

REFORM SAFETY CHILDCARE TRANSPARENCY CORRUPTION
SLUMS POVERTY ROAD BLACKOUT URBANIZATION VAT
WELFARE DTC DELHI JAL BOARD POPULATION ELECTRICITY
PRIVATISATION PUBLIC POLICY POWER CREMATORY GROUND
GOVERNANCE CITIZEN SCHOLARSHIP ENERGY ARCHAEOLOGY
GRIEVANCES COMMISSION MINORITY SANITATION RWA
POWER VIGILANCE REVENUE ACCOUNTABILITY POVERTY
STREET HAWKERS BLUELINE ART & CULTURE MASTER PLAN
HOUSING COMMONWEALTH GAMES HEALTH & FAMILY
DELHI DEVELOPMENT PLAN TAXES LOCAL AREA DEVELOPMENT
WELFARE WARD POWER MCD MIGRATION PUBLIC MONEY
AUTHORITY DEVELOPMENT ADMINISTRATION
RTI MICRO FINANCE DISPLACEMENT SAHABHAGI METRO
RESETTLEMENT BUREAUCRACY PUBLIC GRIEVANCES
MISSION CONVERGENCE POLICING ROADS INCOME TAX
PRIMARY EDUCATION PARTICIPATION PARKS LIVELIHOOD
Youth CORRUPTION MARKET CHOICE EDUCATION
SLUM RESETTLEMENT REFUGEES MLA
TRANSPORT UNIVERSITIES NEW PUBLIC MANAGEMENT

STATE OF GOVERNANCE

DELHI CITIZEN HANDBOOK 2009

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State of Governance

Delhi Citizen Handbook 2009



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Introduction

*“It is steps like this Delhi Citizen Handbook which can make a difference to governance in our country.”- Gurcharan Das, Author, *The Difficulty of Being Good* and *India Unbound**

“A transforming experience! The issues of livelihood and matters of public policy that I never had the chance to seriously ponder upon, have now set my mind racing...” - Tripti Bhatia, CCS Intern 2009

An informed citizenry is vital for maintaining a vibrant and dynamic liberal democracy. Studying, understanding and reforming the institutions of democracy are essential for its survival and growth. This requires constant and concerted efforts on the part of citizens, civil society organisations, and governments. Citizens often do not know how their taxes have been used and lack access to feedback mechanisms to have a say in their own governance. In 2003, CCS developed the concept of *Citizen Handbook* that makes sense of the complex and previously undocumented information on government's budgets, management and program delivery and provides innovative ideas to improve the efficiency and effectiveness of governance.

These *Handbooks* study agencies, boards, corporations, departments, schemes and programs of the state governments and Municipal Corporations. The criteria for evaluation of existing systems and the basis of policy recommendations are the universal yet rarely understood concepts of ***New Public Management and the principle of subsidiarity***. These concepts challenge conventional wisdom and advocate government provision and private production, increased choice and competition, ward level and result oriented management as the means for introducing long-term and sustained improvements in the governance structures.

With the successful response to the *Delhi Citizen Handbook 2003*, CCS has used the same methodology to create *Handbooks* for Mumbai, Jharkhand State and of course Delhi as well (2006). Not only have these *Handbooks* provided well-researched information on governance but also have inspired hope that a little effort in the right direction can

in fact lead to positive change. Some of this positive change attributed to the *Handbooks* can be seen in the fields of agricultural marketing reforms and introduction of private markets; flexible shop timings and privatisation of garbage collection. Widely discussed in the media, bureaucracy and political circuits, the *Handbooks* have been endorsed by prominent thinkers including Swaminathan Aiyar (*The Times of India*), Sunil Jain and Professor Deepak Lal (*Business Standard*), Dr Ashok V Desai (*The Outlook*) and Pratap Bhanu Mehta (Centre for Policy Research).

As with the previous *Handbooks*, the *Delhi Citizen Handbook 2009* hopes to further citizens' understanding of the workings of the government and encourage greater independent fact-based qualitative and quantitative research so that the next time citizens demand better governance, they can back their claims. Apart from focussing on public services, infrastructure and development, revenues and finance, mechanisms of accountability, the *Handbook 2009* also focuses on governance for underserved groups including refugees, street children, children with special needs and minorities. Given the importance of Commonwealth Games 2010 and their impact on the city, the *Handbook* addresses issues of displacement and future use of these facilities.

The Making and Meaning of the *Handbook 2009*

What makes these *Handbooks* unique and different from all the other similar publications, you would ask? One is recommendations based on principles of sound public policy and the second is the creators of the *Handbook* being the majority segment of the Indian population—Youth.

With India racing towards development (which some accuse as being non-inclusive), Indian citizenry is also transforming itself from being apathetic, cynical and ignorant to being concerned and informed about what is going on around them. *Bollywood* movies increasingly inspire citizens particularly youth to share the responsibility of changing the destiny of their country. India being the country with largest youth population in the world gives us the optimism about their potential to create change. However, youth need to be armed with not just the inspiration, passion and concern but also information and the ability to critically analyse that information for long-term desired change. Instead of *morchas* and *dharnas*, in this information age, youth need to “protest” constructively through their well-formulated questions and informed debates.

“It’s impossible to imagine that one could learn experience worth years in merely two months. And if CCS internship could make this impossible thing happen, it speaks volumes of what it is to be like a proud CCS intern!”
- Cheistha Kochhar, CCS Intern 2009

The **CCS Internship Program Researching Reality** has provided a greatly valued and needed learning experience in real-life application of social and economic principles and in teaching young college students the skills of research, analysis, writing, and above all critical thinking. It grooms young people with the ability to understand and critically evaluate public policy from a rational perspective. By being out in the field, youth experience ground reality and decide for themselves how a problem can be studied and solved. It prepares them to be future researchers and change-agents. It enables CCS to conduct studies in areas that require collection of first-hand information and data, which can be done best by enthusiastic, energetic and dedicated students.

Since 2001, over 200 students from across India and the world, have gone through the intensive two-month program and have made their contribution towards improved governance by creating well-researched papers on key issues. Selected through a rigorous process from among hundreds of applications, about 25 youth are trained annually through a multi-dimensional orientation program including field visits, orientation sessions with experts, group reflections, documentary screenings etc. With the help of research guides, interns make the demanding journey from research to writing their final papers.

In the summer of 2009, 20 budding researchers were selected as interns from among 175 applications. The prospect of working towards such a publication as well as the initial meeting with the **Honorable Chief Minister of Delhi Mrs Sheila Dikshit**, the interns were inspired and enthused to bear the sweltering heat of Delhi summer and gather information from government officials, retired officers of the concerned departments and with the people affected, positively or negatively, by these organisations.

With the support of Mrs Dikshit, we aim to engage officials from select government departments with a series of workshops—*Delhi Governance Reform Series* in future.



Hon'ble Chief Minister, Smt. Sheila Dikshit with 2009 Interns

"It's wonderful to see the youth participate in such programs. Let me know what you are looking forward to in the next couple of years because that will be of great help to me. Encouragement is what I get when I know there are people interested and thinking about better governance because we really need to see people say that Delhi's governance is better than the best. It's your aspirations we need to fulfill, not our own." – Mrs. Sheila Dikshit, Honourable Chief Minister of Delhi at a special meeting with the CCS interns, 18 May 2009

"At CCS, internship meant an investigative process. Every stage, right from hunting prime source subject matter, corroboration and chipping figures & opinions together, has been a roller-coaster ride ...and I enjoyed every bit of it!" - Anni Kumari, CCS Intern 2009

"My 2 months of internship at CCS were probably the most well spent 2 months of my life. The sessions were stimulating; the field visits - a reality check and my peers - probably the best brains of India. A truly enriching experience!" - Kritika Narula, CCS Intern 2009

The Principle of Subsidiarity & New Public Management

“The internship has been useful to make me understand a sound public policy from a rational and a liberal perspective.” - Mugdha Jain, CCS Intern 2009

To our regular readers who are familiar with the previous two *Handbooks*, the repetition of our principles of governance below would be a reminder of the basic foundation for our analysis and recommendations.

The principle of Subsidiarity suggests that government should undertake only those tasks that people cannot accomplish themselves. Within the government, the first responsibility should be of local governments. The functions those local governments cannot perform should be given to district governments. And only the remaining areas should devolve to the state government. The emergent field of New Public Management (NPM), amalgamation of public administration and business management, provides practical answers to the fundamental questions of good governance at different levels of government.

Since most immediate tasks of the government are performed by local governments, they should have the primary power to collect revenues. The local governments would pass on proportionate revenues to state governments, which would offer resources to the union government. The principle of subsidiarity indicates that the union government should be subsidiary to state governments and the state to local governments in functions as well as in finances. The following are the basic principles of New Public Management, which could be fruitfully applied to resolve many of the problems and paradoxes of governance.

1. **First, do no harm:** The rule of medical practitioners, ‘First, do no harm,’ applies to government managers. The license permit raj that we abolished in the industry exists in most other areas. To open a school in a slum or a barbershop or a *dhaba*, to sell ice-cream, or water, or fruits and vegetables, licenses are necessary. The government should not prevent people from earning an honest living. It would have to create fewer *rojgar yojanas* and subsidy schemes. Delicensing and deregulation should take the first priority. First, do no harm; do not obstruct or restrict citizens from what they can do for themselves.

Delhi Municipal Corporation

Cycle-Rickshaw Bye-Laws, 1960, Section 3 (1) No person shall keep or ply for hire a cyclerickshaw in Delhi unless he himself is the owner thereof and holds a licence granted in that behalf by the Commissioner on payment of the fee that may, from time to time, be fixed under subsection (2) of Section 430. Provided that no person will be granted more than one such licence [Provided further that Commissioner may grant more than one licences to a widow or a handicapped subject to the maximum of five licences.]

Delhi Municipal Corporation Act, 1957, Section 420

Street Hawkers: Technical Conditions

Refrigerated Water Trolleys (Rule 5)

It has been decided by the Commissioner that distance of 50 metres between 2 water trolleys in congested areas of City, Sadr Pahar Ganj, Civil Line and K.B. Zones and 100 metres in less congested areas of Shahdara, New Delhi, South, West and Rural Zones be observed. However, this shall not hold good in case of parking of water trolleys near cinemas, markets and other places of recreation etc. Even at such places a distance of about 10 metres shall have to be maintained.

- 2. Separate Provision from Production:** The government provides or finances the public good but the actual production is left to the private sector. Instead of attending to inputs into the department, the official focuses on the output. This separation allows the government to provide the service without having to manage production facilities. If the government wants to provide free textbooks to students, it doesn't need to run a whole publishing house, but purchase them from private producers, or better, give money to students so that they can purchase books they prefer directly. In the *Handbook* we apply this idea to the provision of primary education. 'Education Voucher' is given to each poor child who uses it to get education in any school of her choice. The school cashes the voucher from the government. The government thus finances education for those who cannot afford it but it does not run schools. The Education Secretary would have time to check whether students get good education; she won't have to worry about tenders and evaluation of bids for blackboards, chalks, chairs, tables, construction of classes and schools, or about personnel appointments and transfers, disciplinary proceedings—areas where she spends all her time today.

Instead of managing thousands of Fair Price Shops (PDS shops) and combating daily shortages, corruption and crises, a

‘Food Voucher’ would allow the person to purchase food in the market.

3. **Finance Services through User Fees instead of Taxes:** Only those who actually use the service, pay for it. It may seem paradoxical but when government services are financed from general tax revenue and not user charges, the poor pay more than the richer classes. Take for example water. A very small proportion of the total cost of supplying water is collected through user fee, most of the expenditure is financed through general taxes. What actually happens is that those lucky enough to have water connection benefit from the subsidy—they pay less than the cost of providing water. But many, particularly the poor, do not have domestic water connections. They get little benefit of the water subsidy. It is more efficient as well as just to finance services by user fees than by taxes.
4. **Expand Choice and Competition:** Depending on the product or service, there are many ways to separate provision from production, charge user fees, or provide subsidies. Choose those methods that increase competition among suppliers and expand the range of choices for consumers. The Kerala government gives scholarships and transport subsidy to the highest number of students compared to any other state government. Both scholarships (which are similar to education vouchers) and transport subsidy expand the range of schools that students can choose. They also increase competition among schools to attract and retain these students who are more demanding as well as mobile. This choice and competition improves education quality not just for these students but for all students. The choice and competition are really at the heart of what is called the Kerala model of education.
5. **Focus on the Core Function and Contract out the Rest:** A hospital must focus on delivering best quality health services. It should contract out services where it has less of a comparative advantage: cleaning, security, managing a pharmacy or a staff canteen. The contract does not have to be given to a private company, it could be to another government agency that specialises in that service.
6. **Give Clean Subsidies:** Subsidies should reach the target group directly, without affecting the prices, and without distorting the incentives to use the product or service economically and efficiently. The electricity subsidy to farmers, as it is commonly given, distorts the price of electricity and weakens the incentive to economise on the use of electricity. One result of this is electric

motors running longer than necessary to pump water. Excessive water use has created problems of water logging and salinity. So the 'unclean' subsidy for electricity use has increased water logging and water salinity. The issue is of whether to give subsidy to the farmer is different from what form should the subsidy take. Once it is decided to give farmers a subsidy then we must think hard about the way in which the subsidy is given. It should be 'clean subsidy' so that prices are not distorted and over consumption does not occur.

7. **Sound Budget Management: Outcomes, not just Outlays:** Budget making is still shrouded in secrecy even though the budget is the most important governance document. Budget should be made in day light with open public debate. The budget documents about the overall budget as well as individual departments should be easily available in a user-friendly format. At the least, they should all be put up on the government's website. Making all information accessible is the simplest part of e-governance. It is now widely accepted that zero-based budgeting with a performance orientation can improve transparency and efficiency of government expenditures. The accounting system should be on an accrual basis not on cash basis. The fund based accounting system (FBAS) is even better in evaluating per unit cost of services and in matching the costs with performance standards.
8. **Efficient and Corruption-free Procurement System:** Two of the ways to achieve the goal of efficient and corruption-free system of procuring goods and services for the government are passing a False Claims and Whistleblower Protection Acts and making the procedures of tendering and bid selection completely transparent.

A False Claim Act, also known as *Ouit Tam Act*, would allow anyone to bring a lawsuit or provide information on any supplier of goods or services to the government who makes 'false claims' about quality, quantity, or the price of the supplies. If the person provides critical information that helps convict the supplier, then a part of the fines is given to that person as a monetary reward. The higher is the share given to the whistleblower, the higher are the chances of getting that important information necessary for conviction. The private suppliers will hesitate to cheat the government since anyone, including their own employees, can furnish evidence to convict them and collect large monetary rewards in exchange. The False Claims Act coupled with a Whistleblower Protection Law for private as well as government employees will mitigate corruption and fraud in government

procurement and contracts.

The process of procurement can be made transparent by putting up the tender, all submitted bids, and the selected bid with details of the contract on the website of the concerned ministry or department. The people would know what the company has promised to supply and they would help the government detect any breach in the contract.

The ‘Two Bid System’ of selecting the tender is better and less prone to corruption. In this system, the bidders submit separate financial and technical bids. The government officials first select the best two technical bids and then open the financial bids of only those two best technical bidders. The officials reviewing the two types of bids could be different to reduce the possibility of collusion.

9. **Develop Multiple Instruments of Information & Accountability:** The Public Grievances Commission, Right to Information Act, Citizen Service Centres, Gender Resource Centre are all powerful ideas to share information with citizens and hold the government accountable. Delhi should be particularly pro-active in implementing the RTI Act. It should require that the types of information that are most widely requested by the people of Delhi would then be disclosed pro-actively. One way to implement this pro-active disclosure is to consider the top three to five requests in each category per quarter and then make that information available *suo moto* from that point onwards (that is include that information under the Section 4 of the Act). This would also reduce the burden on the government in fulfilling multiple requests for the same information.

