes and large Central doles will continue to go down the drain unless proper delivery systems are put in place. Decentralisation is the key to transform rural India.

কিছু পুর বোর্ড গঠনে কংগ্রেস-তৃণমূল জোট

স্টাফ রিপোর্টার: রাজ্যে যে-সব জায়গায় জোট বেঁধে পুর বোর্ড গঠন সম্ভব, সেখানে সেটাই করবে কংগ্রেস ও তৃণমূল কংগ্রেস। দু'দলের নেতানেত্রীরা মুখে তা স্বীকার করছেন না। তবে দু'দলেরই নিচু তলার কর্মীরা এই ব্যাপারে এককণ্ঠ। পাশাপাশি নানা ক্ষেত্রে বামফ্রন্ট সরকারের ব্যর্থতার প্রতিবাদ জানাতে বিধানসভায় তাঁরা আগের মতোই 'ফ্লোর কো-অর্ডিনেশন' করবেন বলে তৃণমূল ও কংগ্রেসের পরিষদীয় দলের নেতারা বুধবার জানিয়েছেন। এ দিনই বিধানসভার অধিবেশন শুরু হয়েছে।

বিধানসভার বিরোধী দলনেতা পঙ্কজ বন্দ্যোপাধ্যায় বলেন, "আমলাশোলে, চা-বাগানে অনাহারে মৃত্যু, আইনশৃঙ্খলার অবনতি-সহ রাজ্য সরকারের বিভিন্ন ব্যর্থতা নিয়ে সরব হব আমরা। ৬ জুলাই মূলতুবি প্রস্তাবও আনব।" কংগ্রেসের মুখ্য সচিব অসিত মিত্র বলেন, "আমরা তৃণমূলের প্রস্তাবের বিরোধিতা করব না।" পুর ভোটে সি পি এম সম্মত চালিয়েছে বলে তৃণমূলের মতো কংগ্রেসও বিধানসভায় প্রতিবাদ জানাবে বলে অসিতবাবু জানিয়েছেন। বাইরেও সরকারের ব্যর্থতা নিয়ে ব্যাপক প্রতিবাদ গড়ে তোলা দরকার বলে তৃণমূলের পরিষদীয় দলের বৈঠকে দাবি উঠেছে।

ওই বৈঠকেই সাধন পাণ্ডে, সৌগত রায়েরা লোকসভা থেকে পুর ভোটে দলের বিপর্যয়ের কারণ সম্বন্ধে কথা বলেন। বি জে পি-র জোটসঙ্গী হওয়ার প্রসঙ্গে সংখ্যালঘুরা তৃণমূলকে 'পরিত্যাগ' করেছেন বলেও মন্তব্য করেন সৌগতবাবু। তবে সংখ্যালঘুদের বিষয়ে সৌগতবাবুর সঙ্গে তৃণমূল নেত্রী মমতা বন্দ্যোপাধ্যায় একমত নন। এ রাজ্যে অনুপ্রবেশ নিয়ে বি জে পি যে-ভাবে সংখ্যালঘুদের দোষারোপ করে, এ দিন সেই সুরেই মমতা বলেন, "সি পি এম নিজেদের স্বার্থে এ রাজ্যে অনুপ্রবেশ ঘটিয়েছে।"

লোকসভা ও পুর ভোটে শোচনীয় ফলাফলের পরিপ্রেক্ষিতে দলের ভাবমূর্তি উজ্জ্বল করতে আইন-অমান্য, রাজ্যপালের কাছে

দরবার ইত্যাদি কর্মসূচি নেওয়া দরকার বলে তৃণমূলের বিধায়কেরা বৈঠকে জানান। বিরোধীরা এ বারের অধিবেশনে কী করতে পারেন, তা আঁচ করে মুখ্যমন্ত্রী বুদ্ধদেব ভট্টাচার্য বামফ্রন্টের পরিষদীয় দলের বৈঠকে শাসক দলের বিধায়কদের সতর্ক করে দিয়েছেন। বৈঠকের পরে ফ্রন্টের মুখ্য সচিব রবীন দেব বলেন, "মুখ্যমন্ত্রী বলেছেন, ভোটে বিপর্যস্ত বিরোধীরা নানা রকম প্ররোচনা সৃষ্টি করতে পারেন। আমাদের সদস্যদের সংযত থাকতে হবে।"

এ দিকে, মমতা বলেছেন, "এ রাজ্যে সি পি এম বেঁচে আছে কংগ্রেসের জন্যই। কংগ্রেসকে এর মূল্য দিতে হবে। কারণ, সি পি এম আমাদের শেষ করে দিতে চাইছে।" পুর ভোটে তাঁরা আগের তুলনায় 'খারাপ' ফল করেননি বলে তাঁর দাবি। তিনি বলেন, "গত পুর ভোটে আমরা ৫৬টি আসন পেয়েছিলাম। এ বার পেয়েছি ৫৪টি। খারাপ কী হল? রাজারহাট, মধ্যমগ্রাম, দমদমেও এ বার আমাদের খারাপ ফল হত না। সি পি এম রীতিমতো সম্মত চালিয়ে আমাদের হারিয়েছে।"

সি পি এমের সম্মতের বিরুদ্ধে দলীয় প্রতিনিধিদের নিয়ে রাষ্ট্রপতির কাছে অভিযোগ জানাতে যাবেন তৃণমূল নেত্রী প্রয়োজনে রাস্তা অবরোধ ও বন্ধও ডাকতে পারেন।

মমতার এই ছমকিকে কোনও গুরুত্ব দিচ্ছে না সি পি এম। ওই দলের রাজ্য সম্পাদক অনিল বিশ্বাস বলেন, "তৃণমূলকে শেষ করার জন্য ওদের দলের নেতানেত্রীরাই যথেষ্ট। অন্য কারও সাহায্য লাগবে না। আর হেরে গেলেই তৃণমূল বন্ধ, অবরোধের কথা বলে। এটা মানুষ জানে বলেই গুঁরা সাড়া পান না। ফলাফল বেরোনোর পরে ২৪ ঘণ্টা কেটে গিয়েছে, হিসাবটাও গুঁরা জানেন না। গত পুর ভোটে তৃণমূল-বি জে পি জোট পেয়েছিল ৬৫টি আসন। এ বার পেয়েছে ৫২টি।" এ দিকে, বামফ্রন্টের ফলাফল নিয়ে মুখ্যমন্ত্রী এ দিন মহাকরণে বলেন,

Eight civic bodies in LF kitty

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Statesman News Service

KOLKATA, June 29. — The Left Front today won eight of 17 municipalities that went to the polls on 27 June. The Congress won three civic bodies, the GNLF two and the Trinamul Congress one.

Kulti Municipality produced a hung House, while Uluberia (Howrah) and Mal (Jalpaiguri) threw up a tie.

Independents emerged as a major group in Kurseong Municipality by winning 11 of the 20 wards. The rest were won by the GNLF, which also retained Darjeeling and Kalimpong municipalities.

Of the eight wins, the Left Front wrested Madhayamgram from the Trinamul and retained seven municipalities — Dum Dum, South Dum Dum, Rajarhat-Gopalpur, Rajpur-Sonarpur, Maheshtala, Gangarampur and Asansol.

Uncertainty prevailed in the formation of the board in Kulti Municipality. Of the 35 wards, the Left Front, which had run the earlier board, won 14 wards against the Trinamul-BJP combine's 16. The alliance will, however, need to get the support of the Congress, which won five wards, to form the board.

The Congress retained Sainthia, Kaliaganj and Islampur municipalities, while the Trinamul returned to power in Egra, losing Madhayamgram to the Left Front.

In the bypolls to two wards in Kolkata Municipal Corporation, the CPI-M and the Trinamul won one each.

MANMOHAN PROPOSES RURAL BUSINESS HUBS

PM pushes China line



We need to learn from the Chinese model of rural business hubs that add value to agricultural produce in rural areas

SNS & PTI

NEW DELHI, June 29. — The Prime Minister today proposed creation of rural business hubs on the lines of the Chinese model and ramp up of rural development programmes to make agriculture an engine of growth. "We must examine our rural development programmes afresh," Dr Manmohan Singh told a chief ministers' conference on panchayati raj.

Stressing on the need to fulfil the Gandhian vision of decentralised production, Dr Singh said: "We need to learn from the Chinese model of rural business hubs that add value to agricultural produce within the rural area."

Wondering just how much of the nearly Rs 17,000 crore spent annually on rural development schemes was being properly utilised, the Prime Minister said the issue, though a state subject, needed to be set right at the Centre.

Bihar, Jharkhand and West Bengal are among a dozen states that are not implementing rural development schemes.

Dr Singh called for a strategy to unleash the productive potential of agriculture and allied activities and also questioned the compartmentalisation of efforts in multiple schemes. "Do we have too many schemes which are fragmented in concept, rigidly designed and impose national parameters on highly differentiated local realities in terms of resource endowments or felt needs?"

To address this, he suggested that the rural development programmes must be examined afresh. "Concerns that we have not been able to unlock varying resource potential of different regions, use funds optimally and make panchayati raj institutions effective can all perhaps be addressed by such a policy shift."

There's a need to adopt a system of providing grants to districts based on their "incidence of poverty" and

to plan strategies for optimum use of the resources. These funds need not be tied to specific schemes but linked to a holistic vision of rural development to make district plan a reality, as provided by the constitutional amendment on panchayati raj.