Instead of just one Citizen Service Centre for each ward, our researchers propose a public-private partnership model under which many more service centres can come up to serve the citizens of Delhi. Like the ubiquitous STD phone booths, we could have several service centres in an area to meet the needs of the local residents. These centres can provide information about government schemes, application forms, help citizens file petitions under RTI or appeal to the Public Grievances Commission. The private service providers would also be more amenable to the specific needs of local communities and thereby more adaptable as opposed to a single common model of service centres across Delhi.

10. **Performance, Performance, Performance! :** In the private sector, profit is the bottom line—profits of a company are a signal that

the company is producing the service that people want to use and are willing to pay a price higher than the cost of producing the service. What's the bottom line for the services provided by the government? How do we evaluate the performance of the departments of the government? For government services, the bottom line must be the satisfaction of the users of the services.

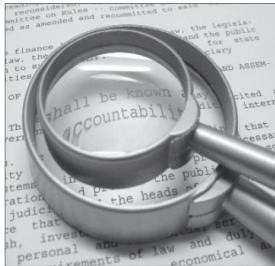
A **Report Card System** can regularly collect information from the users of various government services, assessing medical services at a major hospital, for example. The first survey would establish the starting point on the quality and cost of the service—the overall satisfaction of the patients at the hospital. Then the managers of the hospital should set performance standards—by how much the satisfaction score should increase in various areas of services by next year. They should then design all their systems and train the personnel so as to achieve those performance standards. The next year's Report Card would judge how far these standards have actually been achieved.

A **Citizens' Charter** can define objectives, standards of service, and penalties for failure to meet the standards. It would provide an overall performance benchmark. It would also be feasible to demand performance from its civil service. It can put the civil servants on a five-year renewable civil service contract. To maintain impartiality and objectivity, it can hire a HR consultant to evaluate the performance of each officer at the end of the five years and decide whether to renew the contract or not.

The *Handbook* has the potential of being a powerful tool in the hands of citizens to engage with government in a constructive debate about good governance in Delhi. We encourage citizens especially the youth, civil society, media, reform minded politicians, public servants to take the *Handbook* to the next level and do justice to the labour and time of these 21 researchers who want their writing to lead to change.

"It has made us feel empowered enough to initiate and make a considerable change in our own environment even through a small effort." - Maina Sharma, CCS Intern 2009.33

Accountability & Transparency



- ❖ Delhi Public Grievances Commission: A Critical Analysis
- ❖ Department of Administrative Reforms
- ❖ Opaque Transparency: 'Vigilating' the Vigilance
- ❖ Department MLA-LADS: Loopholes & Corrections
- ❖ Citizen Service Bureau: Making Governance Accessible
- ❖ Public Private Partnership Model for *Nagrik Sahayata Kendra*
- ❖ Mission Convergence: Good Governance through Shared Leadership
- ❖ *Sahabhagi*: Participatory & Inclusive Governance
- ❖ How Helpful are Delhi's Helplines?

Delhi Public Grievances Commission: A Critical Analysis

1. Introduction

Under the Government of the National Capital Territory of Delhi, there are a number of provisions for redressal of public grievances against 'official apathy'. These include, among others, the grievance cell in each of the departments, Directorate of Grievances at the CM's office, grievances and anti-corruption cell and the Public Grievances Commission (PGC).

PGC also referred to as 'the last resort', was established *vide* a Resolution in 1997, as a platform for face-to-face complaint resolution without the help of a legal practitioner. It was envisaged that PGC will act as the last resort for the hapless public that have exhausted all the existing channels of grievance redressal in the concerned departments/bodies/autonomous organizations of the state government. In addition, the Commission has been notified as the 'Appellate Authority' under Section 7 of the Delhi Right to Information Act, (DRTI) 2001.

Since its inception, the number of complaints brought before the Commission has shown an upward trend with as many as 2045 cases in 2005-06 and 3936 in 2008-09 (up till December) and an impressive case disposal rate of more than 85% across the years. These cases pertain to acts of commission, omission, inaction or abuse of authority by concerned department/officers, such as encroachment or unauthorized construction by Municipal Corporation of Delhi (MCD) or non-registration of FIR by Delhi Police etc. Under DRTI, over 2100 appeals (up to 31 March 2007) have been filed in PGC with 90% having successfully disposed off.

Despite these figures and the success stories highlighted in its annual report, primary research shows that there are significant areas of improvement in the working of the Commission. These areas become distinctly visible when one questions how easy and accessible, time-bound and satisfactory is the mechanism for appeals and grievance redressal.

Owing to administrative lacunae and absence of statutory powers, media persons and complainants have nicknamed it as a 'moribund unit', a 'toothless tiger' or rather a 'rehabilitation centre' for retired government officers.

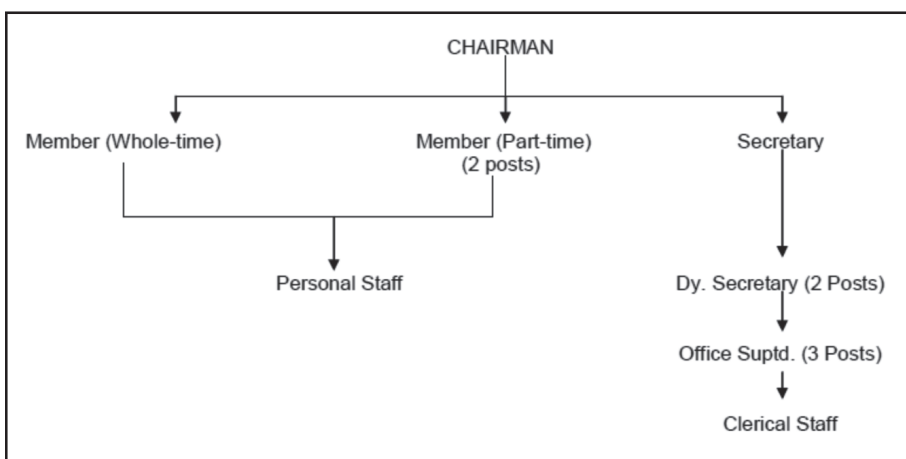
The aim of this chapter is to look objectively at the PGC Resolution and the mechanism for redressal of public grievances, constituted under the Government of NCT, Delhi and to suggest policy and systemic reforms. The chapter analyzes the efficacy of the grievance redressal mechanism in place under the PGC. The problems plaguing the Commission were identified through personal interaction with complainants, PGC and Administrative Reforms Department officers, Government of NCT, Delhi. Although, over the years, the Commission has managed to dispose of more than 80% of the cases, it was found that in the absence of statutory powers, combined with the lack of follow-up action, left most complainants dissatisfied. The chapter suggests measures for bringing about greater accountability, transparency and efficiency in the system. In addition, it looks at comparative models, structured on best practices like the one under the Central Information Commission (CIC), Government of India.

2. Structure of the PGC

PGC is headed by a Chairman and has 3 members appointed by the Lieutenant Governor of NCT Delhi, including two part-time members and one full-time member.

The Resolution stipulates that the Chairman of the Commission should have held a post in the rank of Secretary to the Government of India prior to his appointment as the Chairman. In addition, the whole time Member shall be a person who has been a Director General of Police of a State or has held an office of comparative status and responsibility. The two part-time members shall be persons of public eminence having special knowledge or practical experience in the field of education, science, law, literature, social service or human rights. Of these two part-time members, at least, one shall be a lady. In addition, there is a Secretary who is in charge of the functioning of the Commission and is assisted by a Deputy Secretary, office superintendents and clerks.

a. Organization Chart



Organization chart¹

b. Main Functions

The Commission is responsible for performing the following activities:

- i. To redress the grievances of the public against the departments of Government of Delhi/Local Bodies and Delhi Police.
- ii. Take *suo moto* action on issues of public importance coming to its knowledge through print and electronic media and those specifically referred to it by the Lieutenant Governor, the Chief Minister and the Chief Secretary of the Delhi government.
- iii. Conduct research into systemic problems and suggest ways to improve the delivery of services in a transparent and responsive manner.
- iv. To act as the Appellate Authority under the Delhi Right to Information Act, 2001.

S. No	Designation of Post	Powers				Duties attached
		Administrative	Financial	Statutory	Others	
1.	Chairman	Head of Deptt.	Full financial powers enjoyed by the Head of the Deptt.			Overall control and supervision of the Department as HOD.
2.	Member (Full-time)					Hear complaints related to the departments allotted to him viz. Delhi Police, Delhi Jal Board, Land & Building, PWD, DTC, etc.
3.	Member (Part-time) (two)					Hear complaints related to departments allotted to them viz. MCD, NDMC, Education, RCS, etc.
4.	Secretary/ First Appellate Authority	Head of Office	Enjoys the powers of Head of Office as per powers delegated under the rules	First Appellate Authority under RTI Act, 2005		The Secretary (PGC) is incharge of the administrative side of this office and also functions as the Head of Office under the powers delegated to him by the HOD.
5.	Dy. Secretary (Admin./Grievances/Vig./Care taking) Link Officer to SPIO					All matters related to complaints, administration, vigilance, caretaking are routed through the DS (Admn.)
6.	Dy. Secretary (Grievances/ DRI), SPIO			Notified as SPIO under RTI Act, 2005		All the matters relating to Delhi Right to Information Act, 2001, Right to Information Act, 2005 are routed through him.
7.	OS (Grievances) Link Officer to 8 & 9					He is incharge of the grievances section.
8.	OS (Admn./Care-taking/DDO)					He is incharge of the Admn./Caretaking Branch.
9.	OS (Grievances/ DRI), SPIO Link officer to 7			Notified as SPIO under RTI Act, 2005		He is incharge of the DRI Branch

Table 1: Powers and duties of officers and employees²

c. Types of Cases Entertained by the Commission

The Commission examines complaints made by members of public against acts of:

- i. omission or commission
- ii. inaction
- iii. harassment
- iv. extortion
- v. corruption
- vi. abuse of power and authority by officials

d. Cases not taken up by the Commission:

The Commission does not take up cases if:

- i. complaint is anonymous or contains vague and superfluous

allegations.

- ii. matter is sub-judice in any court of Law, tribunal or judicial or a quasi-judicial Authority.
- iii. complainant has not exhausted the channels available to him within the concerned department/ organization.
- iv. complaints are by the serving Government officials against their department.
- v. complaint pertains to service matters (however, complaints relating to the grant of terminal benefits like pension/GPF/gratuity to retired government employees are being accepted).

e. Mechanism

- i. Grievances and appeals received and eligible for registration in the Commission are forwarded to the concerned Head of Department, Nodal Officer and relevant field unit (of Government of NCT Delhi/Local Body/Autonomous Organization) within 24 hours of receipt seeking an Action Taken Report (ATR).
- ii. The aforesaid communication from the PGC will:
 - specify a period of period of three weeks (21 days) only, within which the concerned body must furnish an ATR.
 - state that at the conclusion of these 21 days, a first hearing is scheduled and the date and time of that hearing will be indicated.
 - request the nodal officer of the concerned department to be present at this first hearing fully briefed about the case in order to convey if the subject of the grievance/appeal has been addressed or why it has remained unaddressed.
- iii. Within the PGC, the Deputy Secretary (Dy. Sec) is responsible for ensuring that appropriate approvals are obtained from the respective Members and Chairman PGC about scheduling the first hearing.
- iv. Dy. Sec monitors the issue of all communications to complainants and appellants (on a daily and weekly basis) to ensure that they continually receive due acknowledgement as well notices for hearing well in time. The notice for hearing is to be followed up with SMS messaging.
- v. For grievances that require immediate attention such as non-registration of FIR in heinous offenses, non-availability of

drinking water etc, Dy. Sec must provide a photocopy of the said grievance/appeal to the Nodal Officer of the Department. This too is required to be followed up with SMS messaging.

- vi. Dy. Sec (w.e.f. 15 February 2009) is required to ensure that two cause lists are prepared for the Offices of the Chairman and Members PGC.
 - One cause list for each day of the week per office (Chairman and each Member).
 - The other for the entire week to obtain, at a glance, an overall perspective of the hearings in any given week, and over the month as well.
- vii. Dy. Sec must ensure that with approval of Chairman, letters are issued once every month to the Principal Secretaries, Government of Delhi/ Heads of Local Bodies etc. about the specific hearings (grievances and appeals) where they were wholly unrepresented or inadequately represented.
- viii. Dy. Sec is responsible for taking stock of the final orders being issued and therefore the disposal of:
 - Grievances/appeals carried over from the previous year
 - Grievances/appeals instituted during the current year
- viii. Dy. Sec will issue a statement by the 10th of every month indicating the reasons for continued pendency.

3. Performance Evaluation of the Commission

In order to ascertain whether the Commission has delivered its objectives of efficient grievance redressal, its performance is evaluated on the basis of the following parameters:

- Easy and accessible: how easy is it for the public to lodge complaints?
- Time-bound: how speedy is the process of inquiry, hearing and decision-making?
- Effective/satisfactory: is justice actually delivered to the complainant?

a. Easy & Accessible

Any aggrieved person can file a complaint in writing addressed to the Secretary PGC, along with the supporting documents. There is no prescribed format and no fee charged for the same. In addition, the Commission claims to have online provisions for filing complaints/

DRTI appeals and status check. *PGC Handbook*, published in February 2009 talks about a mechanism called 'Aap Ki Sunwai', wherein the public can make their complaint over the telephone.

However, these are not fully functional and no database of grievances/appeals is maintained on the website. Most of these schemes are however still in their infancy even after a year. Although computerization was approved in 2004, with as much as Rs. 14 million (up till December 2007) spent for the purpose, PGC is still not fully computerized. The most significant reason for this is the lackadaisical approach of the Information Technology Department of the Government of NCT, Delhi that handles the task. Moreover, the Commission is of the opinion that "placing all the orders passed by PGC on the website will require diverting huge amount of manpower, which will adversely affect the working of the Commission".

b. Time-bound

The RTI Manual (manual 3 on the website, flow process point no. 6) states that issue of final order must be within 3 months. However, the PGC Resolution merely states that the Commission is committed to speedy disposal of complaints received, but does not mention a time frame. Therefore, PGC cannot be held accountable for prompt grievance redressal. The Commission also avers that in case of grievances requiring immediate attention like for instance a molestation/dacoity, it asks the concerned department to submit an Action Taken Report (ATR) within 24 to 48 hours. Despite these provisions, at times complainants have to go through the long and arduous process of repeated hearings and appeals. In the absence of statutory powers, the Commission's capacity for expeditious grievance redressal is seriously limited.

c. Effective/Satisfactory

As can be inferred from the following Table 2 that over the years the number of complaints/grievances, particularly since 2005 have been increasing constantly with a disposal rate of more than 85%. Despite the impressive track record a number of serious limitations can be identified within the mechanism such as in the absence of statutory powers, the PGC faces constraints for effective compliance and enforcements against erring officials for inaction, delays, corrupt practices etc. PGC does not take follow-up action to check whether or not its recommendations are implemented³ (unless otherwise a specific issue is brought before it by a complainant). Once the final order is

passed after the hearings, the Commission makes no effort to receive feedback from complainants to ascertain whether or not they are satisfied with the recommendations. In 92 cases (up till December 2007) recommendations for penalty/departmental action have been made. In 21 cases the PGC as the Appellate Authority under the Delhi RTI Act, 2001 had suggested systemic reforms. However the Commission by itself has not taken any action against any officers. These are but some of the gaps in the functioning of the PGC which it must look into for a more effective disposal of cases.

Table 2: Receipt and disposal of complaints in the Commission⁴

S. No	Year	No. of complaints carried forward	No. of complaints received	Total no. of cases	No. of complaints disposed off	% of cases disposed	No. of complaints pending (as on 31 March)
1	2003-04	397	1359	1756	1432	82%	324
2	2004-05	324	1264	1588	1276	80%	312
3	2005-06	312	1733	2045	1729	85%	316
4	2006-07	316	3699	4015	3521	88%	494
5	2007-08	494	4032	4526	4168	92%	358
6	2008-2009 (up till Dec 2008)	358	3578	3936	3433	87%	503

The following Table 3 shows the major issues brought before the Commission by complainants.

No	Name of the Department	Major issues
1	Delhi Police	Inaction by police, harassment, corruption or impartial investigation
2	Municipal Corporation of Delhi	Unauthorized construction, encroachment on public land, corruption charges against the employees, civic problems like water logging, insanitation, non-payment of terminal benefits to employees
3	Delhi Jal Board	Shortage of water, sewer problems, incorrect bills
4	Food and Supplies Department	Non-supply of ration items by FPS/SKO dealers, corruption, non-issuance of ration cards
5	Public Works Department	Encroachment of government land
6	Delhi Transport Corporation	Regarding change of routes or for providing bus service
7	Land & Building	Allotment of alternate plot
8	Delhi Pollution Control Committee	Pollution cause by slaughtering and roasting of animals/birds and sealing of factories. Noise and particle pollution.
9	Education Department	Retirement benefits, revision of pension, shortage of staff in schools
10	Revenue Department	Encroachment of Gaon Sabha land, correction of revenue records, non-demarkation of plots, composition, mutation of land, allotment of plots
11	Registrar of Cooperative Societies	Mismanagement of affairs of cooperative societies by the managing committees, harassment to the members of the cooperative societies by the managing committees, delayed action by the Registrar office on complaints made by members
12	New Delhi Municipal Corporation	Encroachment on public land, harassment
13	SC/ST Finance Corporation.	Regarding loan

Table 3: Department wise major issues involved in public grievances/ complaints received by the Commission⁵

4. Recommendations for Policy and Systematic Reforms

a. Granting of Statutory Status

The Commission should be modeled on the lines of the Central Information Commission (CIC), Government of India, which has the powers to:⁶

- i. Summon and enforce attendance of persons, compelling them to give oral or written evidence on oath and to produce documents or things
- ii. Require the inspection of documents
- iii. Receive evidence on affidavit
- iv. Requisition public records or copies from any office
- v. Issue summons for examination of witnesses or documents

A draft of the ‘Delhi Public Grievances Commission Bill’ has been finalized by the Commission in consultation with the Administrative Reforms Department, Government of Delhi and the same has been sent to the government for consideration. However no action has been taken since then.

b. Ensuring Administrative Transparency and Accountability

Under the PGC Resolution, the PGC officials are not accountable for delay and inaction with respect to grievances/complaints filed in the Commission. Since the Administrative Reforms Department acts as the administrative agency of the Commission, it should ensure that the Commission implements the following measures effectively, including:⁷

- i. Providing access to information in a particular form
- ii. Directing the public authority to appoint a Nodal Officer/ Information Officer where none exists
- iii. Publishing information or categories of information
- iv. Making necessary changes to the practices relating to management, maintenance and destruction of records
- v. Enhancing training provision for officials on RTI
- vi. Seeking an annual report from the public authority on compliance with this law
- vii. Require it to compensate for any loss or other detriment suffered by the complainant

Since the Chairman and the Members are quite burdened with the numerous grievances and appeals that come for hearing, they do not have optimum time for review and follow-up action. Therefore, it is advisable that PGC Chairman and Members should be supported by a consultative committee (consisting of two to three members) that will look into different aspects of a case before and after the hearings. This design, unlike the one wherein in which the Deputy Secretary is singularly responsible for all the correspondence between the complainants and the concerned department(s), is likely to be more fair and efficient. In addition, organizational hierarchy could be reformed facilitating greater flexibility and interaction among the officials.

c. Outsourcing Routine Activities

It is expected that the Commission can outsource routine activities, including record maintenance, updating and computerization to private players to ensure the following:

- i. PGC employees get more time to focus on their core functions
- ii. Accessibility of updated information to the public
- iii. Wider dissemination of information on cases, appeals and other matters
- iv. Maintenance of segregated data on a case-to-case basis for research and analysis pertaining to trends

d. Publicity, Public Participation and Proactive *suo moto* Cognizance

Based on first-person observation it was inferred that a majority of the complainants that approach the Commission have practically very little or no information about how to lodge complaints, the supporting documents required and the process of hearings. Therefore it is recommended that the Commission should organize publicity drives and campaigns for dissemination of vital information. Also, some of the complainants feel that PGC officials behave in an 'apathetic' manner, so attempts should be made to sensitize officials through relevant training and greater public interaction. As illustrated in the list below, up till December 2007, merely eight cases have been pursued by the Commission under *suo moto* cognizance. Consequently, there is tremendous scope for taking cognizance of a wide range of issues of general concern and social relevance.

List of *suo moto* cognizance cases taken (up till 28 December 2007):⁸

- i. Construction of 'pulla' at Chand Bagh - Irrigation & Flood Control Department
- ii. Selling of sub-standard drugs in Delhi - Drug Control Department
- iii. Heavy vehicles playing with emergency brakes -Transport Department
- iv. Problems in A&U Tibbia College - Pr. Secretary (Health)
- v. Water scarcity in Delhi - Delhi Jal board
- vi. Corruption in various RTOs – Transport Department
- vii. Non-plying of DTC busses in Dwarka – Delhi Transport Corporation
- viii. Queuing up for ration cards - Food & Supply

Looking at the inadequate effort taken in this field, there is tremendous scope for proactive action for much needed systemic changes.

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Endnotes

1. RTI Manual, updated 16 July 2008.
2. RTI Manual, updated 16 July 2008.
3. RTI response dated 28 December 2007, PGC letter No 22202.
4. PGC, booklet, Published February 2009.
5. PGC, booklet, Published February 2009.
6. CIC website <http://cic.gov.in/>.
7. CIC website <http://cic.gov.in/>.
8. RTI reply dated 28 December 2007, PGC letter 22202.

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Department of Administrative Reforms

1. Introduction

Administrative Reforms (AR) are emerging as the buzzword in India. With the economic reforms taking off in the early years of the nineties, there is an emerging consensus that the government needs to now overhaul its functioning with a rapid emphasis on a transparent bureaucracy, efficiency in its working and procedures and above all an overall shift in the mindset which will improve delivery in governance.

This chapter inquires how a reform comes into existence in terms of who proposes it, where is it discussed and how is it implemented. To understand this, the paper reviews the functioning of the Administrative Reforms Department. Remedial measures and some policy recommendations are made to speed up the functioning of the department.

2. Department of Administrative Reforms:¹ A Reality Check

a. Information Dissemination

i. Manuals

The RTI Act 2005, under Section 4(1)(b) makes it mandatory for all the public authorities or institutions to make certain minimum information available *suo motu* or voluntarily for the general public and it should be put in the public domain.

The Department of Administrative Reforms has put up the following 17 information manuals which are present on the Delhi Government's website. These 17 manuals are dealing with various aspects of the Department which aim at providing the basic information to any concerned citizen about the structure and functioning of the Department. The list of manuals available is on particulars of the organization, power and duties of officers/employees, procedure for decision making, norms for discharge of functions, rules and regulations for discharge of functions, statement of categories of records, details of consultative committees and other bodies, list of boards, councils, committees and other bodies, directory of officers/employees, monthly remuneration of officers/employees, budget allocated to each

agency, execution of subsidy program, particulars of recipients of concessions, permits, information available in an electronic form, facilities available for obtaining information, particulars of PIOs and other information prescribed.

Suo motu or 'proactive disclosure' of the aforementioned manuals pertaining to the Administrative Reforms Department was not available on its website; one has to go through the RTI website to find these manuals.

Each manual is evaluated in terms of information provided and what information could have been provided or has not been provided. The latter is arrived at by analyzing the manuals of other departments of the Delhi Government and other state governments and cross-checking information provided in this Department. This evaluation had led to the conclusion that while routine information has been provided in most of the manuals, in the case of some of them, important information is missing or no information is provided.

ii. Personal Interactions

This section is a view from the eyes of an ordinary person. It answers the questions on how one gets information on a personal visit and how well the Department receives you. We analyze this section on the basis of the following parameters:

- Officer interacted with
- Class/Position
- Outcome

The Department has been given as an additional charge which clearly shows the seriousness of the Government in concern with this Department. The Principal Secretary (AR) was not available during our visits and hence we had to meet the subordinates. Out of the five officers that we interacted with, four were Class 1 officers (one Advisor and three Assistant Directors) and one was a Class 2 officer (Research Investigator).

The interaction with most of the officers was not very fruitful. It was observed that the level of awareness about reforms happening in other states was not there. The Department did not want to take initiative in understanding the reform process and hence recommending reforms seemed to be a distant dream. The officers were willing to help us with information and came up with new ideas but lacked the will to implement them.

b. Structure and Functions of the Department

i. Nodal Agency for RTI

The Department has been assigned as the nodal agency for the implementation of the RTI Act (2005). Under this ambit, the Department compiles all the RTIs received by the various departments of the Delhi Government. As the nodal agency, any RTIs filed with the Administrative Reforms Department are forwarded to the concerned department. So the Administrative Reforms Department has twin functions, that of data compilation and of being the nodal agency for the implementation of the RTI Act.

ii. Lokayukta

The Department is to perform secretariat functions for the *Lokayukta*, a relatively recent venture of the Government. It is one of the strongest anti-malpractice cells in the State. The Department's involvement is minimal, and it functions independently to a large extent. Only some appointments, submission of reports and demand-based functions are routed through the Department.

iii. Public Grievances Commission

Covered under separate chapter, the Department's role is to perform the secretariat functions for the Public Grievance Commission.

iv. Award Schemes

There is a cash award of up to Rs. 5000/- for officers or staff members whose recommendations are accepted by the Standing Committee on Administrative Reforms, under different heads such as cutting down delays, reducing paperwork and simplifying processes and procedures.

Under this section on the website, there is a noteworthy initiative undertaken whereby there is a link titled "Your Suggestions" which opens a suggestion form for the general public. However, the usage of this is minimal and it was a surprise to find this feature, showing the lack of publicity that it has received.

v. Citizen Charter

The Citizen Charter acts as an interface between the people and

the government, seeking to improve the quality of the interaction of the two. The basic objective is to empower the citizen, improve public service delivery and accountability. The Department is the nodal agency to get the citizen's charters prepared of various departments/organizations. The website claims that all Departments have responded favorably to the innovation to prepare these charters, but a survey found that of the departments of the Delhi government, with a sample size of 98, only 45 charters have been uploaded on the web, of which only 29 are functional. Autonomous bodies were not covered under the survey.

vi. Punctuality Drives

Details of punctuality drives conducted in the past were not available. The purpose of the duty itself was questioned by a high level officer in the Department. It was felt that there should be adaptability in timings and if people are asked to work overtime on some days, they should be allowed to come late other days. Also unavailable was a record of punishing regular late-comers, a lacuna in the Department's functioning.

vii. Organization and Method Instruction

Organization and Method Instruction was the earlier Administrative Reforms Department. As the name suggests it was to concentrate on the administrative processes and systems in the secretariat. However, this portion of functioning has started becoming inactive over the years. The last record of this work dates back to 2002. Letters were sent by the Department to the different departments as given on the website on annual inspections (dated 9 May 2002), on weeding out of records (dated 3 June 2002) and on the spot training (dated 28 February 2003). However, it is unclear as to whether any of these were carried out.

viii. Manual of Office Procedure Test

The Manual of Office Procedure governs protocol to be followed in day-to-day work of departments. The Department conducts annual tests with rewards based on the performance of an individual in the test. On visits to the secretariat, it was found that notices are up as to when the test is to be conducted, but information on who has registered, as well as past results could not be obtained.

ix. Plan Scheme (Strengthening of Department)

There has been an approved outlay for 'Strengthening the Administrative Reforms Department' each year in the demand for grants for the past three years (available with the Planning Department). The outcome budget states that the deliverable output for the same is preparation of reform reports, distribution of prize money for various competitions on reforms and reform studies, with the objective of improving efficiency in governance.

However, an analysis of the real expenditure incurred by the Department indicates that the heads, under which this money was spent, was to a large extent on miscellaneous expenditure rather than strengthening or carrying out reform study, with a few exceptions. The different heads of expenditure in this as listed by the Department include arrears due to Pay Commission, bonus pay of officials, reimbursement of tuition fees of employees and ex-employees, payment towards temporary posts, manual of Office Procedure Test, buying of computers, tables, Citizen Information Guide (Compilation of Citizen Charters), Mission Convergence and social audit of the Department.

Thus, one sees that the expenditures do not pursue the deliverable output of preparing reports on reforms, leaving this duty out of the spectrum of the Department.

x. Post Creation

We have given this duty a separate head because of the prominence it has in the day-to-day functioning of the Department. On inspection of the file movement records of the Department we found that a majority of the subjects of the files received by the Department were for allocation of new posts to different departments, hospitals etc. For example: security guards.

The process includes filing of demand being received by the Administrative Reforms Department from a particular department, study teams analyzing the demand and its practicality, making recommendations, which could be different from the demand, based on studies and sending back the file to that particular department. Taking up of these recommendations and moving the file along to the Lt. Governor for implementation is entirely up to that the particular department.

Thus, it is clear that the department does not have any recommendatory authority over the other departments. While this

is justifiable there is also no feedback mechanism for the department, which means that whether or not something has been taken up is not known to the department itself, let alone the public. For example, a suggestion to downsize a particular department will most likely fall on deaf ears with no knowledge of what happened to the idea. This is a clear disincentive for any kind of suggestion to be made.

3. A Framework for Reform

Every year, the Department of Administrative Reforms and Public Grievances (DARPG) awards best governance practices in the country. The list of awardees has not seen a Delhi-based project for innumerable years. It is inexplicable for Delhi to stay far behind in terms of efficiency not just globally but within the country as well. In this section, we concentrate on providing a framework for developing and implementing reforms in the bureaucracy through actions of the main stakeholders, i.e. the executive, the bureaucracy and the public.

a. Understanding the Role of the Bureaucracy

The traditional view of the role of the government is a 'servant of the people', with its duty being to serve whatever interests the people demand in the most efficient manner possible, while in actuality it has become a perversion in many places with peoples' actions being governed by the nature of the bureaucracy and its processes.

By virtue of being a singular body, functioning on the ideal of service causes the functioning to run into problems. It is important when one speaks of provision of services, especially relating to people interaction that there is competition, with people having the choice to go to the better serving agency. Needless to say, it is not possible to have multiple bureaucracies. One possible framework in this regard is for privatizing the service provision, that is, the interaction of the citizen with the government through private agencies, as is done with the visa systems of some countries. The sole aim of this agency being provision of quality service, that brings an improvement to government-citizen relationship. Further, this service obviously needs to be backed by efficient functioning in the bureaucracy. A private service provider would create pressure on the system's process to be carried out better, since the service provider's work is also dependent on the department.

b. Demand-Driven Vs Supply-Driven Reform

The ideal system of governance would be instantly adaptable to change and developments in a multitude of factors, such as demands, technology, political class etc. Changes herein would be demand-driven, to attain functional efficiency. That is a system towards which we should try and move.

The agency of reform has to be supply-based or differently put, come through a higher authority. The change in the current inefficient and non-transparent functioning of the bureaucracy would be a forced change often going against majority of opinion within the setup due to personal harm, which is by no means easy to put aside. Yet this does not take away from the essentiality of making that change for better processes.

c. Authority Vs Discussion

Political apathy is a major deterrent to any change. At the same time the need for change has been well established. The agency for change in this case has to come through a balance of authority and sensitivity to opinions and personal interests.

Change must be discussion-based with people of the department in which the change is suggested. It is important to guard against the attitude that everything done by the government is wrong, and one should base demands sensibly. Easily feasible is a regular, periodic meeting of the secretaries of all the departments to discuss required change and commit to implementing change. Regularity would ensure that undertaken change is taken forward since the topic would be up for discussion amongst all colleagues again and again. One could draw an analogy with a corporate house strategy think-tank, putting in place strategies for the way forward given the consumer base. This can be initiated by the Chief Minister and her Council of Ministers who can attend the meetings being the elected representatives of the people.