Terming the challenge of rural employment as the most obvious one, the Prime Minister said: "The experience of the past half-a-century of development tells us that a vibrant and productive agrarian economy is the foundation of high and sustained economic growth."

Stressing on the need to institutionalise the system of local self-governance, he said: "We perhaps need to architect a uniform vision for rural development that can respond differently to situations in different states."

Rural development minister Mr Raghuvansh Prasad Singh said with 700 million poor people in 600,000 villages, steps should be taken to empower the rural sector for which states' cooperation was essential.

পুরসভা নির্বাচন, ২০০৪ দলভিত্তিক ফল (বন্ধনীতে ১৯৯৯ সালের ফল)

পুরসভা	মোট আসন	ফ্রন্ট	কং	তৃণ	অন্য
মালবাজার	১৬	০৮(০৮)	০৪(০৫)	০৩(০২)	০১(০১)
পঙ্গারামপুর	১৮	১৫(১২)	০০(০০)	০৩(০৬)	০০(০০)
ইসলামপুর	১৪	০২(০৫)	১০(০৬)	০২(০১)	০০(০২)
কালিয়াগঞ্জ	১৭	০৩(০৩)	১৪(১৪)	০০(০০)	০০(০০)
দার্জিলিং	৩২	০০(০০)	০০(০০)	০০(০০)	৩২(৩২)
কাশিয়াং	২০	০০(০০)	০০(০০)	০০(০০)	২০(২০)
কালিম্পং	২৩	০(০০)	০০(০০)	০০(০০)	২৩(২৩)
উলুবেড়িয়া	২৮	১৪(১৮)	০৮(০৬)	০৩(০১)	০৩(০৩)
এগরা	১৪	০৫(০৫)	০২(০১)	০৭(০৫)	০০(০০)
মহেশতলা	৩৫	২৮(২৮)	০৭(০৬)	০০(০১)	০০(০০)
রাজপুর সোনারপুর	৩৩	২৯(২৯)	০০(০০)	০৪(০৪)	০০(০০)
মধ্যমগ্রাম	২৩	১৬(০৯)	০২(০২)	০৬(১১)	০১(০১)
রাজারহাট	২৭	২১(১৬)	০২(০৪)	০৩(০৭)	০১(০০)
দক্ষিণ দমদম	৩৫	৩৩(২৪)	০১(০২)	০১(০৭)	০০(০২)
দমদম	২২	১৫(১২)	০৫(০৫)	০০(০১)	০২(০৪)
কুলটি	৩৫	১৫(১৩)	০৫(০৩)	১২(১৫)	০৩(০৪)
আসানসোল	৫০	৩৭(৩২)	০৭(০৭)	০৩(১০)	০৩(০১)
সাইথিয়া	১৬	০২(০২)	১৩(১৩)	০১(০০)	০১(০১)

এগোল কংগ্রেস, পুর ভোটে বিপর্যস্ত তৃণমূল

স্টাফ রিপোর্টার: লোকসভার ভোটের নিরিখে এগিয়ে থাকলেও উত্তর ২৪ পরগনার দমদম, দক্ষিণ দমদম, মধ্যমগ্রাম পুরসভায় এবং দক্ষিণ ২৪ পরগনার সোনারপুরে তৃণমূল-বি জে পি জেটি কার্যত নিশ্চিহ্ন হয়ে গেল সি পি এমের দাপটে। তৃণমূল-বি জে পি-র দখলে থাকা মধ্যমগ্রাম পুরসভা বামফ্রন্ট ছিনিয়ে নিয়েছে। কংগ্রেস ভাল ভোট পাওয়ায় দক্ষিণ কলকাতার ১১৮ নম্বর ওয়ার্ড তৃণমূলের কাছ থেকে সি পি এম ছিনিয়ে নিয়েছে। অন্য দিকে, উত্তরবঙ্গে নিজেদের দখলে থাকা পুর বোর্ডগুলি জেতা ছাড়াও দক্ষিণবঙ্গের বিভিন্ন পুরসভায় তৃণমূলের তুলনায় কংগ্রেস ভাল ফল করেছে। যার দরুন উলুবেড়িয়া পুরসভা বামফ্রন্টের হাতছাড়া হয়েছে। সেখানে বামফ্রন্ট ১৪। কংগ্রেস-বি জে পি-তৃণমূলও ১৪। সামগ্রিক ভাবে ১৮টি পুরসভার মধ্যে বামফ্রন্টের দখলে আটটি পুরসভা ছিল। এ বারেও তা-ই রইল। অন্য দিকে, কংগ্রেসের দখলে ছিল তিনটি। এ বারেও তা-ই রয়েছে। তৃণমূল-বি জে পি জেটের জেতা দু'টি পুরসভা কুলটি এবং মধ্যমগ্রাম এ বার জেটের হাত ছাড়া হয়েছে। অন্য দিকে, কংগ্রেসের সমর্থন ছাড়া এ বারেও পূর্ব মেদিনীপুরের এগরায় পুর বোর্ড গঠন করতে পারবে না তৃণমূল। পাহাড়ের তিনটি পুরসভা যথারীতি জি এন এল এফ দখলে রেখেছে। জলপাইগুড়ি জেলার মাল পুরসভায় বামফ্রন্ট (৮) এবং তৃণমূল-বি জে পি-কংগ্রেসের মিলিত বিরোধী (৮) পক্ষ টাই হয়েছে। গত বারেও টাই হয়েছিল। বর্তমানে বোর্ডটি বামফ্রন্টের দখলে ছিল।

মাল ছাড়াও কুলটি এবং উলুবেড়িয়া পুরসভায় যাতে বামফ্রন্টকে রুখতে কংগ্রেস বি জে পি-র সঙ্গে হাত না-মেলায়, সেই জন্য সি পি এমের রাজ্য সম্পাদক অনিল বিশ্বাস কংগ্রেস নেতৃত্বের কাছে আবেদন জানিয়েছেন। জবাবে প্রদেশ কংগ্রেস নেতা সোমেন শ্রী ব বলেছেন, “আমরা কী করব, সেই ব্যাপারে অনিলবাবুর কাছ থেকে পরামর্শ নেব না। বি জে পি-র সঙ্গে হাত না-মেলানোই কংগ্রেসের দলীয় সিদ্ধান্ত।” কিন্তু আগের বার মাল বা মধ্যমগ্রামে কংগ্রেস বি জে পি-র সঙ্গে হাত মিলিয়েছিল, সেই প্রসঙ্গ তুললে সোমেনবাবু বলেন, “কিছু হয়ে থাকলে রাজ্য নেতৃত্বের অজান্তে স্থানীয় স্তরে হয়েছিল। এ বার তেমন কিছু হলে নেতৃত্ব ব্যবস্থা নেবেন।” দলের এই শোচনীয় ফল সম্পর্কে তৃণমূল নেত্রী মমতা বন্দ্যোপাধ্যায় বলেন, “যা বলার ফলাফল বিশ্লেষণ করেই বলব।” কংগ্রেসের সাহায্য ছাড়া তৃণমূলের পক্ষে এগরায় বোর্ড গঠন সম্ভব নয়। কারণ, সেখানে ফ্রন্ট সাতটি, কংগ্রেস দু'টি এবং তৃণমূল পাঁচটি আসন পেয়েছে। ঘনিষ্ঠ মহলে মমতা বলেছেন, “আমরা কংগ্রেসের বিরোধী। কারণ ওরা সি পি এমের বন্ধু। তাই কংগ্রেসের সমর্থন নিয়ে বোর্ড গঠনের ব্যাপারে ভেবেচিন্তে সিদ্ধান্ত নিতে হবে।”

পরিবহণমন্ত্রী সুভাষ চক্রবর্তীর নেতৃত্বে এ বার উত্তর দমদম, দক্ষিণ দমদম, মধ্যমগ্রাম ও রাজারহাটে তৃণমূল-বি জে পি-কে নিশ্চিহ্ন করে দেওয়ার জন্য সি পি এম মরিয়া ভূমিকা নিয়েছিল। বাইরে থেকে শত শত কর্মী নামিয়ে ভোট করেছিল তারা। ব্যাপক সম্ভ্রাস ও রিগিংয়ের অভিযোগে ভোটের দিন ভি আই পি রোড অবরোধ করা ছাড়াও এ দিন ভোটগণনা বয়কট করে তৃণমূল। বিধানসভার ভোটে তাঁর বিরুদ্ধে দাঁড়ানো প্রার্থী তৃণমূল প্রার্থী

সুজিত বসুকে হারানোর ব্যাপারে চ্যালেঞ্জ গ্রহণ করেছিলেন স্বয়ং সুভাষবাবু। যথারীতি শ্রীভূমিতে সুজিতবাবু পরাজিত হয়েছেন।

দক্ষিণ দমদম পুরসভার ৩৫টি আসনের মধ্যে ৩৩টি জিতেছে বামফ্রন্ট। কংগ্রেস ও তৃণমূল একটি করে। দমদমে বামফ্রন্ট ১৫ এবং কংগ্রেস পাঁচটি আসন জিতেছে। তৃণমূল মাত্র একটি। প্রাক্তন পুরপ্রধান শৈলেন দাশের হত্যাকাণ্ডে অভিযুক্ত সুধীর ভট্টাচার্যের দমদম পুর উন্নয়ন সংস্থা তটি আসনে প্রার্থী দিয়ে দু'টি আসন জিতে প্রমাণ করেছে, এলাকায় এখনও তাঁদের যথেষ্ট প্রভাব আছে। মধ্যমগ্রামে ২৩টি আসনের মধ্যে বামফ্রন্ট ১৬টি জিতেছে। আর বি জে পি-তৃণমূলের আসন ১২ থেকে কমে হয়েছে সাত। রাজারহাটেও কংগ্রেস ও তৃণমূল কংগ্রেসের, দু'দলের আসনই অর্ধেক হয়ে গিয়েছে।

ভোটের ফল প্রকাশের পরে সুভাষবাবু এ দিন বিকালে আলিমুদ্দিন স্ট্রিটের পার্টি অফিসে এসে অনিলবাবুর সঙ্গে দেখা করেন। দু'জনে একান্তে কথাও হয়। যে-ভাবে ‘বাইরের লোক’ এনে ভোট করানো হয়েছে, তাতে দলের একাংশও ক্ষুব্ধ। কারণ, অনেক গোঁড়া সি পি এম-সমর্থকও বুথে গিয়ে দেখেছেন, তাঁদের ভোট পড়ে গিয়েছে। জেলা নেতাদের কাছে তাঁরা এই ব্যাপারে অভিযোগও করেন। বহিরাগতদের দিয়ে ভোট করানোর প্রসঙ্গ তোলা হলে অনিলবাবু বলেন, “দমদম-সহ চার পুর এলাকায় তৃণমূল-বি জে পি যে-ভাবে হেরেছে, তা জনবিচ্ছিন্ন হওয়ার প্রমাণ।” তাঁর মতে, ওই এলাকায় বহু মানুষ বাস করেন। বাইরে থেকে এসে লোকে ভোট দেবে কেন?

তৃণমূল নেত্রী মমতা বন্দ্যোপাধ্যায় সব থেকে বড় ধাক্কা খেয়েছেন রাজপুর-সোনারপুর এবং কলকাতা পুরসভার ১১৮ নম্বর ওয়ার্ডের ফলে। প্রধানত তাঁর নির্বাচনী এলাকায় অবস্থিত রাজপুর-সোনারপুরে লোকসভা ভোটে ২২,০০০ ভোটে জিতলেও গত বারের মতো এ বারেও তৃণমূল মাত্র চারটি আসন জিতেছে। বামফ্রন্ট পেয়েছে ২৯টি আসন। আর স্বাধীনতার পর থেকে এক বারও না-জিততে পারা ১১৮ নম্বর ওয়ার্ড সি পি এম ছিনিয়ে নিল তৃণমূলের হাত থেকে। এই ওয়ার্ডে তৃণমূল ৩৮৫২ ভোট পেলেও কংগ্রেস পেয়েছে ২৪২২ ভোট। ৭২ নম্বর ওয়ার্ডটি অবশ্য তৃণমূলের দখলেই রইল। মহেশতলা পুরসভায় তৃণমূলের দখলে থাকা একটি ওয়ার্ডও এ বার কংগ্রেস ছিনিয়ে নিয়েছে। এখানেও ৩৫টির মধ্যে ২৮টি দখলে রেখে বামফ্রন্ট নিজেদের অবস্থান এক রাখলেও ১০ মিনিটে ১৩২টি ভোট পড়া ৮ নম্বর ওয়ার্ডের দখল সি পি এম নিতে পারেনি।

তৃণমূল-বি জে পি ধাক্কা খেয়েছে আসানসোল শিল্পাঞ্চলেও। কুলটি পুরসভা হাতছাড়া হওয়ার পাশপাশি আসানসোলেও তাদের আসন সংখ্যা (৩) কংগ্রেসের (৭) থেকে কমে গিয়েছে। অন্য দিকে, সাইথিয়ায় নিজেদের দখলে রেখে কংগ্রেস প্রমাণ করেছে, দক্ষিণবঙ্গে শহর এলাকায় তৃণমূলকে পিছনে ফেলে দিয়ে তারা দ্বিতীয় হওয়ার লক্ষ্যে এগোচ্ছে।

উত্তরবঙ্গের কালিয়াগঞ্জ এবং ইসলামপুর কংগ্রেস এবং গঙ্গারামপুর বামফ্রন্ট দখলে রেখে প্রমাণ করেছে, উত্তরবঙ্গের রাজনৈতিক পরিস্থিতির বিশেষ পরিবর্তন হয়নি।

Shoot-out death mars 'peaceful' civic poll

Statesman News Service

KOLKATA, June 27. — Apart from a death at Maheshtala in South 24-Parganas, the elections to 17 municipalities, the Siliguri Mahakuma Parishad and by-elections in nine wards passed off peacefully with only stray incidents of violence being reported, state election commissioner Mr Ajay Sinha said.

Though Mr Sinha stated that it was a peaceful poll, about 50 persons were arrested and four firearms and 13 bullets were seized by the police, IG (law & order) Mr Chayan Mukherjee said.

Mr Sinha said the average polling percentage was quite high despite some rain in North Bengal. About 75 per cent votes were polled in all 17 municipalities, 65 per cent in two wards of KMC (72 and

118) and 70 per cent votes were polled for Siliguri Mahakuma Parishad.

The highest percentage of votes polled is 91 in Egra municipality and the lowest is 58 in Kulti municipality.

Mr Sinha said he had received reports that polling personnel were kept confined by Mr Kalyan Banerjee, Trinamul MLA of Asansol and "I have asked the district ad-

ministration to take immediate steps."

Though Mr Sinha ordered re-poll, he told the media, that no political parties had complained of any violence nor asked for re-poll. Asked why he had ordered a re-poll, he said local people demanded it.

Mr Sinha declared that the re-poll will take place tomorrow at booth number 8 in ward 29 of

Asansol Municipal Corporation following the snatching of ballot box by the Congress candidate.

Another repoll was ordered at booth number 70 in Lower Bagdogra at Siliguri Mahakuma Parishad as the symbols of Trinamul Congress and Congress candidates were interchanged.

Later, the state election commissioner ordered re-polling at booth

number 1 of ward 34 in South Dum Dum and at booths number 1 and 2A in ward 17 in Madhyamgram municipality.

In South Dum Dum, there were complaints of booth jamming and Trinamul Congress agents were allegedly assaulted by CPI-M workers, whereas a repoll was ordered in Madhyamgram following snatching of ballot boxes allegedly by the CPI-M.

65% polling in KMC wards

KOLKATA/HOWRAH, June 27. — By-elections in two KMC wards — 72 and 118 — passed off peacefully. Sixty-five per cent polling was recorded today. A large number of voters turned up to cast their votes since morning. Some Trinamul Congress workers alleged that CPI-M cadres jammed booths. By-election in the two wards were necessitated following the death of two Trinamul sitting councillors Goutam Hari Chatterjee and Debapriya Ghosh. **Uluberia bandh:** The Howrah district committee of the Indian National Congress has called a 12-hour bandh at Uluberia tomorrow protesting against the alleged attack on their men by CPM men during the municipal elections today. The party alleged that two supporters had to be admitted to a local hospital after being beaten up by CPM men at ward number 2. Polls in Uluberia municipality were largely peaceful today with no reports of any major violence. Around 52 per cent polling was recorded. There were some stray incidents of violence between groups of a political party and police after they tried to jam some booths. Police resorted to a lathi-charge to disperse the crowd. No arrests were made. In another incident, scribes of two TV channels were allegedly heckled outside a booth in ward 6 by some CPM supporters. They complained to the presiding officer. — SNS

Maheshtala man sacrificed at rigging altar

KOLKATA, June 27. — The civic polls at Maheshtala municipality today had all the elements of a political thriller — death, violence, bombs and shoot-out. And to top it all, a crude version of the much-touted "scientific rigging" by the CPI-M cadres.

Since morning, the polls were fraught with terror and violence which peaked around noon at the booths at Dakshin Kankhuli Prathamik Vidyalaya in Ward 8. Around noon, after two Maruti vans entered the area, a volley of bombs were hurled at the booths and bullets were fired to disperse the queue outside the booth. Scared voters fled to their homes.

CPI-M cadres, with local criminals in tow, wreaked havoc in the area. On their part, the Congress supporters did not sit idle. With bombs raining in the locality for 30 minutes, polling had to be suspended. Police intervened, and had to fire 12 rounds of bullets to disperse the CPI-M mob, IG (south Bengal) Mr Deben Biswas said.

During the exchange of fire near the booth, one person died. He was identified as Sheikh Raju, a history-sheeter who is a resident of Santoshpur in Maheshtala. Armed with a gun, he had been spreading terror on



Police and RAF personnel on alert after a Left supporter died in a shoot-out near Dakshin Kankhuli Primary School, a booth in Maheshtala in South 24-Parganas. — Sailendra Mal

behalf of the CPI-M. CPI-M cadres, however, feigned ignorance about the identity of the deceased. Diamond Harbour MP Mr Shamik Lahiri said the man, had been killed by a police officer who fired from his service revolver.

Bombs were hurled at the house of Congress supporter Mr Abul Kalam Lashkar. A large police force including RAF and combat forces were deployed at the spot. The SP South 24-Parganas also reached with a large force. And, his cadres obeyed in full force. At booth number 1, it became a free-for-all as four CPI-M cadres lined up to rig the poll. And, all this in presence of journalists. When journalists tried to protest, a CPI-M cadre insisted: "Please ignore them. They have not been able to cast their votes since morning. Why don't you have some cold drinks instead?"