Another opening that needs to be provided is attention to the public demands. While registering of grievances of the public is one matter, citizens' ideas for introducing change also need to be given due regard. There should be a public forum for discussion involving civil society, citizens, students, the agenda of which should be put up and analyzed in the same regular meetings.

d. Transparency Equals Efficiency

A way to achieve the outlined ideals of efficiency is through transparency. It is important not to misunderstand this concept as scrutinising the process of every decision made. A person works in a department with a certain period of training, which needs to be respected. The meaning of transparency simply is that data on the process that has been carried out, and the time in which it has been done is easily available in the public domain. This information being visible to everyone implies that if any malpractice occurs it will immediately be caught on to. The risk of corrupt practices or holding up of files on arbitrary grounds gets drastically increased. For this, a centralized computerized system is worth considering as it enables everyone to track file movement in the government.

There is a step-wise process to this. First is the move towards computerization of the department from manual filing systems and then moving this system online for access over the internet. It is the first move that is the hardest; the marginal cost of the second is minimal.

e. Business Process Reengineering/Simplification

Alongside improving the functioning and efficiency of currently established processes and ways of working, it is also important to review these practices. Currently, if a file has to move through 5 levels in one department, and 5 departments for the final clearance, it makes sense to question whether passing through so many people is required for that decision to be made. Similarly for allocations, complaints etc, while there may not be a single-window answer to everything, as due diligence is required for thorough analysis, the current procedures stand very complicated and thus study needs to be undertaken to change this. Such a study was undertaken by the Income Tax Department in 2007. The jury is still out on the success of the project, but the effort is commendable, with studying of best practices globally, discussions with employees and tax payers, all factored in.

On similar lines these processes need to be encouraged to come up within departments through some channel. This push can come from the elected government, but it has been seen to usually come from a small segment of reform-driven officials. One such initiative is the award scheme put in place both at the central and state level. This scheme needs to be restructured since an award of Rs. 5000 on acceptance of reform is not enough of an incentive to recommend a change that could lead to a degree of unpopularity among peers.

4. Conclusion and Recommendations for the Department and Government

The Department of Administrative Reforms was set up as a concretization of the Organization and Methods Instruction aimed at improving government systems and processes. Two Administrative Reforms Commissions, under Morarji Desai and Veerappa Moily have further pushed the case for reform, and an improvement in the interaction between the citizen and the government. The Department under NCT, Delhi since getting the status of a fully functional department in 2005 has deviated from its original functions due to structural and incentive problems. Towards moving in the right directions, some recommendations are as follows-

- a. Monthly meeting of Chief Minister, Chief Secretary and Principal Secretaries for discussion of what reforms are to be made, as well as evaluation of current progress on previous discussions. The Administrative Reforms Department can be the facilitator of such a process and can act as the nodal agency for building upon the same.
- b. Computerization of departments as a first step towards having online database, supplemented with training on computers for personnel. All files moving in and out of the departments must be put online on a Local Area Network (LAN) that is accessible to the general public as well. The government is also contemplating punitive action against officers who delay file movement. This system should be implemented in the Delhi State Secretariat which will bring more transparency and also better governance model for other states to follow.
- c. Review of Award Scheme, with increased amount of cash prize to incentivise a push towards reform from within departments.
- d. Public Forum for reform discussion to be sensitive to demands of public administration.

- Prepared by Bhanu Joshi (student of BA Hons Journalism at Delhi College of Arts and Commerce) and Udit Rastogi (student of BA Hons Economics at Hans Raj College)

Endnotes

¹ <http://delhigovt.nic.in/RTI/default.asp>. Accessed on 16 June 2009.

Moily tough talk on corruption

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Aloke Tikku, Hindustan Times

Email Author

New Delhi, September 14, 2009

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Corrupt civil servants could be in trouble if the government walks the talk.

The day after Chief Justice of India K.G. Balakrishnan called for seizing illegal properties of officials convicted for corruption, Law Minister M. Veerappa Moily called for constitutional amendments to make it easier for the government to dismiss corrupt bureaucrats.

The law minister, however, did not stop at that and said there should be no need for prior approval to prosecute corrupt officials and there should be laws to set up a Lokpal, end benami transactions and protect whistleblowers.

As head of the Administrative Reforms Commission, Moily had recommended many of the suggestions that he spoke about at the conference on 'Fighting Crimes Related to Corruption' on Sunday.

The government, however, has already junked quite a few of them, including the one that asked the government to lift the shield of sanction for corrupt officials caught taking bribes. And shoved some others under the carpet like the proposal to set up a Lokpal in Delhi that could investigate Union ministers and Members of Parliament.

The law minister's suggestion to revisit Article 311 of the constitution — that protects civil servants from motivated proceedings to help honest officials to stand straight — has also been made by earlier panels. And rejected.

Opaque Transparency: 'Vigilating' the Vigilance Department

1. Introduction

The objective of this chapter is to understand the organisational and functional setup of the department which is responsible to check corruption and malpractices, i.e. the Vigilance Department. Though our study is specifically focused on the Directorate of Vigilance & Anti-Corruption, Delhi, (*henceforth termed as DoV*) we will also study the Central Vigilance Commission (CVC) in some detail to the extent of its relation with DoV.

This chapter also seeks to analyse why corruption is still so rampant and the reasons why it has not been tackled effectively. In this context the chapter attempts to answer the question, if Vigilance Department is itself corrupt, then why is it so and '*Who invigilates the Vigilance Commission?*'

2. Directorate of Vigilance & Anti-Corruption of NCT of Delhi (DoV)

a. Organisational Chart

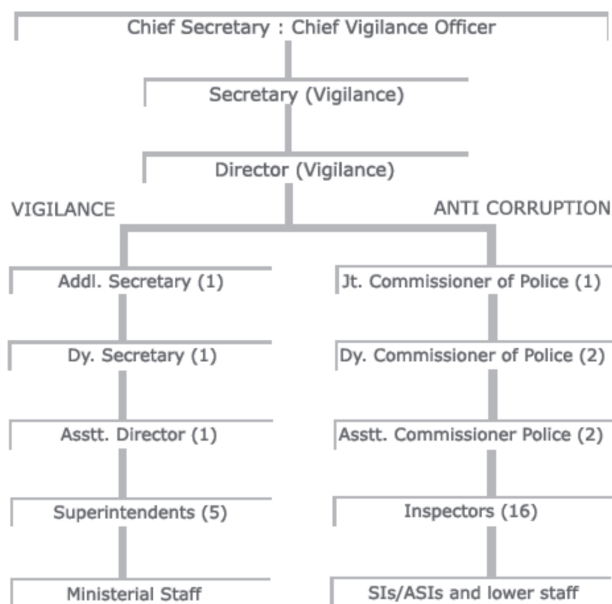


Figure 1: Organisation chart of the Directorate of Vigilance

b. Branches and Services Offered by Each Branch¹

The DoV deals with disciplinary cases against delinquent gazetted officers of all departments under the Government of NCT of Delhi. Complaints against gazetted/ non-gazetted employees received through general public, CBI, CVC and other sources are also processed. The Department finalises chargesheets after re-drafting/vetting of draft chargesheets received from various departments of Government of NCT of Delhi. In regard to specific serious irregularities, investigation is got done through the Anti-Corruption Branch of this Directorate which functions as an investigating agency.

The DoV is divided into two parts: the Vigilance Department and the Anti-Corruption Department. Services of each may be categorised as:

- i. **Vigilance Wing:** The wing deals with disciplinary cases against delinquent officials of all departments under the Government of NCT of Delhi. It also deals with the complaints against gazetted/ non-gazetted officials. The wing has a Complaint Handling Policy and a Complaint Handling Mechanism and all complaints received in the Vigilance Wing and also in the Anti-Corruption wing are to be subjected to the Complaint Handling Mechanism. It also tenders advice on vigilance matters to Central Vigilance Officers of local bodies and autonomous organizations. The Wing is also the nodal office for coordination with the Central Vigilance Commission and the Central Bureau of Investigation.
- ii. **Anti-Corruption Wing:** It conducts surveillance and apprehends corrupt public servants by laying traps and raids. It is also declared as a Police Station having jurisdiction all over the NCT of Delhi and is authorized to investigate all attempts, abetments and conspiracies in relation to or in connection with the offences under the Prevention of Corruption Act, 1988.

c. Services to Government Departments

- i. Guidance and support to various departments in vigilance matters including departmental proceedings.
- ii. Policy guidelines and mechanism for effective vigilance and expeditious disposal of inquiries.
- iii. Trainings and workshops on vigilance and anti-corruption measures.
- iv. Measures for preventive vigilance and to develop a culture of trust and transparency instead of culture of secrecy.

- v Co-ordination with the Central Vigilance Commission and the Central Bureau of Investigation in cases relating to corruption and disciplinary action.

d. Commitment to Citizens

The DoV endeavours for a corruption-free governance, fairness, transparency and efficiency in enquiries and investigations, adherence to rules and government policies and action on genuine complaints of corruption.

e. Accessibility to the Public

i. eGovernance

The Directorate has its official website with the address <http://delhigovt.nic.in/dept/vigilance/homep1.asp>. Here anyone from Delhi can file a complaint against corruption and have access to the annual report, the number of cases filed, cleared etc with the Directorate. Also general information about DoV (through FAQs and Citizen Charter), along with the name and phone numbers of the officials in the department is to be made available on the website.

ii. Information Facilitation Counter

An Information Facilitation Counter has been set up in the Duty Officer's Room of Anti-Corruption Branch *vide* the office order No. 895-919/SO/ACB dated 26 March 2007 in compliance of order No. F.4/47/06/AR (Part File)/CS/964 dated 05 March 2007 of Chief Secretary, Government of NCT of Delhi. The Duty Officer is designated as Information Facilitation Officer. Thus the Information Facilitation Counter will be manned by a Duty Officer of Anti-Corruption Branch. He will perform this duty in addition to his routine duties of a Duty Officer.

As per the norms the counter must give all the information sought by anyone that is supposed to be in public domain. It is also supposed to facilitate the implementation of the RTI Act in the Directorate or any of its branches on issues for which information is sought and which is not clearly defined whether to be made accessible to the public or not.

iii. DoV Manual/Prospectus, Annual Reports and Annual Consolidated Statement

On 1 April 2009 the media reported that a citizen had been refused

information he sought from the Vigilance Department². Even after he put up an appeal the information was still denied on no concrete basis. Additionally, the Department's *Annual Report* and *Annual Consolidated Statement* are not in the public domain. The DoV also has no manual or prospectus if one goes by their website. They follow the CVC manual which is available on the DoV website.

iv. Right to Information Act 2005

Under the 'RTI Act' link on the website of the DoV, there are two sub-links. One is for the RTI manuals and the other has the RTI Act 2005 for the government departments.

Under the RTI manuals there is a list of 17 manuals as per Section 4(b) of the RTI Act 2005. It seeks to provide the basic information that all citizens must have about a department without the need of having to file an RTI application. Though this is a common list made for all departments, and it is understandable that all the headings may not be applicable for all departments, however, not much information was available on the DoV website, with most of the headings having 'NIL' information.

Under the link titled 'RTI Act 2005', there was a list of options available, few relating just to the concept of RTI and the rest to the application of RTI in departments. For every department, about which one is seeking any information (that has already been placed on the site or has been sought by someone else and answered), it is the concerned department itself which feeds in the information as per their records.

S No	Nature of Information Received	Total Applications
1.	General Issues Concerning Public	12*
2.	Non Availability of Services	3
3.	Policy Matter	4**
4.	Redressal of Personal Grievance	16***
5.	Retirement Benefits	1
6.	Services/ Estt Matters	44
7.	Tender/ Contract Related Issues	1
8.	Vigilance Matters	201
9.	Others	171
	TOTAL	453

Table 1: Nature of Information Wise Statistics of Applications received under RTI Act, 2005³

(It is not clear from the website what the asterisks in the above table mean)

The Directorate and the Departments' vigilance cells across Delhi maintain regular surveillance and checks over the departments to ensure transparency in the departments. Departments which are involved in public dealings and which are prone to corruption are especially kept under a watch.

The Directorate is directly under the CVC and reports to the CVC on a monthly basis on the cases taken up and proceedings in various cases. The Department vigilance cells in turn are accountable to the DoV.

The vigilance officers in these cells not only are answerable to the DoV but also to the head of the department. Most of the time the heads of departments are not so cooperative in initiating action against corruption in their own departments. Nonetheless these vigilance officers also have to submit regular reports to the DoV and after seeing the reports the DoV makes suitable recommendations on the case or directs it to the CBI, depending upon the type and seriousness of the crime it involves.

Certain departments for which it is felt that there is no need for an internal vigilance cell, as it does not involve high level of public dealings are directly supervised by the DoV. For example the Administrative Reforms Department.

The entire list of procedures mentioned above is supposed to be taken under *suo moto* action but often does not.

3. Complaint Handling Mechanism

There are broadly three ways in which a complaint can be lodged against corruption with the Directorate, the Anti-Corruption Branch or the vigilance cell of a particular department:

- a. Website/Online: A person can lodge a complaint addressed to the Chief Vigilance Officer on the address: anti-corruption.delhi@nic.in
- b. Fax: A complaint can be lodged against any gazetted/ non-gazetted officer in NCT of Delhi through a fax to 011-23890329.
- c. Letter: A written letter may also be posted to the Anti-Corruption Branch or the Directorate
- d. Helpline number: The anti-corruption branch also has a help-line number (011-23890019) which can be called at any time of the

day to register a complaint.

There are two basic requirements to be fulfilled before an application becomes an 'acceptable' complaint:⁴

- It should have your name and contact details. You can request the Department for anonymity, but you have to submit your name. Anonymous complaints are disregarded under the guidelines of CVC.
- Your complaints must be brief and contain factual details, verifiable facts and related matters. They should not be vague or contain sweeping general allegations.

Grievances Addressed and Procedure Followed⁵

S No	Types of Grievances	Mode for Registering Grievances	Redressal Route	Levels Hierarchy involved	Optimum Time frame required at each level
1.	Grievance related to "Corruption"	Through written complaints	Dealing Asstt. ----- Supdt.(Vig) ---- Asstt.Director (Vig)-- ---- AddI.Secy.(Vig)-- ----- Director (Vig)/HOD	Dealing Asstt. ----- Supdt.(Vig) ---- Asstt.Director (Vig)----- ,AddI.Secy.(Vig)----- Director (Vig)/HOD	No specific time limit at each level
2.	Grievance related to "Harassment / Delay"	Through written complaints	Dealing Asstt. ----- Supdt.(Vig) ---- Asstt.Director (Vig)-- ----AddI Secy (Vig)-- ----- Director (Vig)/HOD	Dealing Asstt. ----- Supdt.(Vig) ---- Asstt.Director (Vig)----- ,AddI.Secy.(Vig)----- Director (Vig)/HOD	No specific time limit at each level
3.	Grievance related to "Misuse of official power"	Through written complaints	Dealing Asstt. ----- Supdt.(Vig) ---- Asstt.Director (Vig)-- ---- AddI.Secy.(Vig)-- ----- Director (Vig)/HOD	Dealing Asstt. ----- Supdt.(Vig) ---- Asstt.Director (Vig)----- ,AddI.Secy.(Vig)----- Director (Vig)/HOD	No specific time limit at each level

Applications Filed under Different Routes and Procedure for the Same⁶

S No	Activity	Process Flow	Decision making level
1.	Dealing of complaints cases	Dealing Asstt---> Supdt.(Vig) ---> Asstt.Director (Vig) ---> AddI.Secy.(Vig) ---> Director (Vig)/HOD	HOD
2.	Dealing with disciplinary proceedings cases	Dealing Asstt ---> Supdt.(Vig) ---> Dy.Secy.(Vig) --> AddI.Secy.(Vig) ---> Director (Vig) ---> Secretary(Vig.) ---> Chief Secretary,Delhi/Hon'ble Lt. Governor, Delhi	Chief Secretary, Delhi/ Hon'ble Governor, Delhi.
3.	Application under RTI Act, 2005 of GOI	Dealing Asstt ---> Supdt.(Vig) ---> Dy.Secy.(Vig)	Dy.Secy.(Vig)
4.	Appeal under RTI Act, 2005 of GNCTD	Dealing Asstt,---> Supdt.(Vig) ---> Addl. Secy.(Vig)	Addl.Secy.(Vig)
5.	Application under DRTI Act, 2001	Dealing Asstt,---> Supdt.(Vig) ---> Dy. Secy.(Vig.) - --> Addl. Secy.(Vig)	Addl.Secy.(Vig)

Information Dissemination

S No	Attempt made to strengthen vigilance	Reasons attempt was defeated
1.	Central Vigilance Commission Bill 2003 was to provide protection to the CVC from political interference	The ordinance passed by the secretaries deviated majorly from the one recommended by the Law Commission and provided escape route for external influence.
2.	Appointment of the Chief Vigilance Officers by the Chief Vigilance Commissioner to avoid bias and ensure transparency	Was prone to influence by senior politicians and bureaucrats
3.	Inter-departmental transfers for ranks below the Chief Vigilance Officer in the DoV and the vigilance cells of the various departments	1. Leakage of information, providing time and opportunity to the accused to clear evidences 2. Acts as a deterrent for <i>suo moto</i> action, compounded by low salaries

Ways to Check the Status of your Complaints

Once you have registered a complaint with the Vigilance or the Anti-Corruption Department and you feel they are taking unduly long time for investigation or action, you have the right to check the status of your complain. Once you make a complaint and it is acknowledged then you get a complaint number which you can feed in on the website of DoV and check the status of your complaint.⁷

However, there is no mechanism to ensure that every applicant and application gets an acknowledgement.