Of 998 votes in booth number 1 of Ward 8, 700 had been cast till 1.10 p.m. After polling resumed, the CPI-M cadres allegedly cast 132 votes in 10 minutes, from 2 p.m. to 2.10 p.m, taking the poll score to 832. In ward 31, Trinamul candidate Mrs Krishna Ghosh was heckled, her spectacles smashed and her saree torn allegedly by CPI-M cadres. — SNS

Slap, snatch and run...

ASANSOL, June 27. — Snatching of ballot papers, series of assaults on presiding officers, election candidates and one MLA were reported from Asansol and Kulti during the civic polls today. Five persons were arrested for booth-capturing or violating electoral norms. A Congress candidate was also held. Sixty five per cent polling was recorded in both places.

In Shyamaprasad Vidyalaya Railpara area, under ward 29 of the Asansol Municipal Corporation, Congress candidate Ms Sahina Parvin slapped the presiding officer who she alleged was allowing the Left Front to manipulate voting. She was later arrested with 100 ballot papers. There will be re-polling in this booth tomorrow.

In Kulti, MLA and AIFB leader Mr Manik Acharya was beaten up allegedly by Trinamul Congress workers in ward 31 when he reportedly prevent Trinamul goons from marching towards a booth.

Sainthia: The municipal polls in Sainthia in Birbhum passed off peacefully. — SNS

Muscle-flexing makes N 24-Pgs day

KOLKATA, June 27. — False voting, jamming of booths and muscle-flexing marked polling in Dum Dum, South Dum Dum, Madhyamgram and Rajarhat municipalities in North 24-Parganas.

Polling was suspended for two-and-half hours in Madhyamgram. The Trinamul Congress and Congress withdrew their candidates from some seats in both Dum Dum and South Dum Dum municipalities in protest against "rigging". Their workers blocked Jessore and VIP Roads. Two Trinamul Congress MLAs, Mr Jyotipriya Mallick and Mr Arunava Ghosh, courted arrest while putting up a blockade on Jessore Road near the airport this morning.

Some armed CPI-M cadres stormed into Biharihal School in Madhyamgram's ward number 16 and snatched ballot papers. They bolted the booth from inside and started casting votes. This led to a clash between CPI-M and Trinamul Congress workers. Later, polling was suspended from 12 noon to 2.30 p.m. The residence of Mrs Krishna Ghosh, a contesting Trinamul candidate from ward no. 17 of Madhyamgram municipality, was allegedly ransacked by CPI-M men. There was tension at ward number 34 of South Dum Dum municipality where Trinamul Congress

agents were allegedly beaten up when polling started at 7.00 a.m. in booth nos. 1 and 5 of 34 ward.

An armed CPI-M cadre was caught by Trinamul Congress men and handed over to the police while he was trying to storm into booth no 5. Later, a large number of cadres cast false votes as there was no Opposition agents inside the booth.

Booth jamming and false voting were reported from both these booths. A long queue waiting outside these booths moved slowly. Mr Pradip Biswas, a voter said, "We are waiting for two hours. But the queue is not moving at all."

Mrs Satra Agarwal, another voter, could not cast her vote in booth number 2 at Golghata Vidyamandir of this ward as she was not allowed to enter the booth.

Mr Sujit Bose, a sitting Trinamul Congress councillor contesting from ward number 34, blocked VIP road for half-an-hour from 10.30 a.m. to 11 a.m. protesting against false voting. The blockade was lifted after police intervened.

"I've withdrawn my candidature along with some other members of my party in both Dum Dum and South Dum Dum in protest against rigging. I will write a letter to the Election Commission soon." — SNS

N Bengal casts votes amid tight security

SILIGURI, June 27. — Amid tight security the three-tier panchayat polls passed off peacefully today in seven Mahakuma parishads, 64 panchayat samitis and 405 gram panchayat seats here. The voter turnout was around 60 per cent. No untoward incident was reported from anywhere.

However, there was confusion at Batlabari School booth (no. 26/70) in Lower Bagdogra gram panchayat, as Congress symbol had been printed with the name of Trinamul candidate Mr Ratanlal Singh. Repoll would be conducted in this booth tomorrow.

In Upper Bagdogra gram panchayat's MM Tarai School booth and Kedar Nath School booth chaos ensued, reportedly due to improper folding of ballot papers by polling agents and polling officers. Elections to the three Hill municipalities of Darjeeling, Kalimpong and Kurseong passed off smoothly today without any major incidents.

Two vehicles were seized and seven persons arrested in Darjeeling for minor violations. — SNS

Trinamul, Cong call to protest Red terror

KOLKATA, June 27. — Trinamul Congress leader Mr Pankaj Banerjee and PCC general secretary Dr Manas Bhunia today urged people to protest against the red terror of the CPI-M.

Both the leaders felt that it was impossible for any political party to fight the reign of terror unleashed by the ruling CPI-M in the state without active participation of the people.

Talking to reporters separately on the violence unleashed by the CPI-M in the civic polls today, the leaders said the CPI-M is trying to destroy the Opposition in a very calculated way and establish a one-party rule in the state.

The leaders alleged that in many places booths were captured, candidates and party workers were assaulted and people not allowed to vote freely. Police and state Election Commission remained silent spectators and looked the other way.

Calling it "the darkest day in the history of democracy in recent times," Dr Bhunia said that the

Anil denial

KOLKATA, June 27. — Rubbishing the Opposition's charges of widespread rigging in the municipal elections, Mr Anil Biswas, CPI-M state secretary, described the polls as "peaceful barring a few stray incidents." And his party activists were always at the receiving end, according to him, despite the Opposition's charges to the contrary. — SNS

CPI-M is setting a dangerous trend. He said that what the CPI-M did today was a repeat of what they did in the panchayat polls in 2003.

Dr Bhunia demanded removal of the district magistrate and the superintendent of police of South 24-Parganas for "helping the cadres to rig the polls." He said connivance between party leaders and government officers has taken such a shameful form that Mr Uttam Mazumdar, executive chairman of Bar Council, was not allowed to cast tender vote by the presiding officer in a polling sta-

tion in south Dum Dum municipality after Mr Mazumdar found that his vote had already been cast.

Mr Banerjee said most of his party candidates in Dum Dum and South Dum Dum municipalities have withdrawn their candidature. He said that under the very nose of the police the CPI-M cadres captured polling booths. Party candidate Mr Sujit Basu, the sitting councillor, withdrew his candidature in south Dum Dum municipality and alleged that CPI-M cadres have looted his house. He said that in Asansol, Rajarhat and Maheshtala CPI-M cadres did not allow willing people to vote. In Kolkata in wards 72 and 118 where by-elections were held the CPI-M had mobilised mobs from different areas.

Mr Nirbed Roy said there are two options before the Opposition parties in the state. They will have to either resist the violence of the CPI-M and participate in elections or totally abstain from taking part in polls. — SNS

ন্যায়বিচারের নামে

পঞ্চায়েত সমিতি অর্থাৎ ব্লক স্তরে বিরোধী মীমাংসার জন্য সালিশি বোর্ড গঠনের আইনগত উদ্যোগ ঘিরিয়া রাজ্য-রাজনীতির জল ঘুলাইয়া উঠিতেছে। বিরোধী দলগুলি সরকারি উদ্যোগের বিরোধিতা করিবে, ইহাতে আশ্চর্যের কিছু নাই। কিন্তু রাজনীতির বাহিরেও এই উদ্যোগ বিতর্ক ও বিরোধিতার সঞ্চর করিয়াছে। এ ক্ষেত্রে বিরোধিতা আসিতেছে আইনজীবীদের এক বৃহৎ অংশের কাছ হইতে। তাহারা মূলত বার কাউন্সিলের মাধ্যমে প্রতিবাদ আন্দোলনে অবতীর্ণ। সালিশি বোর্ড আইনসিদ্ধ হইলে পারিবারিক ও গ্রাম্য বিবাদ বহু ক্ষেত্রে স্থানীয় স্তরেই মিটিয়া যাইবে, বিবাদমান দুই পক্ষ প্রায়শ আর আদালতে যাইতে বাধ্য হইবেন না। তাহার ফলে আইনজীবীদের ব্যবসায়িক ক্ষতি হইবে, এমন সম্ভাবনা বিলক্ষণ। সরকার পক্ষ এবং প্রস্তাবিত বিলের উদ্যোক্তা আইন মন্ত্রী নিশীথ অধিকারী মহাশয়ও 'আইনজীবীর সম্মানিত পেশায়' নিযুক্ত ভালমানুষদের ব্যবসায়িক লাভের বিবেচনা হইতে নিরস্ত হইবার আবেদন জানাইয়াছেন। বার কাউন্সিলের তরফে প্রতিবাদী আন্দোলনের পিছনে ব্যবসায়িক ক্ষতির বিবেচনা থাকা অস্বাভাবিক নয়। তবে সেটাই নিশ্চয় প্রস্তাবিত আইনের বিরোধিতার একমাত্র কারণ নয়। এবং বিরোধিতাকে কেবল কয়েমি স্বার্থের ক্রিয়া রূপে শনাক্ত করিয়া শাসক দলের তরফে সমর্থক আইনজীবীদের পাল্টা আন্দোলন সংগঠিত করাটাও আর এক ধরনের রাজনীতি হইবে।

এ কথা সত্য যে প্রাচীন কাল হইতেই পারিবারিক বা গ্রাম্য বিবাদের নিষ্পত্তি তৃণমূল স্তরের সালিশির মাধ্যমেই করা হইত। যে সব বিবাদ তাহাতে মিটিত না, সেগুলিই রাজদরবার বা আদালত অবধি পৌঁছাইত। এই বন্দোবস্তে অনাবশ্যক আইনি জটিলতা, অনেক সময় ও অর্থের অপচয় এড়ানো যায় এবং দ্রুত নিষ্পত্তির সুযোগও ইহাতে থাকে। প্রতিবেশীর ছাগল খেতের ফসল খাইয়াছে বলিয়া তাহাকে বাঁধিয়া রাখার মতো অকিঞ্চিৎকর বিরোধের মামলা আইনজীবী ও বিচারকের যোগসাজশে প্রলম্বিত করার নজির তো ভারতীয় গ্রামসমাজে নেহাত কম নাই। সালিশি বোর্ডের মাধ্যমে এ ধরনের মামুলি বিরোধ সহজে মীমাংসা করা যায়। তা ছাড়া, স্থানীয় স্তরে সালিশিতে নিষ্পত্তি না হইলে কিংবা বিচার মনোমত না হইলে উচ্চতর স্তরে আদালতে যাইবার স্বাধীনতা বা অধিকার তো বিচারপ্রার্থীর থাকিতেছেই। কিন্তু নূতন ব্যবস্থা লইয়া শঙ্কাটি অন্যত্র। প্রস্তাবিত বিলটিতে পঞ্চায়েতের মতো নির্বাচিত

শায়স্তাশাসিত সংস্থাকে কার্যত সালিশি বোর্ডকে নিয়ন্ত্রণ করার অধিকার দেওয়া হইতেছে। বোর্ড কাহাদের লইয়া গঠিত হইবে, সে ব্যাপারে পঞ্চায়েতের বক্তব্য শিরোধার্য হইবে। এই বন্দোবস্তের দুইটি দিক আছে। এক, পঞ্চায়েত যেহেতু একটি দলীয় রাজনৈতিক প্রতিষ্ঠান, কোনও দলহীন গণতন্ত্রের উদ্ভাস নয়, তাই পঞ্চায়েত নিয়ন্ত্রিত সালিশি বোর্ড দলবাজির আখড়া হইয়া উঠিতে পারে। দুই, ইহার ফলে বিচার বিভাগের কাজে আইন তথা শাসন বিভাগের হস্তক্ষেপ বা অনধিকার চর্চার সুযোগ সৃষ্টি হইবে। দুইটি সম্ভাবনাই সমান আপত্তিজনক।

সালিশি বোর্ড পঞ্চায়েতের মতোই আর একটি দলবাজির আখড়া হইয়া উঠিলে সালিশির মাধ্যমে বিবাদ নিষ্পত্তির গোটা তত্ত্বটাই বানচাল হইয়া যাইতে পারে। তখন দেখা যাইবে, গ্রামসমাজে যাহারা আগে হইতেই ক্ষমতা, প্রতিপত্তি বা রাজনৈতিক প্রভাবের অধিকারী, বোর্ডের রায়ও তাহাদের অনুকূলেই যাইতেছে, ক্ষমতাবানের সহিত ক্ষমতাহীনের দ্বন্দ্ব সালিশি বোর্ড ক্ষমতামালীর হইয়াই কাজ করিতেছে। ইহা যে ঘটবে না, দলীয় প্রভাব যে বিচারপ্রক্রিয়াকে প্রভাবিত করিবে না, এমন কোনও রক্ষাকবচ এই বিলে নাই। আর বিগত আড়াই দশকের অভিজ্ঞতা সাক্ষী, এ রাজ্যে এমনটাই বরং হওয়ার সম্ভাবনা বেশি। সে ক্ষেত্রে সালিশি বা বিচারের বন্দোবস্তটাই প্রকারান্তরে শাসন বিভাগের দ্বারা নিয়ন্ত্রিত হইবার সমূহ সম্ভাবনা। মন্ত্রী মহোদয় বলিতেছেন, সালিশি কোনও মতেই আদালতের বিকল্প নয়, আইনের সুক্ষ্ম বিচারও নয়, কেবল আপসে বিরোধ মিটাইবার পরিপূরক মাধ্যম মাত্র। কিন্তু নির্বাচিত দলীয় পঞ্চায়েতের ছত্রছায়ায় গঠিত ও বিকশিত কোনও সংস্থার পক্ষে নিরপেক্ষ, নির্দলীয় আচরণ করা সম্ভব যদি বা হয়, এ রাজ্যে তেমন অভিজ্ঞতা নজিরবিহীন। এখানে বরং এমন আশঙ্কাই স্বাভাবিক যে, পদে পদে তৃণমূল স্তরের ওই বিচারপ্রক্রিয়াটিকে রাজনৈতিক প্রভাবে প্রভাবিত করার প্রচেষ্টা চলিবে। যে পঞ্চায়েতে যে দলের পাল্লা ভারী, সেই পঞ্চায়েত নিয়ন্ত্রিত এলাকায় সালিশি বোর্ড সেই দলের সমর্থকদের কোলে ঝোল টানিয়া চলিবে। বিচার বিভাগ ও তাহার মূল প্রক্রিয়া হইতে প্রত্যস্ত ও প্রান্তিক হওয়ায় বোর্ডের এই সব সীমাবদ্ধতা কিংবা অপরিপূর্ণতা লইয়া বিশেষ কেহ মাথাও ঘামাইবে না। রামা কেবর্তের তালগাছ ঘনশ্যাম চৌধুরীরই দখলে আসিবে। কেননা চৌধুরী মহাশয়েরা ইতিমধ্যে গ্রামীণ পশ্চিমবঙ্গে শাসক রাজনীতির শরিক হইয়া গিয়াছেন।

সালিশি বিল রুখতে মরিয়া কাউন্সিল

বুধবার কর্মবিরতির ডাক আইনজীবীদের

স্টাফ রিপোর্টার: প্রস্তাবিত সালিশি বিল রুখতে ২৩ জুন, বুধবার রাজ্যের সব আদালতে কর্মবিরতির ডাক দিয়েছে পশ্চিমবঙ্গ বার কাউন্সিল। পাশাপাশি এই বিল বিধানসভায় পেশ করা থেকে বিরত থাকার অনুরোধ জানাতে কাউন্সিল মুখ্যমন্ত্রী বুদ্ধদেব ভট্টাচার্যের সঙ্গে দেখা করার সিদ্ধান্ত নিয়েছে।

এ দিকে, সালিশি বিল নিয়ে রাজনৈতিক চাপান-উতোর অব্যাহত। সালিশি বোর্ডের বিরুদ্ধে প্রয়োজনে গ্রামে গ্রামে লাগাতার বনধ ডাকার ছমকি দিয়েছেন তৃণমূল কংগ্রেস নেত্রী মমতা বন্দ্যোপাধ্যায়। তিনি প্রয়োজনে লাগাতার ৩০ দিনের ধর্মঘট ডাকার কথাও বলেন। এই ছমকিকে ব্যঙ্গ করেছেন বামফ্রন্টের চেয়ারম্যান তথা সি পি এমের পলিটব্যুরোর সদস্য বিমান বসু। লোকসভার নির্বাচনে বিপর্যস্ত মমতাকে ব্যঙ্গ করতে ছাড়েননি সি পি এমের রাজ্য সম্পাদক অনিল বিশ্বাসও। তবে এই চাপান-উতোর চললেও এ দিন বিধানসভায় স্পিকার হাসিম আব্দুল হালিমের ডাকা সর্বদলীয় বৈঠকে সরকারের পক্ষে যে-ছ’টি বিল আগামী অধিবেশনে নিয়ে আসার কথা বলা হয়েছে, সেই তালিকায় সালিশি বিলের উল্লেখ করেনি করেনি। স্বাভাবিক ভাবে প্রশ্ন উঠেছে, সরকার কি এই বিলের বিষয়ে পিছু হটছে? পরিষদীয় মন্ত্রী প্রবোধ সিংহ বলেছেন, এই তালিকায় না-থাকলেও পরে যদি সরকার মনে করে যে, বিলটি সভায় পেশ করবে, তবে তাতে কোনও বাধা নেই।

বুধবারের আইনজীবীদের কর্মবিরতি বা প্রতীকী ধর্মঘট সম্পর্কে আইনগত কারণেই বার কাউন্সিল এই ধরনের কোনও ‘বিশেষণ’ ব্যবহার করছে না। কাউন্সিলের চেয়ারম্যান অমিয় চট্টোপাধ্যায়ের বক্তব্য, “আমরা সব আইনজীবীকে ওই দিন কাজে উপস্থিত না-হতে অনুরোধ করেছি। কর্মবিরতি বা ধর্মঘট আমরা বলছি না।” শুক্রবার প্রস্তাবিত সালিশি বিল নিয়ে আলোচনার জন্য রাজ্য বার কাউন্সিলের বৈঠকে বসেছিল। তিন ঘণ্টার টানা বৈঠকের পরে কাউন্সিল মুখ্যমন্ত্রীর সঙ্গে দেখা করে তাদের বক্তব্য জানানোর সিদ্ধান্ত নিয়েছে। মুখ্যমন্ত্রীর সময় চাওয়া হয়েছে বলে জানিয়েছেন অমিয়বাবু। কাউন্সিল এ দিনের বৈঠকে প্রস্তাবিত সালিশি বিলটিকে সরাসরি প্রত্যাখ্যান করে। রাজ্যের সব আদালতের বার