4. Why is Corruption Still Persistent: A Summary

S No	Attempt made to strengthen vigilance	Reasons attempt was defeated
1.	Central Vigilance Commission Bill 2003 was to provide protection to the CVC from political interference	The ordinance passed by the secretaries deviated majorly from the one recommended by the Law Commission and provided escape route for external influence.
2.	Appointment of the Chief Vigilance Officers by the Chief Vigilance Commissioner to avoid bias and ensure transparency	Was prone to influence by senior politicians and bureaucrats
3.	Inter-departmental transfers for ranks below the Chief Vigilance Officer in the DoV and the vigilance cells of the various departments	1. Leakage of information, providing time and opportunity to the accused to clear evidences 2. Acts as a deterrent for <i>suo moto</i> action, compounded by low salaries
4.	Ensuring transparency by being accessible to the public through internet, reports, manuals, information cells and through the RTI Act	1. No manuals and inaccessible annual report 2. Ill-maintained website 3. Non-operational Informational cell 4. Mismatching figures of RTI, which questions the reliability

S No	Attempt made to strengthen vigilance	Reasons attempt was defeated
5.	Complaint handling mechanism	<ol style="list-style-type: none"> 1. Is very time-consuming and complicated, therefore not an option people seek to. Plus they feel it is something like getting into a trouble themselves, considering the number of levels that have to cross. 2. Departments against which complaints are made are not very cooperative. 3. No time limit for yielding results. 4. No mechanism to check that all complaints get an acknowledgement.

5. Policy Recommendations

After having analysed the Department in detail, there are two things that come out starkly:

- The vigilance officers do not want to take action on their own initiative unless they receive a complaint, considering that they are prone to external influence.
- People do not complain because of the complications of the system, their inconvenience and the lack of assurance that some action will be taken even after they have endangered their name.

For the same, there are a few recommendations:

a. Make the Vigilance Department Independent

We need to remove the problem of inter-connectivity between the vigilance officers and other bureaucrats, including the ones against whom there might be a case in progress. The moment a person is posted in the vigilance field, may it be the DoV, the CVC or the vigilance cell of any department, the person should not be posted back into any other department of the bureaucracy for the rest of her services. It is something like creating a separate vigilance circle, independent of the rest of bureaucracy, without actually creating a new service or exam for vigilance per say.

b. Tackle People's Resistance to Making Complaints

The DoV must be held accountable to the people and not just to the senior authorities. Each offense can be further sub-categorised. The time period within which the file needs to be moved to the next stage or closed should be decided for each category. Similarly offenses can be sub-categorised to take action within a stipulated period of time, crossing which the salary of the officers involved in the investigation must be affected.

c. Open Communication Channels between the DoV and the Media

Interaction with the media should be regulated but certainly not over-regulated to the extent that it makes it non-existent. Once the stipulated time period for an action is over, the media or any external person must have a right to know the status of the case, whether it has been moved to the next stage of investigation or some decision has been taken with the necessary evidence. The Central Information Commission and the Administrative Reforms Department must ensure that these reports are in the public domain. The media should be able to publish it.

d. Policy Recommendations specifically for State Governments

S No	Current problem	Recommendation	Benefits
1.	Fear of complaining against a senior colleague due to the problem of leakage and inability to maintain anonymity	An online mechanism which is accessible only to the department people (with a login ID and password) where they can make anonymous complaints. Simply put: Allowing intra-departmental anonymous complaints applicable to all the departments. The complaint has to be made online to maintain accountability and records. The same will simultaneously be posted to the site of the vigilance which is again accessible only by the officials.	The complaints will be limited and therefore can be efficiently handled. If complaint is against a senior official, who controls the department, then his actions are also monitored by the CVC and this may minimize possibility of abuse. Action taken on these complaints must also be duly reported. If a complaint is not acted upon, the onus is on the concerned officer to give a justification with proper documents (as per the RTI Act)
2.	No way to ensure that appropriate action is being taken on a complaint	Implement the model of LAN Reference Monitoring System used by Himachal Pradesh.	It will ensure transparency and accountability. It will also facilitate the above-mentioned step. It will automatically demand each complainant to be acknowledged and tracing the action taken will be easier.
3.	Ill maintained websites	Website development should be outsourced to NIC for all the government departments, not only vigilance. However, NIC should be given the required authority so as to be able to 'demand' the required information from the departments, which is legally supposed to be in public. Failing the same, punitive action must be provided for.	Ensures accountability for the departments. Can specialize in their field since this work has been outsourced to some one specialized in their field. It benefits the department and NIC.

- Prepared by Cheistha Kochhar
(student of Economics Honours at
Sri Venkateshwar College, University of Delhi)

Endnotes

- ¹ http://www.delhi.gov.in/wps/wcm/connect/lib_vigilance/Vigilance/Home/FAQs/More+Questions
http://www.delhi.gov.in/wps/wcm/connect/lib_vigilance/Vigilance/Home/Citizen+Charter
- ² Pandey, Devesh K, "Mum's the word for Vigilance Directorate", The Hindu, 1 April 2009
- ³ http://delhigovt.nic.in/rti/spio/nature_stat.asp
- ⁴ Complaint Handling Mechanism on www.cvc.nic.in
- ⁵ http://www.delhi.gov.in/wps/wcm/connect/lib_vigilance/Vigilance/Home/FAQs/More+Questions
- ⁶ http://www.delhi.gov.in/wps/wcm/connect/lib_vigilance/Vigilance/Home/FAQs/More+Questions
- ⁷ http://www.delhi.gov.in/wps/wcm/connect/lib_vigilance/Vigilance/Home/RTI/RTI+Act+2005



Webpage of Department of Vigilance
on Delhi Government's website
which has been hacked.



MLA-LADS: Loopholes and Corrections

1. Introduction

MLA-LADS (Member of Legislative Assembly-Local Area Development Scheme) which began in the year 1994-95 has been undergoing various changes, the latest being the funds being totally put at the discretion of the Members of the Legislative Assembly (MLAs) instead of allocating a particular amount to the Municipal Corporation of Delhi (MCD). The Scheme directs MLAs to create durable community assets in a constituency and allocate funds according to a specific procedure as mentioned in the Scheme.

The current framework in place neither permits efficient working by MLAs nor proper utilization of funds. Hence improving the monitoring mechanisms by the Urban Development Department (UDD) and making the system transparent by getting citizens involved in the process can help improve the Scheme.

According to the Second Administrative Reform Commission 2007, MP/MLA LADS should be scrapped because the Schemes 'seriously erode the notion of separation of powers, as the legislator directly becomes the executive'.

2. MLA – Local Area Development Scheme

The purpose of the MLA-LADS when it was set up in 1994-95 was to delegate authority and empower the MLAs to recommend developmental works in their respective constituencies with emphasis on creation of durable community assets based on locally felt needs. Thus the work done under the Scheme should be of capital nature.

The nodal department through which a MLA uses funds in order to carry out the work is the UDD. The MLA deals with various agencies through this agency only. UDD is responsible for keeping the record of funds proposed by MLA for various works and is liable under the RTI Act, 2005 to provide all the information regarding a particular MLA's usage of the fund.

The Scheme gives the provision to MLAs to ask various authorities to perform individual works in their area. The primary agencies that implement MLAs works are MCD, NDMC, DJB, I&FC, DDA, PWD, DCB, DTTDC, DSIDC, DISCOMs, *Jhuggi Jhopri* Wing and Education Department.¹

The Scheme gives an aggregate fund of Rs. 2 crores for the MLA to spend over one year's duration. These are mandatory or discretionary works. The upper cap on an individual project is Rs. 70 lakhs. Before 1 June 2009, Rs. 1 crore had to be given to MCD but now the entire amount is at the MLA's discretion.

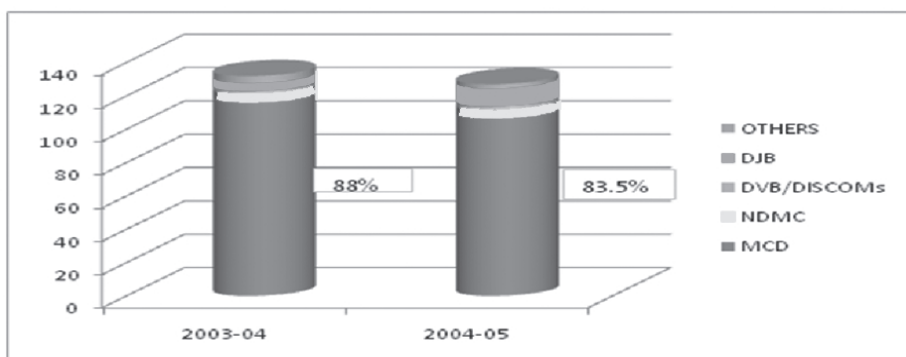
a. Features

The works recommended under this Scheme should conform to the general pattern of programmes and projects being implemented by the local bodies. These works will be sanctioned and implemented in the same manner as the other works. Wherever required, technical and administrative sanctions are given after following the departmental procedures applicable to the local bodies and other government departments. The actual expenditure should in no case exceed the sanctioned amount. The works under this scheme are primarily asset creation works and no purchase of inventory, equipment or revenue expenditure is allowed. Only those works which can be completed in one or two years and lead to the creation of durable assets can be executed where each individual work should not normally exceed Rs 70 lakhs.

b. Choice of Projects

The works to be undertaken under MLA fund scheme should be for a public purpose only and not a private purpose. The works that can be taken up under this Scheme include construction of school buildings and community halls/*barat ghars/chaupals*, subways wherever found technically feasible, hostels specially for working women and girl schools, public libraries, culverts, bridges/foot bridges, public toilets at different locations, sports complexes, crematoriums or development of burial grounds, tube wells and water tanks for providing drinking water to the people in the villages, towns or cities, or execution of other works which may help in this respect, roads and drains including part roads, approach roads, link roads, approved by lay-outs, sanitation, parks, computers in schools, street lighting and provision of common services/community services including maintenance of group toilets, courtyard, common path and similar other services.

The figure below shows the percentage of funds spent by different agencies. It has been a trend that MCD has been the primary agency using more than 85% of the funds in subsequent years.



(Source: CAG report, 2005)

Figure 1: MLA-LADS fund utilization share of various government agencies

The operations carried out by the MLAs under MLA-LADS has been shown in figure 2 below and it also shows the bodies involved. The Scheme has a feedback mechanism for the MLA but does not involve the end user i.e. the citizens.

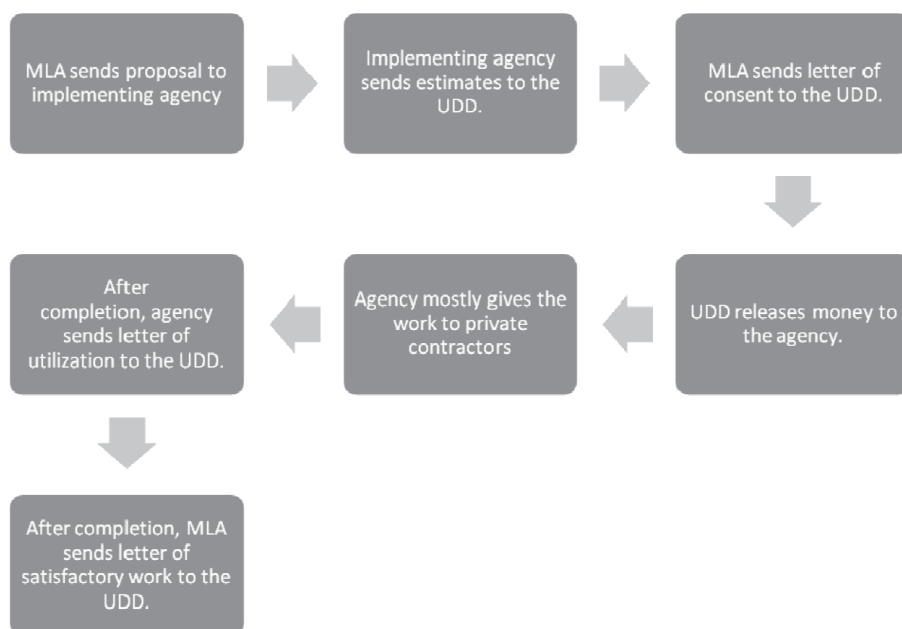
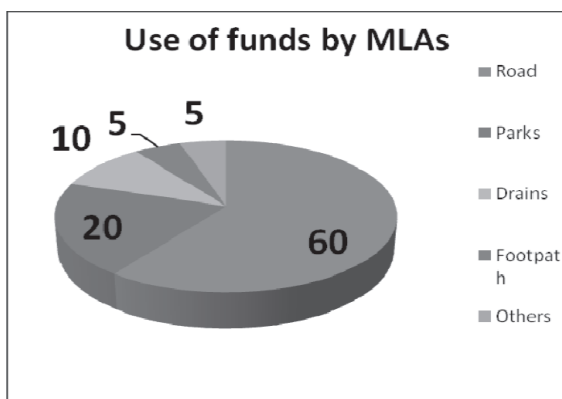


Figure 2: Flow of Work Proposals

The UDD acts only as a facilitator between the MLAs and the agencies. The letter to start the work and the compliance letter is given by the MLA to UDD which in turn monitors the work underway.

3. Asset Creation

The Scheme envisaged creation of durable community assets. However, *CAG Report, 2005* found that 80% of the works were primarily of repair and maintenance which is a clear indication of the misuse of the Scheme. Works like roads, drains, footpath and parks should be left to the local bodies. Establishment of *Anganwadi*, crèches, subways, working women/girls hostels, sports complexes, garbage collection centers, Bus 'Q' shelters, common shelters for the old/ handicapped should be included in the Scheme list. The MLA-LADS does not permit the MLAs to purchase inventory or equipment, conduct repair and maintenance, construct memorials, carry out works in places of religious worship, acquire land or carry out any work for individual benefit.