অ্যাসোসিয়েশনকে এই বিল প্রত্যাখ্যান করে প্রস্তাব গ্রহণের নির্দেশও দিয়েছে তারা। কাউন্সিলের চেয়ারম্যানের বক্তব্য, “সব বারকে আমরা এই প্রস্তাব গ্রহণ করে তার প্রতিলিপি সরাসরি মুখ্যমন্ত্রী বুদ্ধদেব ভট্টাচার্য এবং আইন-বিচার মন্ত্রী নিশীথ অধিকারীর কাছে পাঠাতে বলেছি।”

এ দিকে ধর্মতলায় তৃণমূল যুব কংগ্রেস আয়োজিত বিক্ষোভ-অবস্থান কর্মসূচিতে দলনেত্রী মমতা বলেন, “সি পি এমের হাতে মানুষের গণতান্ত্রিক অধিকার ছেড়ে দেওয়া যাবে না। সি পি এম যাতে সালিশি বোর্ড কংগ্রেস না-পারে, সেই জন্য সর্বস্তরে প্রতিরোধ আন্দোলন গড়ে তুলতে হবে। প্রয়োজনে গ্রামবাংলায় ৩০ দিন বনধ ডাকতে হবে।” সি পি এম অবশ্য তৃণমূল নেত্রীর এই ছমকিকে আদৌ কোনও গুরুত্ব দিতে নারাজ। তৃণমূলের বনধের ছমকি নিয়ে বামফ্রন্টের চেয়ারম্যান বিমানবাবু বলেন, “৩০ দিন না-করে ৩৬৫ দিন বনধ করলেই ভাল! আগের মতো ভেজালহীন সর্বের তেল পাওয়া গেলে বলতাম, নাকে তেল দিয়ে ঘুমান।”

রাজ্যে ‘গণতন্ত্র ধ্বংসকারী কোনও প্রচেষ্টাকে তাঁরা ছেড়ে দেবেন না বলে হুঁশিয়ারি দিয়ে মমতা বলেন, “বিচার ব্যবস্থাকে কজা করতে সি পি এম সালিশি বোর্ড করছে। কিন্তু আমরা সমস্ত গণতান্ত্রিক ব্যবস্থা রক্ষা করতে চাই।” আর গণতন্ত্র রক্ষার জন্য তিনি ‘মহৌষধ’ তৈরি করছেন বলে জানিয়েছেন তিনি। সি পি এমের অনিলবাবু পাল্টা মন্তব্য করেছেন, “তা হলে তো ওঁকে হিম্মালয়ে যেতে হবে। কারণ, হিম্মালয়ে না-গেলে তো মহৌষধ তৈরি হবে না। সাতটা মূল লাগবে মহৌষধ তৈরি করতে।”

এ দিনের সমাবেশে মমতা ঘোষণা করেছেন, পশ্চিমবঙ্গে সি পি এম কী ভাবে গণতন্ত্রকে শেষ করছে, তা জানানোর জন্য তাঁরা হাওড়া, শিয়ালদহ স্টেশনে এবং কলকাতার অফিসপাড়ায় প্রচারপত্র ছড়াবেন। তিনি দলীয় নেতা ও কর্মীদের নির্দেশ দিয়েছেন, পেট্রোল, ডিজেলের, গ্যাসের মূল্যবৃদ্ধির জন্য প্রতিটি রুকে, বুথে বুথে কেন্দ্রীয় সরকারের বিরুদ্ধে যেমন মিছিল, বিক্ষোভ-সমাবেশ করতে হবে, তেমনই রাজ্যের বামফ্রন্ট সরকারের ‘অগণতান্ত্রিক’ কাজের প্রতিবাদে অনুকূল কর্মসূচি নিতে হবে।

অবশেষে বিচার ব্যবস্থাতেও বাম হাত

পঞ্চায়েত নিয়ন্ত্রিত সালিশি বোর্ড গড়তে খসড়া বিল ● রুখতে মরিয়া বার কাউন্সিল

দেবব্রত ঠাকুর

অবশেষে বিচার ব্যবস্থায় 'রাজনৈতিক অনুপ্রবেশ' ঘটতে চলেছে। বামফ্রন্টের ২৭ বছরের জমানায় অন্তত এই একটি ক্ষেত্রে সরাসরি রাজনৈতিক হস্তক্ষেপের সুযোগ ছিল না সরকারের। এ বার পঞ্চায়েত নিয়ন্ত্রিত সালিশি বোর্ড গড়ে তারা সেই ফাঁক ভরাতে চাইছে। গত প্রায় এক-দেড় বছরের নীরবতার পরে বিধানসভার আগামী অধিবেশনে শেষ পর্যন্ত 'ওয়েস্ট বেঙ্গল ব্লক লেভেল কনসিলিয়েশন বোর্ড বিল' অনুমোদন করাতে আবার সক্রিয় হয়ে উঠেছে রাজ্য সরকার। ব্লক স্তরে, সরাসরি পঞ্চায়েত সমিতির অধীন প্রাক-আদালত সালিশি বোর্ড তৈরি করে আদালতের বাইরে, বিবাদবিতর্ক, মতভেদের মীমাংসার বিষয়টিকে একটি আইনি বৈধতা দেওয়ার প্রয়াস রয়েছে এই খসড়া বিলে। পশ্চিমবঙ্গ বার কাউন্সিলের চেয়ারম্যান অমিয় চট্টোপাধ্যায় সরাসরি অভিযোগ করেছেন, "রাজ্য সরকার এই বিলের মাধ্যমে তৃণমূল স্তরের বিচার ব্যবস্থাকে রাজনৈতিক নিয়ন্ত্রণে আনার প্রক্রিয়া শুরু করতে চাইছে। সরাসরি রাজনৈতিক তদারকির ক্ষমতা হাতে পেতে চাইছে সরকার।" এমনকী বার কাউন্সিল অব ইন্ডিয়া'র এগজিকিউটিভ কমিটির চেয়ারম্যান এস কে কারবেখন এই প্রস্তাব তুলেছিলেন। তাঁর বক্তব্য, এর ফলে পঞ্চায়েতের উপরে আরও বোঝা চাপানো হচ্ছে। তা ছাড়া পঞ্চায়েত সমিতিকে নিয়ন্ত্রণ-ক্ষমতা দিলে নিয়োগে রাজনীতিই

প্রাধান্য পাবে। এই অভিযোগ উড়িয়ে দিয়েছেন আইন-বিচার মন্ত্রী নিশীথ অধিকারী। তাঁর বক্তব্য, "সালিশি বোর্ড আদালতের বিকল্প নয়, বিকল্প বিরোধ নিষ্পত্তির মাধ্যম মাত্র।" নিশীথবাবুর বক্তব্য, "গ্রামের গরিব মানুষজন, যাঁরা অর্থাভাবে আদালতে যেতে পারেন না, তাঁদের বিরোধ-বিতর্ক মেটানোর একটি আইনসম্মত মঞ্চ গড়ে দেওয়াই এই বিলের লক্ষ্য। আদালত রায় দেয়, সালিশি বোর্ড বিবদমান দু'পক্ষকে বুঝিয়ে মতভেদ মিটিয়ে দেবে। এর সঙ্গে বিচার ব্যবস্থার কোনও বিরোধ নেই।" কাল, শুক্রবার রাজ্য বার কাউন্সিল খসড়া বিলটি নিয়ে আলোচনায় বসেছে। অমিয়বাবুর কথায়, তাঁরা কোনও ভাবেই এই বিল আনতে দেবেন না। পরিস্থিতি যদি তেমন হয়, তা হলে সাধারণ মানুষ এবং আইন পেশার স্বার্থে বার কাউন্সিল চরম পথ নেওয়ার ছুমকি দিয়েছে। চরম পথ যে কী হতে পারে, সেই সম্পর্কে বলতে গিয়ে বছর দেড়েক আগের আইনজীবী ধর্মঘটের কথা স্মরণ করিয়ে দিয়েছেন বার কাউন্সিলের চেয়ারম্যান। সে-বার বিতর্কের কেন্দ্রে ছিল কোর্ট ফি বৃদ্ধি। সেই জটিলতা কাটাতে গিয়ে স্বয়ং মুখ্যমন্ত্রী বুদ্ধদেব ভট্টাচার্য তখনকার মতো এই সালিশি বিল স্থগিত করার সিদ্ধান্ত নিয়েছিলেন। দেড় বছর পরে সেই পুরনো খসড়াটিকেই আবার মেজেঘবে বিধানসভায় আনার উদ্যোগ শুরু হয়েছে। বিলটি কেন আনা হচ্ছে, সেই সম্পর্কে খসড়ার মুখবন্ধে বলা হয়েছে: লিগাল সার্ভিসেস অথরিটিজ আইনে ব্লক স্তরে প্রাক-মামলা পর্বে বিবাদ মেটানো বা মামলা পর্বে কোনও

কারণে আদালতের বাইরে মীমাংসা করার জন্য কোনও জায়গা নেই। রাজ্যের আর্থ-সামাজিক পরিস্থিতির কথা চিন্তা করে এই কারণেই ব্লক স্তরে এই সালিশি বোর্ড তৈরির জন্য একটি আইনের প্রয়োজন আছে। কী ভাবে এই সালিশি বোর্ড তৈরি করা হবে, সেই সম্পর্কে খসড়ায় বলা হয়েছে: সংশ্লিষ্ট ব্লকের পঞ্চায়েত সমিতি রাজ্য লিগাল সার্ভিসেস অথরিটির সঙ্গে পরামর্শ করে সালিশি বোর্ড তৈরি করবে। বড় ব্লক হলে একাধিক বোর্ডও গঠন করা যাবে। বোর্ডে এক জন সালিশিকারী, এক জন আইনি উপদেষ্টা এবং এক জন কাউন্সিলর থাকবেন। বোর্ডের সদস্যদের দু'বছরের জন্য নিয়োগ করা যাবে। বোর্ডের কোনও সদস্যকে সরিয়ে দেওয়ার ক্ষমতাও পঞ্চায়েত সমিতির হাতেই দেওয়া হয়েছে। কী কী কারণে সদস্যদের সরানো যাবে, তা-ও স্পষ্ট করে দেওয়া হয়েছে খসড়া বিলে। যথেষ্ট কারণ ছাড়া কোনও সদস্য যদি পরপর তিনটি সভায় গরহাজির হন, কোনও সদস্য যদি কোনও কারণে দণ্ডিত হন এবং পঞ্চায়েত সমিতি যদি মনে করে তাতে তাঁর নৈতিক বিচ্যুতি ঘটেছে, শারীরিক বা মানসিক ভাবে সদস্যপদের অযোগ্য বিবেচিত হন, যদি তাঁর পদের অপব্যবহার করেন, তা হলে পঞ্চায়েত সমিতি সংশ্লিষ্ট সদস্যকে সরিয়ে দিতে পারবে। অর্থাৎ বোর্ড-সদস্যদের নিয়োগ করার ক্ষমতা এবং খারিজ করার ক্ষমতা সরাসরি পঞ্চায়েত সমিতির হাতে দেওয়া হচ্ছে ওই আইনে। পঞ্চায়েত সমিতির নিয়ন্ত্রক তার সভাপতি। তিনি নির্বাচিত রাজনৈতিক প্রতিনিধি। এ-হেন ব্যক্তিকেই বোর্ড রাখা বা না-

রাখার নিরঙ্কুশ ক্ষমতা দেওয়া হয়েছে। বোর্ডের আওতায় গর্হিত ফৌজদারি বিষয় ছাড়া সবই আসতে পারে। বিবাহজনিত সমস্যা থেকে শুরু করে জমির বিবাদ যেমন এর আওতায় আসতে পারে, তেমনই গ্রামা বাগড়া, মারপিট অর্থাৎ আপসযোগ্য ফৌজদারি বিষয়েরও বিচার করতে পারবে সালিশি বোর্ড। তবে আইন-বিচার মন্ত্রীর বক্তব্য, এই বোর্ড বাধ্যতামূলক তো নয়। কেউ চাইলে এর সহায়তা নিতে পারেন। না-চাইলে নেবেন না। সরাসরি আদালতে যাবেন। উল্লেখ্য, তবে আদালত চাইলে মীমাংসার জন্য কোনও মামলা সালিশি বোর্ডে পাঠাতে পারে। বার কাউন্সিলের মনোভাব সম্পর্কে নিশীথবাবুর বক্তব্য, "গত বছর এই বিষয়ে কাউন্সিলের মতামত জানতে চেয়ে সরকার চিঠি দিয়েছিল। এই বিষয়ে কোনও মতামত দেয়নি তারা।" অমিয়বাবুর বক্তব্য, "আমাদের একটাই মত, এই বিল আনা চলবে না।" তাঁর অভিযোগ, এই বিল এনে আইনজীবীদের ভাতে মারতে উদ্যোগী হয়েছেন নিশীথবাবু। আইনমন্ত্রীর বক্তব্য, মাত্র পাঁচ শতাংশ মানুষ আদালতে যেতে পারেন। বাকিদের সেই আর্থিক সামর্থ্যই নেই। তিন পুরুষের আইনজীবী নিশীথ অধিকারীর আশ্বাস, "আইনজীবীদের কোনও ক্ষতি এই বিলে হবে না। গরিব মানুষের উপকার হবে।" আর রাজনীতি? নিশীথবাবুর বক্তব্য, "গ্রামের মোড়ল, মাস্তানেরা এত দিন যে-সালিশি করে এসেছে, তা বন্ধ করে সালিশির জন্য মানুষকে নির্দিষ্ট একটি আইনি মঞ্চের সুযোগ দেওয়াই সরকারের লক্ষ্য। কোনও রাজনীতি নেই।"

New force for nuke warfare

DALIPSINGH

7. Ad. (Disaster relief)
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G.S.
New Delhi, Feb. 15: The Union ministry of home affairs is raising eight battalions to tackle natural disasters and combat nuclear, biological and chemical warfare.

The National Emergency Response Force battalions will be deployed in strategic locations under the supervision of the director-general of civil defence. Sources said it would be a special force like the Rapid Action Force, which is under the control of the Central Reserve Police Force.

The Bhabha Atomic Research Centre will train select officers of the Central Industrial Security Force (CISF) and the Indo-Tibetan Border Police (ITBP) on responding to nuclear disasters, and these officers will in turn train their subordinates in disaster management. Four battalions will gain expertise only in nuclear, biological and chemical warfare.

Training for CISF officers will start from February 23 and for their ITBP counterparts from March 29.

According to the National Disaster Management Framework prepared by the home ministry, the curriculum of the fire services would also be changed to accommodate programmes that will sensitise them in search and rescue operations for other disasters as well, which fire personnel the world over are doing.

Sources said a project — costing Rs 1,959 crore — has been dr-

awn up to train and equip fire services to respond to all types of disasters. The ministry is taking the Planning Commission's clearance for this project before approaching the World Bank for financial assistance.

Capsules on disaster management are being included in the training schedules of all central para-military forces, the Indian Administrative Service, the Indian Police Service, the Indian Foreign Service and state police forces so that government officials are equipped with the basic knowledge on how to respond in cases of emergency, sources said.

They said the home ministry has directed the Indian Meteorological Department and Central Water Commission to review their early warning systems and upgrade and modernise their equipment so that the administration can be alerted to gear itself for disaster management.

The government has identified 169 hazard prone districts in 17 states, including Bihar, Orissa and Gujarat. The United Nations Development Programme is assisting the government in building infrastructure, including changes in municipal by-laws, to reduce the damage caused by floods, cyclones and earthquakes.

The project would, for instance, seek appropriate legal and technical changes in laws to ensure that buildings are constructed in a manner that makes them resistant to earthquakes, the sources said.

CIVIL SERVICE REFORM

Is A Managerial Orientation A Better Way?

By PR DUBHASHI

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NR Narayana Murthy's suggestion that the Indian Administrative Service should be replaced by the Indian Management Service has triggered debate. It is generally accepted that the change by itself would not be very meaningful. The environment in which the civil services function is very different from the management services working in business and industry. The business management theories and techniques cannot therefore automatically be transplanted to public administration without taking into account the different political environment.

In this context it would be instructive to take note of the multi-dimensional changes that have taken place in recent years in the British Civil Service. The British Civil Service was the product of the Northcote — Trevelyan report of 1854. The main features of the civil service as it came into existence on the basis of the report were, first, the civil service would be non-political and anonymous. Secondly, the job in the civil service would be for a lifetime. Thirdly, the civil service would have security. There would be no arbitrary dismissal. Balancing the security was the fact of modest but decent remuneration.

Downsizing

Fourthly, there would be no written contract between the government and the civil servant though the civil service handbook embodied the norms, standards, traditions and code of conduct of the civil service. The civil service had its own values which were slowly inculcated in the new recruits through an internal process of socialisation. The civil service was essentially generalist in nature though it could function in various specialised areas.

The shake-up in recent years has administered blows to all these facets and traditions of civil service in Britain to such an extent that some writers have gone to the extent of saying that the traditional civil service no longer exists. This has had consequences on the working of public administration not all of which could be considered desirable.

The Fulton Committee report of 1968 made a strong case for a managerial reorientation of civil service in Britain. The report pointed out that in the new competitive environment the staid civil service with its leisurely ways would not be able to provide the necessary dynamism. The seed sown by Fulton sprouted afresh with the advent of Margaret Thatcher. She came determined to introduce her radical conser-

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vative philosophy into governance. She appointed Sir Derrick Rayner to scrutinise the whole range of public expenditure with a view to curb it. This was the beginning of the process of downsizing the government which went apace over the next two decades. The results were visible. The number of civil servants came down from 750,000 in 1970 to under 500,000 in 1990. But the change was not just quantitative. It was structural and qualitative

own self-interest gave way to can-do yes men committing themselves to ministers' ideology or even his whims and fancies and in return seeking maximum personal benefits.

Secondly, the anonymity of the civil servants and the long-standing position in the parliamentary government that the minister is constitutionally responsible and accountable for the actions of the civil servants gave away to a position where the



as well. The traditional departmental structures were replaced with executive agencies of an ad hoc nature numbering 102. Sixty per cent of the civil servants started working under these agencies. The chief executives of these agencies were made directly and personally accountable to the minister for achieving results. They had direct access to the minister bypassing the permanent secretary.

The civil service commission and its central recruitment system was abolished and was replaced by their own recruitment by the agencies who also fixed pay and other allowances. The agencies could enter into individual contracts with their civil servants and could even offer preferential pay.

Declining standards

In the new system the emphasis was on measuring performance in relation to pre-determined targets of business. The system of bureaucratic rulers and procedures which governed administration was replaced by mission-driven organisation and an entrepreneurial, flexible and innovative approach to achieve better results.