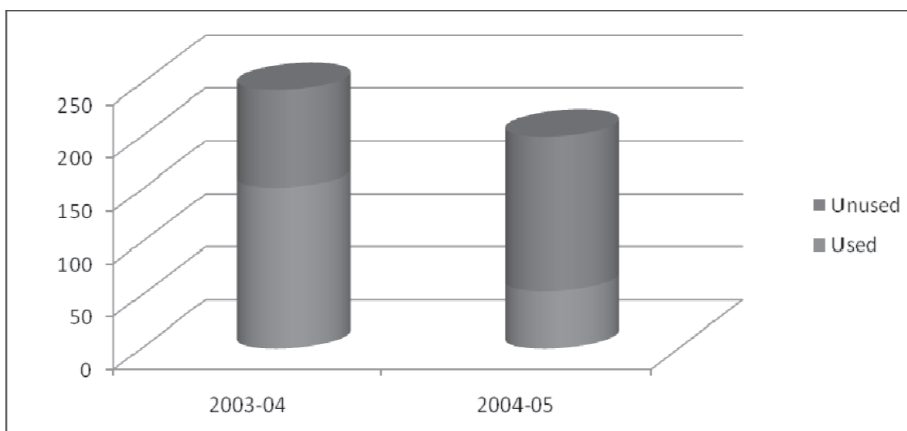
(Source: *Satark Nagrik Sangathan, report Cards of MLAs, 2008*)

Figure 3 – Share of MLA-LADS fund towards various projects (2008)

According to *CAG Report 2005*, 72 % of the works recommended by MLAs during 2000-05 were for improvement of assets like roads, lanes, drainage systems etc. The figure hence shows that improvement of roads is the main preference of the MLAs but it comes under MCD or PWD. Also, in asset creation, the CAG recommended that only those works should be taken which can be completed in a course of one year as compared to present time limit of two years.

4. Political Business Cycle

As per now even if the money is not booked for three consecutive years, the amount is non-lapsable and rolls over to three subsequent years. This leads to a political business cycle where money is mostly unspent for first three years and most of the amount is spent in the pre-election spending spree. For example, funds unutilized from 1993-2008 were redistributed in early 2009 at the rate of Rs. 85 lakhs per MLA.



(Source: CAG Report 2005)

Figure 4: Fund Utilisation by MCD

Any amount which remains unallotted by MLAs should be surrendered back to the Finance department at the end of every financial year.

5. Maintenance Issues

Since the work allotted by MLAs is primarily of maintenance nature, work should be allotted only after having a contract with either certain government agency or the beneficiary clearly indicating who will be responsible for the maintenance and subsequent expenditures. This will bring in more accountability in the system as a whole. As per guidelines, funds under the Scheme cannot be used in maintenance areas.

Also, in case of new assets being created, their maintenance issues need to be addressed. According to *CAG Report, 2005*, 113 works of Rs. 2.05 crores were lying in deteriorated condition/not in use for want of maintenance. Hence, after creation of new assets, their

maintenance should be directed to some state body or MCD so that the maintenance is not ignored.



Figure 5: Public Library at Hari Nagar

6. Transparency of Information

Information about schemes and works in a particular area should be made available to the public. In most of the cases, works applied to UDD and the various agencies are not known to public. This results in creating a perception amongst citizens that their elected MLA has not applied to a particular project or not listened to the grievance of the public regarding a particular project. The MLAs need to ensure transparency of the information using following measures:

- a. UDD should send quarterly reports regarding release of funds, issue of work orders and certificate of utilization to the MLAs.
- b. Copies of these reports should be sent to all the RWAs in the constituency by UDD, registered under the Societies Registration Act, 1860.
- c. Notice boards displaying the relevant information – scheme, location of work, time frame, contractor involved should be erected at the site of work. This practice is prevalent in MP-LADS.

- d. Apart from the prescribed boards which should give the details about the scheme, no other boards for publicity should be put using public funds. These boards work as an advertisement which is undesirable as they use the tax payers' money to erect the boards.
- e. Utilization of the fund should completely be at the discretion of the MLAs and they should not be directed to allocate funds in specific areas (SC/ST) or works (roads/parks). Some MLAs said that such directions are given from time to time. If the direction is given, then the purpose of the scheme is defeated and it becomes a vote bank politics playfield.

7. Monitoring and Supervision

MLA-LADS mandates that the government setup a monitoring committee envisaged in the Scheme, but it has not been setup till now.

There is no monitoring authority to check whether the work is being performed according to the framework or not. In MP-LADS, the Nodal Agency sends monitoring reports to the MPs every two months. Similar measures should be taken for MLA-LADS.

The certificate of satisfactory work is required to be submitted to UDD by the MLAs. Since it is the citizenry which is directly affected from the MLA's work, RWAs should be allowed to provide a report on his/her work.

The assets created should be registered so as to verify both the work done and the funds utilised.

Government of Delhi and the primary implementing agencies viz. MCD and NDMC should introduce a system of online tracking and monitoring of works so as to enable timely action against contractors for delay in execution and completion.

8. Time Frame

As per the present guidelines, there is no time frame or deadline in place for any project to be undertaken or ongoing. In order to regulate the system and put deadlines in place:

1. Work order needs to be issued within 60 days after the release of funds. If for any reasons work is delayed further, a report in this regard is to be sent to the concerned MLA and to the Principal Secretary, UDD.
2. A suitable time frame should be fixed in the beginning of a

financial year for receipt of proposals from MLAs under the Scheme instead of accepting proposals throughout the year. Proposals once received should be expeditiously processed so as to enable their execution within the same financial year.

3. A shelf of projects could be created and execution of works prioritized for each Assembly constituency in consultation with the concerned MLA which could be taken up for progressive execution within a particular financial year. This would enable proper planning with reference to available resources and reduce *ad hocism* in execution of projects and minimize the tendency to fritter away public funds over a large number of works.

9. Time-bound Decisions

The funds used by the projects, especially the asset creation projects, go waste when the project commencement takes place near monsoon. The commencement of asset works is not an emergency hence it can be done at the appropriate time. The MLAs should identify the major works (say greater than Rs. 20 lakhs) and send the proposals in the first quarter of the calendar year. This will help start the project before monsoon and will lead to less wastage of funds. The measure will aid civic agencies to organize the works and allocate the resources according to the timeline. The measure will enable better planning of the works.

For durable community assets creation, clubbing with other schemes should be allowed. The measure will help in allocation of funds. It will also ensure better maintenance.

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Endnotes

Municipal Corporation of Delhi (MCD),
The New Delhi Municipal Council (NDMC),
The Delhi Jal Board (DJB),
The Irrigation and Flood Control Department (I & FC),
The Delhi Development Authority (DDA),
the Public Works Department (PWD),
The Delhi Cantonment Board (DCB),
The Delhi Tourism & Transportation Development Corporation (DTTDC),

The Delhi State Industrial Development Corporation (DSIDC),
The Electricity Distribution Companies (DISCOMs) and Urban Development
Department (UDD)

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Citizen Service Bureaus: Making Governance Accessible

1. Introduction

Extensive work and innumerable efforts have been taken by the Delhi Government in the field of e-governance. As per the roadmap of the Information and Communication Technology (ICT) Policy of Delhi, the government has been successful in taking ICT across all its departments, local government, autonomous bodies and to the public. Today, the Delhi Government has 81 websites for its various departments. However, the question of how many of them are actually functional and helpful will be answered later in the chapter. More citizen-centric projects are in the pipeline. The state has developed a portal from which one can access individual departments.

In 2003 the Municipal Corporation of Delhi (MCD) launched a Citizen Service Bureau (CSB) titled '*Samajik Suvidha Sangam*', a one-stop kiosk to avail all the services offered by the government. Other projects include online registration for 11 kinds of certificates in the Deputy Commissioner offices and for registration of societies, online registration of vehicles, etc.

Several such initiatives have been taken in various states under the ICT Policy of Delhi. Various nomenclatures e.g. Common Services Centre, ICT Kiosk, Community Information Centre, e-Community Centre, Rural Service Delivery Points, Village/Rural Knowledge Centre, etc. currently exist in the country for such Integrated Service Delivery Centres, providing similar services to citizens.

2. Introduction of the Citizen Service Bureaus (CSBs)

MCD, its jurisdiction covering 97% of the Delhi population, started this unique IT initiative to deliver electronically its services to citizens of Delhi through a Citizen Service Bureau setup in each zone. These CSBs are run by a consortium of IT companies namely ECIL & Sark Systems Ltd. All these 12 Citizen Service Bureaus, one in each zone and one at Town Hall, are connected through radio frequency (RF) network with ISDN lines as a backup. Further it is planned to open 272 CSBs (one in each ward).

The concept behind establishing a CSB is to provide all municipal services under one roof in air-conditioned comfort on payment of a

very small transaction fee. The transaction fee that is charged for all municipal services, other than payment of property tax, depends on the value of the transaction. The table indicating transaction fee and the value of transaction is given below:

Value of Transaction (in Rs.)	Transaction Fee (in Rs.)
1-500	5/-
501-1,00,000	10/-
Over 1,00,000	100/-

MCD also proposes to connect senior officers, about 250 of them, and provide them e-mail through the same RF network. This will enable all citizens to get in touch with senior officers for any complaints that they may have about the municipal services.

The services that have been offered are as follows:

a. At Citizen Service Bureaus

- i. Registration of births and deaths and issue of certificates
- ii. Accepting applications for issue of all kinds of licenses and issue of licenses once the approval is received from the concerned office
- iii. Booking of parks for holding private functions. For holding public functions, one has to go to the Zonal Deputy Director of Horticulture to obtain permission.
- iv. Renewal of licenses
- v. Receiving all kinds of payments

b. Over the Internet

- i. Registration of information relating to births and deaths
- ii. Applying for issue of licenses
- iii. Booking of parks
- iv. Registration of complaints and their status
- v. Accepting payment of municipal dues through use of credit cards over secure payment gateways

c. At Crematoriums

- i. For citizens' convenience, arrangements have been made to register deaths in computerized system at six crematoriums in the first phase. These crematoriums are:

- ii. Nigamboth Ghat, Kashmere Gate (MCD also issues death certificates for deaths that are registered at that particular cremation ground.)
- iii. Electric Crematorium, Bela Road
- iv. Crematorium, Panchkuian Road
- v. Crematorium, Punjabi Bagh
- vi. Crematorium, Subhash Nagar
- vii. Crematorium, Sat Nagar

The criterion for deciding the location of the CSBs is the zones at present. Each zone must have one CSB and in future, MCD has planned to construct 272 CSBs, one in each ward. On calculating the population and the number of such Bureaus, it was found that at present, for every 10,65,423 people in Delhi, there is one CSB. Even as per the roadmap of MCD, with 272 CSBs, there will be one CSB for every 50, 920 people, which may be insufficient.

Also, the criterion for selecting the location needs a re-thought. As of now the number of colonies in each zone varies greatly, with 185 in south zone to 199 in North zone to 87 in Central zone. Hence assuming that one CSB per zone as sufficient can not be rational. The same continues in every ward too, with high variability. The following table shows the number of colonies in each zone, showing the amount of variability:

Name of Zone	Number of Colonies
City Zone	87
Central Zone	190
South Zone	185
Karol Bagh Zone	71
Sadar pahar ganj	59
West Zone	278
Civil Lines Zone	192
Sh. South Zone	269
Sh. North Zone	199
Narela Zone	167
Najafgarh Zone	445
Rohini Zone	187
Unclassified	5

Table 1: Variance in the number of colonies in different zones of Delhi

If MCD is supplying citizens with CSBs, then the demand of that area must be taken into account. An analysis of the kind and the number of people living in each area is a vital issue that MCD has ignored, and assuming evenness in areas by allocating one CSB in each ward/zone is highly irrational.

Co-ordination with Local Groups like Residents' Welfare Associations (RWAs)

At present, RWAs have not been involved at all for efficient operations of the CSBs. On one hand where they could have been a vital resource for the MCD to actually make their bureaus efficient and meaningful for the purpose for which they were set, that is bringing services to the citizen's doorsteps. On one hand, where the RWAs could have been a valuable asset for the MCD to actually make these CSBs efficient and driving them down to each citizen, the MCD has ignored the role of RWAs in better governance through these CSBs.

Role of Private Sector

The CSBs under the MCD are outsourced to private players under the Build-Own-Operate model. There are various forms of public-private partnerships that the government has to choose from while outsourcing the work to a private player, of which the main ones are enlisted below:

- **Build-Own-Operate-Transfer (BOOT):** The service provider is responsible for design and construction, finance, operations, maintenance and commercial risks associated with the project. It owns the project throughout the concession period. The asset is transferred back to the government at the end of the term, often at no cost.
- **Build-Own-Operate (BOO):** Operates similarly to a BOOT project, except that the private sector owns the facility in perpetuity. The developer may be subject to regulatory constraints on operations and, in some cases, pricing. The long-term right to operate the facility provides the developer with significant financial incentive for the capital investment in the facility
- **Build-Own-Transfer (BOT):** Operates similarly to a BOOT project, except that the private sector does not operate the facility after building the same
- **Build-Own-Maintain (BOM):** Involves the private sector developer building, owning and maintaining a facility. The government leases the facility and operates it using public sector staff

Presently these Bureaus are run by a consortium of IT companies namely ECIL & Sark Systems Ltd. under the BOO model.

3. Common Service Centres

The Delhi government has taken up an ambitious e-governance initiative with the project '*Jeevan*'/ '*Sarkar Aapke Dwar*' which seeks to redefine public service delivery. *Jeevan*'s focus is on significantly enhancing the quality of services available to the citizen and to enhance the ability of the citizens to interact with the government on a regular basis with speed, convenience, transparency, certainty and accountability. All services are intended to be provided through a 'One-Stop-Shop' concept with 'Any-Time-Any-Where' facility.

The Government has identified Citizen Service Centers (CSCs) (Single window service delivery channel for government services) for enabling the citizens and businesses to avail all the government services at one place. This would be achieved through the deployment of approximately 500 centers and kiosks, where appropriate, throughout Delhi in all the wards.

Government of India (GoI) has approved the National e-Governance Plan (NeGP) that seeks to lay the foundation for the long-term growth of e-governance in the country. NeGP is aimed at improving the quality, accessibility and effectiveness of government services to citizens and businesses with the help of ICT. Considering the nature and scale of the e-governance initiatives planned under NeGP, the role of the state governments in managing these initiatives is seen as critical.

The key project stakeholders include the IT Secretary – Delhi Government, other participating departments of the government, implementation partners including the official bankers selected to provide citizen services, business houses offering their services and finally citizens of the Delhi.

The key services currently provided under *Jeevan* project include:

- Payment of water bills, electricity bills, telephone bills etc. as well as receipt of applications for new connections related to such services.
- Payment of holding tax
- Issue of birth/death certificates
- Filing of grievances
- Issue/renewal of driving licenses

- Booking of railway and airline tickets
- Payment of telephone bills
- Other Business-to-Consumer services

Implementation

The Jeevan project is being implemented on a BOOT model. In this BOOT model, the Implementing Agency (IA) obtains exclusive rights to finance, build, operate, maintain, manage and collect transaction fees for a period of six years to recover its investment. At the end of six years, the title to all the equipment of the *Jeevan* Project, purchased, installed and operated by the IA including the hardware/software will transfer to the Delhi Government.

The components of *Jeevan* projects are - *Jeevan* Portal, CSCs and *Jeevan* Data Center. These are interdependent on each other for achieving the overall integrated service delivery objectives. In addition, the project components are required to inter-operate with the NIC State Unit to extend the services of the information systems hosted in Data Center to the Citizen Service Centers and other service delivery channels.

The CSCs are categorized into three types. Type I and Type II centers having a minimum of twelve and five counters respectively. Type III CSCs will have a minimum of one counter. The Type III CSCs are to be operated in a franchisee-based model. A three-phase strategy is adopted to implement the *Jeevan* project. Phase I includes implementing 45 services from 16 departments within the first 16 departments, setting up of *Jeevan* Data center and operationalising the *Jeevan* Portal. Phase II includes adding of 59 services from rest of the departments and further business-to-consumer services after Project Management Unit approval. This phase includes adding 5 services every month based on the requirement.