The managerial orientation and the structural changes in the civil service led to changes in the character and behaviour of civil servants and their relation with ministers which were not all very desirable. Firstly, the public spirited civil servants considering themselves as philosopher guardians of public interest above everything else including their

ministers were quick to pass on the blame to their civil servants or use them as buffers and shock absorbers by exposing them to public scrutiny. The ministers themselves did not hesitate to accept lucrative positions in companies whose interest they promoted while in office in the new era of liberalisation. Similar benefits accrued to the civil servants on their retirement even before the traditional stipulation of two years after retirement had expired. All this meant a noticeable decline in the ethical and moral standards of the British public life.

This came out in a number of cases which became a matter of public debate. Thus in the famous *Belgrano* sinking case when Dr Punting serving as deputy secretary in the defence ministry conveyed the facts to members of parliament which were kept back by the Prime Minister, he was promptly dismissed from service. In the memorandum which followed the cabinet secretary Armstrong, categorically laid down that the loyalty of the civil servant was not to the public good as he sees it but to the minister under whom he was serving. The same cabinet secretary was forced by Prime Minister Mrs Thatcher to defend in an Australian court the British government's decision to prevent the publication of the book *Spy Catcher* by a former secret service officer.

The latest case of the exposure of the anonymity of the civil servant relates to Dr David Kelly, who was the senior scientist in the defence ministry. The

defence minister Hoon leaked his name as the mole in the ministry who passed on the information of "sexing up" the intelligence report to the press. He was forced to appear before a Parliamentary committee whose members subjected him to critical scrutiny. Unable to bear the strain Dr Kelly committed suicide.

Some recent steps have been taken to bring back the focus on public interest and to ethical norms. The concept of citizens' charter was evolved to emphasise the public orientation of the services delivered by the government and to redress public grievances and complaints.

Scandals galore

Turning to the Indian scene one finds that while no major structural changes have taken place in the Indian Civil Service, there has been a much steeper decline in the standard of public life. Scandals after scandals have defaced the face of public administration. Corruption at the top has become pervasive and India has been adjudged as one of the most corrupt countries in the world. The Santhanam committee had recommended the appointment of vigilance commissioners. Recently the Supreme Court itself looked into the need for strengthening the machinery dealing with corruption and ordered that the CBI should work under the supervision of the CVC and laid down the procedure for the appointment of the CVC.

But strengthening the anti-corruption machinery is one thing and ensuring that administration is upright, fair and objective and works according to the rule of law and public interest is another.

In recent years civil servants have been seen as puppets in the hands of the ruling politicians. Politicians have effectively used the power of postings and transfers to bend the civil servants to their will. Honest civil servants are side tracked, marginalised, given unimportant or difficult postings or even penalised. On the other hand civil servants who are prepared to dance to the tunes of the ministers are favoured and are rewarded by giving them prize postings. No wonder this has led to a steep decline in the standards of public administration.

The only way to halt the decline is to eliminate the nexus between politics and administration. The politicians should work in the representative assembly, pass laws and lay down policies. The civil servant should be required to administer policies and programmes strictly according to law and rules without any political interference. This change is difficult to come about but has now become urgent and imperative.

Property tax joins party

ASTAFF REPORT

Calcutta, Jan. 14 — The city of spreading good news down to Calcutta in the mode Delhi with the city announcing an across-the-board cut in property tax by 10 per cent.

In a never-before exercise, the Trinamool Congress-run board at the Calcutta Municipal Corporation took a Rs 38-crore revenue hit as the cost of the "feel-good" party.

Mayor Subrata Mukherjee, however, hoped to bridge the gap by as much as Rs 30 crore, believing that the cut would encourage defaulters to pay up.

The changes will be ratified at a CMC meeting on January 21. Mukherjee said he had taken state municipal affairs and urban development minister Asok Bhattacharya into confidence.

Refusing to term the relief a pre-poll sop (the civic elections are due a year later), the mayor said the changes — though revolutionary — had failed to satisfy him.

Property tax in other cities, like Mumbai, Delhi, Chennai and Bangalore, is still a lot less than what it will be in Calcutta even after the cut.

"I want to bring the tax down

RATE CARD

	New	Old
Building	30%	40%
Flat building	2.5%	7.5%
Open land	2.0%	7.0%
Unimproved bustee	12%	18%
Water supply body	10%	15%
Community hall	2.5%	7.5%
Rebate	5% extra*	5%

*If paid in advance within the rebate period of the first quarter

REVALUATION

Instead of the general revaluation every six years, valuation will be automatically raised 1.5% for houses and 3% for non-residential buildings every year

to a level that exists everywhere else and, simultaneously, widen the net," Mukherjee said.

The tax regime does away with the practice of CMC inspectors knocking on citizens' doors every six years when a minimum hike of 10 per cent in property valuation falls due.

Those lucky to escape this customary dose of harassment could be nastily surprised by the arrival of supplementary bills as the CMC has never had eno-

ugh inspectors to do the re-valuation regularly.

Now, valuation will go up automatically every year at a constant rate of 1.5 per cent.

Owners of houses will get a relief of 10 per cent, paying 30 per cent of the valuation as annual tax, instead of the earlier 40. For owners of flats (with and without tenants), the relief will be similar.

Owners of commercial units will get even more relief. Their property tax — 60 per cent of the annual valuation — will come down by 17 per cent. Those having vacant land adjoining their houses and those who are yet to build a structure on their plots will pay a lot less.

The last two categories abound in the CMC's added areas where pressure from the party forced the mayor to give more.

The rate of penal interest for non-payment has also been revised. The current rate is 18 per cent for an annual valuation over Rs 1 lakh and the new level will be 6 per cent plus the prime lending rate (currently 10.25) of the State Bank in the respective year.

For a valuation below Rs 1 lakh, instead of 12 per cent, the new rate will be 3 per cent plus the prime lending rate.

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TRULY RURAL

Populism, like old habits, dies hard. That perhaps explains why Mr Buddhadeb Bhattacharjee went one step forward and two steps back on his proposal to levy some rural taxes. His new approaches to policy-making and governance make the retreat look particularly illogical. The case for the rural taxes made ample economic sense. He wanted the *panchayats* to impose the taxes on villagers using panchayat land for tending their livestock. The simple argument was that the local government, as the panchayats are at the village level, needed funds to deliver its services to the people. The old system and its votaries insisted that the funds would perennially come from the rural development agencies in New Delhi or Calcutta. This absurd system ignored the fact that the Union or the state government raised its own funds for rural schemes by taxing people who had nothing to do with these or the panchayats' services. On the contrary, the villagers who got the benefits of the *panchayati raj* paid nothing to earn them. The chief minister's new policies suggested that he had seen through the bad logic of the socialist baggage and was determined to get rid of it. The taxes which his government allowed the panchayats to impose — for motor vehicles using village roads or for the common shed for village livestock, for example — were steps in the right direction that helped the rural bodies to raise their own revenue. In fact, proper decentralization of power demands that the panchayats themselves, rather than Writers' Buildings, decide on the rural taxes.

The problem is that political parties habitually see panchayats not so much as the local government as bases for the politics of power. Mr Bhattacharjee's own party, the Communist Party of India (Marxist), has long led the way in this. The Trinamool Congress leader, Ms Mamata Banerjee, and the leaders of the CPI(M)'s partners in the Left Front who oppose the rural taxes, do so for the sake of the same populist politics that the Marxists themselves had played out to retain their rural vote-bank. The coming Lok Sabha elections have clearly spurred all of them into returning to vote-bank politics. Apart from the Centre's directives on panchayat finances, basic economic arguments leave Mr Bhattacharjee with few options other than going ahead with the taxes. Obviously, the taxation has to take into account the individual villager's ability to pay. But the sooner he succeeds in persuading the parties and panchayats that the days of free meals are truly over, the better for the villagers' economic prospects. By withholding the taxes, he has surrendered to bad politics and worse economic logic.

Govt clears air on panchayat tax circular

Statesman News Service 9 AM '81

KOLKATA, Jan. 6. — The state government today went to great lengths to clarify, in writing, that it isn't making it mandatory for gram panchayats to impose tax or fee on pets/farm animals, as alleged by the Opposition. A statement issued by the panchayat department on Tuesday said the power to impose fees and taxes rested with panchayats under section 47 of Panchayat Act, 1973, and that the department had, on 14 October, merely "communicated" to panchayats their existing power.

Pointing out that the Act took effect during the Congress rule, animal resources minister Mr Anisur Rahman said what was circulated was

only a "model" for the panchayats. "Panchayats wanting to impose tax/fee under specified heads will have to frame a bylaw to make it possible, that too, after the state government's approval." However, with the circular resting the power "solely" with panchayats, the need to seek such approval doesn't seem necessary. And it's worth pointing out that a majority of panchayats in the state are controlled by the CPI-M.

But that hasn't stopped the sniping within on the issue perceived by Left-sympathisers as being against the common man's interests. Transport minister Mr Subhas Chakraborty, for one, is miffed at not being consulted on the issue. "Any tax relating to transport falls within the purview of the transport department, which should have been consulted. In this case, I was-

n't consulted," he said.

Junior LF partners too are vocal with their protests; they are particularly aggrieved that the notification was issued without taking them into confidence. Mr Debasish Dutta (CPI) said: "Imposition of taxes is causing excessive burden on the rural poor... We've written to LF chairman Mr Biman Bose and will discuss it at tomorrow's Front meeting."

Mr Kshiti Goswami (RSP) thinks imposition of the tax/fee would be improper, though, he said, "panchayats can't always depend on grant from the Centre or state government, so they have to generate revenue by imposing taxes." Mr Jayanta Ray (FB) said: "It'll be a pity if farmers have to pay commercial taxes for using tractors to carry their produce to the market."