The CSCs will offer the services all through the year from 8 am to 8 pm. Citizens can access any service from any center. The citizen centers are designed to handle redundancy, additional load, offline services and disaster recovery. Citizens and business entities can pay in cash or through card/cheque/demand draft. Queues are managed electronically in every center, which has seating space for visitors.

The Delhi Government selected M/s 3i Infotech as the Implementing Agency through a tender process.

4.. Mission Convergence: Samajik Suvidha Sangam (SSS)

With the aim to improve the quality of life of its citizens especially the most vulnerable and disadvantaged sections of the society, the Delhi Government has initiated Mission Convergence called '*Samajik Suvidha Sangam*' to converge various welfare entitlement schemes and services with the objective of making entitlements reach the poor through a single window system in a hassle-free manner. SSS will be the interface between departments, Dy. Commissioner's Office and nodal agencies and NGOs. To fulfill the objective, SSS is engaging NGOs and Community Based Organisations in a partnership mode.

The mandate of the Mission is to bring together to a common platform the plethora of schemes to eliminate duplications, error records and strengthen the implementation mechanism by use of IT enabled system, rationalization of administration, and incorporation of partnerships with civil society organisations for more effective delivery. The long-term objective of this project is to package useful social sector welfare schemes focusing on empowerment of the vulnerable population together at delivery level thereby maximizing their impact and efficiently utilizing scarce financial resources through active involvement of community in a concerted and focused manner.

The Mission strives to enhance the visibility of schemes to all targeted communities; enhance the control of the community over the welfare schemes; strengthen the organisations (Gender Resource Centre/NGOs/government line departments) and its processes related to prompt service delivery; and incentivise and reinforce appropriate mechanisms for providing services.

Access Routes to Citizens under Mission Convergence

a. *Samajik Suvidha Sangam*

The *Samajik Suvidha Sangam* is registered as an autonomous society and is the main facilitating agency for the Mission Convergence for the different departments which currently operate various entitlement schemes. SSS will be the interface between departments, district collector's office, nodal agencies and field NGOs.

The objectives of *Samajik Suvidha Sangam* are:

- i. Establish, manage, operate, maintain and facilitate the welfare programmes in the NCT of Delhi for providing welfare services in an integrated manner to the under-privileged citizens in an efficient, transparent, convenient, friendly and cost effective manner.

- ii. Identify and recommend the welfare services which can be provided in consultation and coordination with the converging departments.
- iii. Workout and implement the action plan for the welfare schemes in the NCT of Delhi in collaboration with the private sector, NGOs, or through Public Private Partnership (PPP) or other innovative methods as per the requirements of the specific areas.
- iv. Rationalize and streamline the implementation of the schemes related with social services.
- v. Generate awareness on the welfare schemes and programmes amongst masses.
- vi. Facilitate and promote public-private partnerships and community ownership in efficient service delivery of social services.
- vii. Improve access of the poor to get the maximum benefits of the welfare schemes.
- viii. Promote women empowerment.

b. District Resource Centres (DRCs)

District Resource Centres are district-level structures of Mission Convergence or *Samajik Suvidha Sangam based* at the office of the Deputy Commissioner (DC) of each district as 'front office' of the DC office, and act as a single window for the community for welfare schemes. These will be lead interfaces between the community and the government departments, through the DC and district nodal officers of the concerned departments, in consultation with Gender Resource Centre - *Suvidha Kendras* and DC office, and would give the beneficiaries a platform to discuss their grievances and seek immediate redressal.

These structures will also act as a database of knowledge and information on services, schemes and programmes of the government and update it at regular intervals, disseminate information on various schemes and benefits through outreach and community mobilization. The DRCs will be responsible for review and submission of completed forms with the help of GRC-*Suvidha Kendras* of their respective districts; for verification of the completed forms through the GRC-*Suvidha Kendras*; provide access to benefits of the schemes of different departments through single E-entitlement card.

These DRCs would also monitor and collate the district-level report for the performance of community-based structures of *Samajik Suvidha Kendras* of their respective districts.

c. Gender Resource Centres (GRCs)

The Mission Convergence incorporates the previous Gender Resource Centres, which function much nearer to the community, in its implementation structure and has added a *Suvidha Kendra* to each GRC, redefining the scope of a GRC viz. not only its name.

Essentially the GRCs were formed to take care of all dimensions related to women empowerment in a holistic manner, and were envisaged as an instrument to bring social, economic, and legal empowerment of women particularly those belonging to the under privileged sections of society. The activities of the GRCs are to encompass social empowerment, legal rights, economic initiatives (comprising of skill building, micro-enterprise and entrepreneurship development), health aspects, information sharing and networking aspects, and non-formal functional literacy and women empowerment.

With Mission Convergence, the Delhi government has decided to enhance the role of the GRCs so that it becomes a truly robust instrument of community outreach, with the *Samajik Suvidha Kendra* (SSK) at each GRC becoming the first interface for the people of the community.

With the integration of SSS the scope of work as well as the responsibilities of the GRCs have increased. The GRC-*Suvidha Kendras* have to look after the needs of the whole family, children, adolescents, youth, senior citizens, differently-abled, etc, besides women who are already covered under GRCs. There has to be special emphasis on the most vulnerable people like the homeless, women and children-headed families, families involved in certain trades like rag pickers, sex workers etc. NGOs' role will include direct intervention through the existing GRC components like health, nutrition, non-formal education training, formation of self-help groups, nutritional awareness etc. and facilitation like creating awareness about government entitlements and empowering them to come to SSKs to avail the benefits.

5. Recommendations

There are a few immediate steps that the government can take to improve the situation:

- a. More number of comprehensive centres with rationalized supply. Not only should the number of centres be increased, but also the services they offer should be more comprehensive, inclusive and more facilitating for better governance. Also, there is no point increasing the supply, if the demand is not

considered. So centres should be placed in areas with maximum demand, which can be found out after a detailed research.

- b. Advertise. Like the way a corporation advertises its new products in the market to get a customer base, the government needs to advertise the facilities and such centres which are available to the people in a very efficient manner. For the same, outsourcing it to an advertisement company is the best option. If marketing language is to be used, these centres need to be “sold” to the public for whom they are setup.
- c. Certain areas, services and centres are overlapping. Studies should be made to analyse where they can merge and where they need to converge.
- d. Regular maintenance of the centres is highly recommended, with functional air-conditioners, fans and lights, to ask for the least.

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CSB Vasant Vihar; shut only for 2 months but seems it was never functional

Public-Private Partnership Model for *Nagrik Sahayata Kendra*

1. Introduction

The concept of a *Nagrik Sahayata Kendra* (NSK) is based on observations made with respect to the working of the Right to Information (RTI) Act, the public grievance redressal mechanisms and consumer dispute resolution forums. Through primary research it was identified that even though the RTI Act seeks to empower citizens and introduce accountability in governance, its success is seriously restricted owing to several sociological factors, including:

- General public reluctance to approach government officials
- Lack of awareness about how and whom to approach
- Rampant apathy and insensitivity towards the public by the officials
- Public Information Officers getting away giving vague information.
- Framing the sharp RTI questions requires skill and experience.

In addition, there are a host of other problems in the process of filing applications and lodging complaints including difficulties in identifying the competent authority, online and telephonic facilities being non-functional, complicated process of depositing application and fees and difficulties in identifying necessary supporting documents. RTI only provides information but not relief and 60% of the RTI applicants have to go through the cumbersome process of subsequent appeals that take a lot of time and commitment.

Therefore, there is scope for a for-profit entity, acting as a 'middleman' facilitating the process of collecting, restructuring and dispatching RTI applications, complaints and appeals to the respective government departments/agencies and bodies. The model employs existing infrastructure and customer base of photocopy shops/cyber cafés/telephone booths as 'Customer Help Centers' for greater outreach. The concept of NSK runs on the lines similar to that of any agents who facilitate the transaction between two entities. For instance, the railway reservation agents stand in queues to procure railway tickets for customers for some extra charge.

A sample survey has been undertaken in various areas of south Delhi, representing a diverse mix of rich residential colonies of Greater Kailash, middle-income locations like Malviya Nagar and slum clusters in Sheikh Sarai and Munirka. Inspiration has been drawn from existing models for easy accessibility to these provisions, such as '*Lokvani*' in Uttar Pradesh, Bihar Governments e-governance '*Jankari*' project and '*Praja*' in Maharashtra .

a. Target Customers

All individuals across the different areas of South Delhi.

b. Marketing and Promotional Strategy

On-site marketing will be undertaken at the collection centers, office locations, in residential areas, slums and outside the government departments through media partners, promotions on radio, television and the internet. Targeted campaigns and workshops will also be conducted regularly through alliances with NGOs, RWAs, traders and other associations, universities and government bodies.

c. Services

NSK will act as a one-stop solution desk for:

- i. Assistance in writing RTI applications/appeals.
- ii. Assistance in lodging complaints and grievances in various fora like the grievance cells, vigilance cells of various government departments, Public Grievance Commission, Directorate of Vigilance, Central Vigilance Commission (CVC), National Consumer Disputes Redressal Commission (NCDRC), Delhi State Consumer Disputes Redressal Commission (DSCDRS) and the '*Lokayukta*'.
- iii. Time-bound delivery of above mentioned documents to the respective government departments.

In addition NSK will offer the following peripheral services:

- i. Counseling with respect to documents, hearings etc. for grievance redressal and consumer dispute forums, vigilance and anti-corruption cells.
- ii. Maintenance of database and tracking of trends.

2. Operations plan

a. Opportunity Analysis and Competitive Advantage

In an interview conducted by the authors of this chapter with Shailesh Gandhi, Information Commissioner, Central Information Commission, the latter stated that number of RTI applications is a measure of a vibrant democracy and India is riding on the same wave.

The NSK model marks the beginning of a new revolution where the process of seeking information and filing complaints in government departments is no more a nightmare for citizens. It will be now as simple as any other transactions in the markets and bazaars and available in customer-friendly outlets in markets. This makes all individuals potential customers. We would definitely have the first-movers advantage in the market.

b. Demographics

South Delhi has a population of 2,258,367 (2001 census) and an area of 250 km² with a population density of 9,034 persons per km². It has a literacy level of 82%. The district includes several rich and ultra-posh areas along with slum areas inhabited by individuals who have migrated from neighboring states in search of livelihood.

Therefore the range of public grievances is expected to be wide pertaining to matters such as basic amenities (electricity, water, telephone, sanitation), public goods (roads, cleanliness, transport, police, environment) and welfare schemes (pension, schemes for aged, widows etc., rehabilitation and compensation).

c. Detailed description of services

i. Assistance in writing applications under the Right to Information Act, 2005

A set of standardised RTI forms for different types of queries related to matters, such as delay in issue of ration cards, encroachment and unauthorised construction, water problems etc will be created. Those who want to write the applications themselves can do so by using these forms at the outlets and having telephonic consultation with the executives at the centre. For others who want the NSK's services in drafting the applications can give basic information in any format. This information will then be converted into a sharp RTI application by the NSK executives in consultation with the applicant on phone. For illiterate individuals outlet owners will

fill the form on their behalf. For non-conventional issues information will be taken in any format and application will be drafted at the centre.

ii. Public Grievance Redressal

A form catering to grievances against any of the government departments will be given to the customer at the outlet. Again there will be two modes; he can write the application himself or executives can do it, given basic information. Appropriate supporting documents including an affidavit, letters of reply from the concerned public information officer etc. will be collected along with the application form.

iii. Consumer Forums

The Consumer Protection Act provides for better protection of the interests of consumers by the establishment of consumer councils and other quasi-judicial authorities for the settlement of consumer disputes and other matters. Penalties for non-compliance with its orders have also been provided in the Act.

Assistance and support will be provided by the NSKs in filing the complaints to National Consumer Dispute Resolution Commission (NCDRC) and to other forums.

iv. Anti-Corruption and Vigilance Department

Complaints involving corrupt practices or having vigilance angle can be filed with the vigilance cells present in all government departments. If that does not yield results a complaint can be filed in the Directorate of Vigilance or the Central Vigilance Commission. Assistance and support will be provided in filing such complaints at all levels.

v. Lokayukta

Complaints against public functionaries such as ministers, MLAs, municipal councillors and other elected representatives can be filed with the office of *Lokayukta*. Consultation and assistance required in terms of procuring the required documents and drafting a comprehensive complaint will be provided.

vi. Extended and Peripheral Services

A database with information on numbers for the different categories of applications along with contact details of the applicant will be maintained. Free counseling on several matters like hearings, appeals and dispute resolution will also be provided via telephone to the customers.

3. Locations and Collection Centres

As a pilot project, NSK will begin operating in New Delhi. Approximately hundred collection centers will be identified in southern Delhi in areas of Greater Kailash, Malviya Nagar, Safdarjung Enclave, Munirka, Sheikh Sarai, Hauz Khas etc. These booths or help centers will be selected on the basis of factors like the owner's willingness to explore an additional source of income, adequate literacy level of the owner coupled with an inclination towards social work. To identify the best suitable outlets in a particular locality assistance will be taken of local NGOs, RWAs, other associations and forums.

The main centre will include a rented office space with basic office equipments in one of the above-mentioned areas.

Advantages of the location:

- A number of NGOs already operating to generate awareness about RTI and other aspects.
- Residents belong to different income groups with wide range of issues and problems.
- Delhi Government has shown relatively better implementation compared to other states.



Commercial Outlet



Independent Kiosk

Figure 1: Centres similar to Citizen Catalyst Centre in operation in Sitapur, Uttar Pradesh

Both of the above are similar initiatives by the administration of Sitapur, Uttar Pradesh.

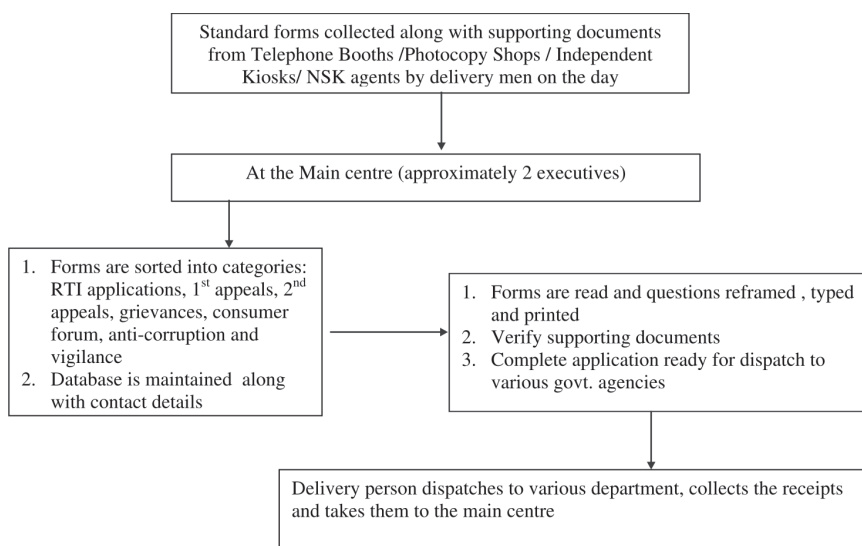
4. Agents of Change

This model aims to achieve a strong social objective through C2G – citizen to government partnership. Motivated citizens willing to volunteer to facilitate the process of filing RTI applications, appeals, complaints and grievances in various government bodies will be identified within different wards in south Delhi. This will be proactively undertaken in slums wherein the level of awareness about RTI and other provisions is extremely low due to illiteracy and other reasons. Having a ‘face’ to the initiative in each community will help in networking and greater acceptance. Also students and academicians interested in activities like research and fieldwork will be called to join the initiative through internship programs and other opportunities.

5. Execution Strategy

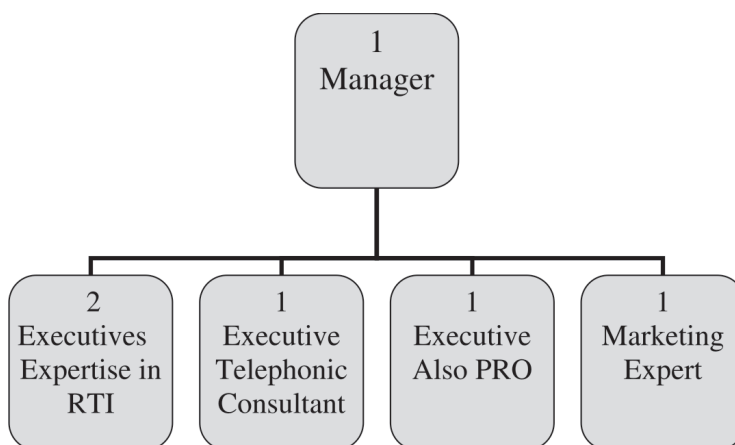
All application forms and other documents collected from all the 100-plus help centers located across southern Delhi will be collected on a daily basis and taken to the main centre by the delivery person. These applications will be appropriately fine-tuned, modified and then dispatched to the concerned authorities. The processing will be done within 5 days.

6. Movement of the Applications



7. Organizational Structure

At the main centre:



Apart from this we will have two people for collecting the applications from the outlets and delivering the same to the government offices. Other than the above mentioned salaried staff the role of the outlet owners who will have a share in the revenues is also very important for the success of the model.

8. Value addition to Various Stakeholders

- a. Target customers: individuals of all age groups and income levels, based in urban areas of South Delhi.

Advantages	Cost	Positive Outcomes
1. easy and accessible 2. time saving and convenient 3. reliable	Extra money (Rs 15)	1. informed 2. empowered 3. can help others too

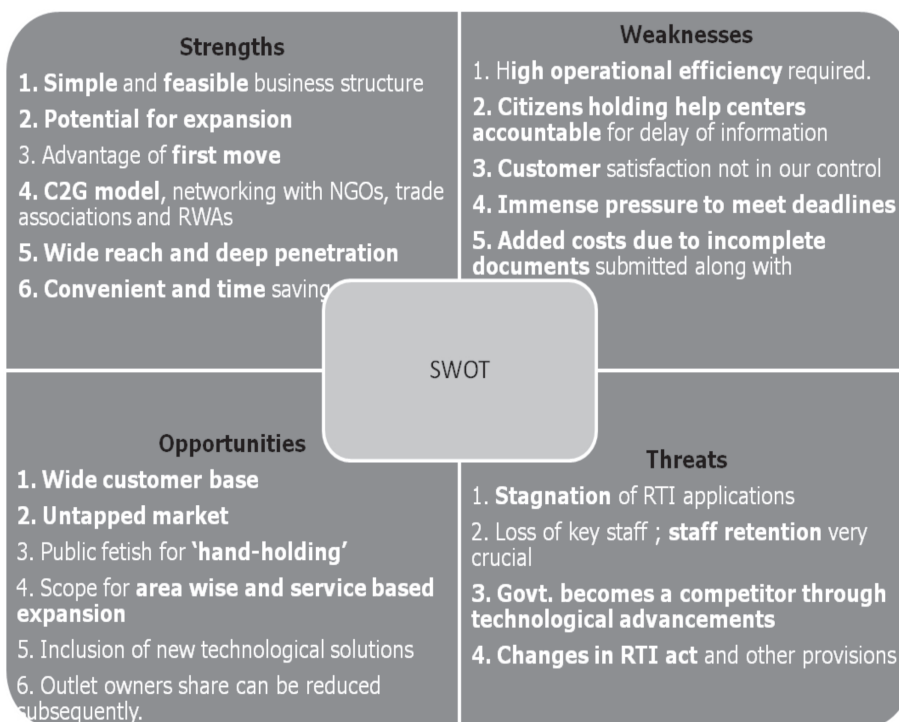
- b. Collection outlets (PCO booths/photocopy shops etc) - a feasible option compared to independent kiosk owing to:
1. Existing infrastructure
 2. Existing customer base

Advantages	Cost	Positive Outcomes
<ol style="list-style-type: none"> 1. increased income 2. wider customer base 3. free branding and publicity 	<ol style="list-style-type: none"> 1. time 2. little extra effort 	<ol style="list-style-type: none"> 1. social contribution 2. may replicate the model

3. Government

Advantages	Cost	Positive Outcomes
<ol style="list-style-type: none"> 1. Increase in RTI applications/complaints /appeals 2. Relevant questions to respective competent authority 	NA	<ol style="list-style-type: none"> 1. Greater accountability and transparency 2. Departments forced to comply with section 4 of the RTI Act

9. Business Analysis



10. Future Growth Opportunities

Through inclusive technological solutions the organization can not only expand the range of services but can also make significant contribution to overall efficiency and convenience. Some of the extended services can include the following:

- Counseling and delivery services related to procurement of licenses and certificates viz. ration cards, birth certificates, death certificates, domicile certificates, caste/tribe certificates, motor vehicle registration, driving license etc.
- Information and counseling related to taxes: taxation & return filing of income tax, corporate tax, custom duty, sales tax, property tax, road tax, company returns etc.
- Online portal with a host of services relating to record maintenance, research and analysis on RTI, Consumer Protection Act, grievance redressal mechanisms, which the government bodies and media houses could be interested in.

NSKs can expand its operations to different locations in Delhi and National Capital Region (NCR).

11. Social Impact

“Democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold government and their instrumentalities accountable to the governed”

- Preamble to the Right to Information Act, 2005.

a. Direct Impact

Citizens get the required information which can be further processed to expose corruption or inefficiency of the government bodies and officials. When relevant information is sought or grievances are filed they help citizens in a direct manner and also improves accountability.

b. Indirect Impact

The more visible and immediate effect comes indirectly. This is because it becomes difficult for the officials to reply to these questions as this would bring their inefficiencies and lapses on record in writing. A reply to these questions also has the effect of fixing of responsibility on particular officials rather than the department in a whole.

Also there are myriad government schemes and programs designed to uplift India's poor but too often they simply don't make it to the target population and their resources are lost to corruption and inefficiency. RTI has the potential to change this by helping people understand the opportunities and resources available to them so they can hold government officials accountable towards use of those resources.

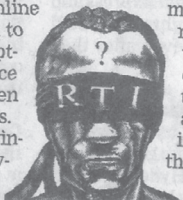
- Prepared by Anni Kumari
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Multiple channels to file RTI pleas

Himanshi Dhawan | TNN

New Delhi: Filing a Right to Information (RTI) application may no longer mean multiple trips to government offices and suffering the indifferent attitude of babus. A government report has outlined multiple channels for acceptance of RTI applications like post offices, common service centres, RTI portal and call centre to streamline the process of providing information to people. If recommendations are accepted, RTI pleas could be filed at a service centre or in comfort of your home even as you finish up your household chores.

Common service centres are single window outlets for many government services that are being opened under National eGovernance Plan. The scheme envisages 1 lakh CSCs or approximately 1 CSC for 6 villages that will facilitate citizens with RTI applications. The report 'Understanding the key issues and constraints in implementing RTI Act' prepared by Pricewaterhouse Coopers in association with IMRB has suggested that post offices in states be allowed to accept applications. As done by states like Bihar and Haryana, the report has urged the Centre to initiate a national level helpline and has urged setting up of an RTI portal.



The study — which was submitted to the government — has pointed out that with 26% of citizens having to pay more than three visits to submit their application, it was essential to introduce alternative channels. It has noted that 47% people felt there were no signboards and a lack of an updated list of public information officers. Recommendations have been made to broaden the modes of payment to an electronic payment gateway. The report has suggested introducing RTI envelopes that have an inbuilt cost of application fee. About 38% of public information officers felt an ineffective record management system was responsible for delay in processing while 43% were not aware of the record management guidelines.

The study suggested that Centre and states should earmark 1% of their budget for implementation of these recommendations. The report has suggested use of RTI complaint standard templates that will ensure quick and reasoned orders and reduce margin for error. The CIC has in the recent past been criticised for becoming a parking ground for retired bureaucrats but now the government's report has recommended that number of babus be kept down to 50%. The report said people who have worked in government should be restricted to 50% as recommended in ARC report.

Mission Convergence: Good Governance through Shared Leadership

Context

Urban poverty alleviation is a challenging task before the nation which calls for imaginative new approaches. The goal is to adequately feed, educate, house and employ the large and rapidly growing number of impoverished city dwellers. The Government of India's *Millennium Development Goals (MDG) Report 2007*, points out that despite good economic growth and improved fiscal situation, the country is not on track to meet goals pertaining to hunger, literacy & school attendance, malnutrition, gender equality, maternal health, sanitation and environment. The first goal under the Delhi Development Goals (DDGs) that the state plans to achieve by 2015 is 'to eradicate extreme poverty and hunger'. As per the figures in 1999-2000, only 8% of Delhi's population lived below the income poverty line. The state has set records in reducing levels of income poverty between 1973-74 and 1999-00, with a reduction in poverty levels by 82% during this period. At the same time Delhi's per capita income today is more than two-and-a-half times the national average and it also has the country's highest monthly per capita expenditure at Rs. 1408. These may suggest that the state is on the right path to achieve one of important goals of DDGs.

The task is enormous, with a population of 13.8 million in 2001, even 8% will translate into 1.1 million people in poverty. However the figures of income poverty mask the other forms of deprivation in the lives of countless millions. An estimated 45% of Delhi's population resides in slums that include informal settlements-squatter settlements and unauthorized colonies, where the housing and living conditions are appalling. Basic amenities like safe drinking water and sanitation facilities are still out of reach of more than 25% of the poor. Majority of these people are migrants from the neighboring states who come in search of employment. Since majority of them are unskilled and illiterate, they end up in the unorganized sector which employs almost 4.3 million workers. The absence of job security, benefits and any safety nets compounds their problems. The extent of this problem is only going to increase as the latest *UN Habitat Report* has projected Delhi to be home to 22.5 million people by 2025, making it the world's fourth

biggest city by population.

India's Eleventh Five Year Plan (2007-12) has laid down specific MDG-oriented targets at national and state level for economic growth, poverty reduction and overall social development, with a particular focus on removing regional disparities and improving service delivery, especially for disadvantaged groups and from amongst them the focus being on women, children, SC/ST and minorities. This top down approach both in formulation of schemes and entitlement criteria opened up ample opportunities for incentive distortions that in turn manifests in poor targeting and numerous deliveries channel leakages¹. The State has been making serious efforts to improve the quality of life of its citizens. Social Sector spending as a proportion of development expenditures was 74% in 2003-04. Education, Health and Urban Development together account for more than 85% of the total social expenditure. An analysis of 58 plan schemes in 17 sectors had a budgetary outlay of Rs 562.14 crores for the year 2008-09 and all these programmes were targeted at the most vulnerable and disadvantaged sections of society including women, children and old. However it has been generally accepted that these efforts have not yielded results to the desired levels.

Mission Background and Rationale

Global thinking on development now converges on the idea of making services work for the poor. The failure of welfare programme implementation may not simply reflect failings of design, or the larger plan within which they are ensconced, but of issues of governance within the local setting of service delivery. The current initiatives of the government are characterized by a multiplicity of initiatives, spread across over nine departments, with implementing agencies often duplicating the efforts of each other. This is further complicated by the fact that there are no converging nodes or point person close to the point of service delivery. Hence for the needy citizen, who should have been the beneficiary of the government's welfare entitlement services without any hassle, such a situation translates into endless running to various government departments and engaging with different procedures adopted by different departments for the same beneficiary. Compounding this is the fact that the most vulnerable also lack the capacity to engage with the government. Further, overview mechanisms fail to accurately estimate either the numbers or who the right beneficiaries are. Hence the writing on the wall is to simplify government procedures, enhance its effectiveness at the field level, and increase citizen involvement.

Taking cue from the above, we initiated a series of consultative deliberations with credible grassroot civil society organizations and academic institutes, and came to the considered view that we need to reorient our strategic thinking with respect to implementation of social sector programmes if we hope to genuinely improve the quality of life of our citizens especially the most vulnerable and disadvantaged sections of society. It was proposed that various welfare entitlement schemes of nine participating departments be guided and delivered in an integrated manner at the targeted urban vulnerable and poor community level chosen through a more simplified common criteria. The selection of the entitlement-holder and the processes for accessing the entitlements would be jointly carried out in partnership with Civil Society Organizations (CSOs). This would bring greater transparency in implementation of the schemes, and address the errors of inclusion and exclusion in a focused manner. This would also lead to convergence of public resources within a rights based framework that would improve fund utilization at the level of implementation (district and below) and catalyze greater effectiveness (and social inclusiveness) of service delivery. For convergence to be sustainable (beyond individuals' efforts) and effective (relate to actual change on the ground), a concerted effort to link needs assessment, scheme rationalization, coordination, implementation (including budgeting and fund-flow) and strong M&E is required which would be based on a robust IT system.

To achieve this vision, with the Mission Convergence, the government has brought all welfare entitlement schemes on a common platform, while strengthening the implementation machinery at the lower levels, and incorporating civil society organizations as partners in overseeing the entire process. The specific mechanisms range from the use of modern Information technologies, to rationalizing administration, and partnering with CSOs at the field level. Long-term objective of this project is to package useful social sector welfare schemes focusing on empowerment of the poor together at delivery level thereby maximizing their impact and efficiently utilizing scarce financial resources through active involvement of community in a concerted and focused manner. The causes of the present situation are known and the concern is to find ways to improve service delivery of welfare schemes on a priority basis and identify the approach and mechanisms to do the same. Inadequate access or lack of availability of these services affects the livelihoods and life expectancy of the poor. Mission Convergence attempts to tackle this through a multi-pronged, a multi-disciplinary convergence of services covering welfare schemes

such as health, education, nutrition, social security, employment, gender equity, pension and empowerment of communities.

The Mission Mode Initiative has developed a convergence model by bringing together welfare schemes of nine departments (Health & Family Welfare, Education, Women & Child Development, Food and Civil Supplies, SC, ST, OBC and Minority Welfare, Social Welfare, Urban Development, Labour and Information Technology) on a common platform, rationalizing the schemes, simplifying administrative procedures for availing benefits, strengthen the implementation by use of IT and partnering civil society organizations for effective delivery. The Mission believes in the paradigm change of looking at welfare measures as rightful entitlements of citizens rather than doles handed out by the state. It is also necessary to empower the most vulnerable to avail their entitlements and helping them in finding a way out of poverty. This is an inclusive process which also includes creating livelihood opportunities, skill development, education and health schemes benefits to be delivered by the CSOs.

The *Samajik Suvidha Sangam* is a State level body that works under the chairmanship of the Chief Secretary of the NCT of Delhi. At the apex is a State Convergence Forum, which includes the secretaries of all the line departments. At the District level, the Dy Commissioners head the District Convergence Forums. The Mission Director is the CEO. This entire set up is committed to bring services of the government to the people who need them most. It aims to redefine the role of the government from the person who is at the bottom of the pyramid creating structures at the community level which are empowering and sustainable. This set up works on the understanding that those at the bottom of the pyramid remain largely remain largely invisible.

Setting up the Structures closer to the Community

In the institutional set up for Mission Convergence, the significance of setting up structures and delivery points closer to the community was realized from the outset. The need for making women as the focus to facilitate the process of change and empowerment was a learning borne out of previous experience of successful public private partnership programmes for community outreach. From the very successful *Stree Shakti* (literally meaning women power) program, which was a camp based approach to engage with the women in the targeted poor areas, it was decided to graduate to community owned and partnered structures at fixed locations called the 'Gender Resource Centre' (GRC). The GRC objectives are based on the *Bhagidari* (citizen-government Partnership) philosophy of the Government of NCT of Delhi. It is a

proactive attempt for provisioning of basic services in the core areas of - health, literacy and livelihood creation and sustenance. To consolidate and institutionalize the gains achieved through the *Stree Shakti* Camps, a long term strategy was evolved for sustainable empowerment of women through the *Stree Kosh* Project, i.e., a name given to it as Gender Resource Centre. With the launch of Mission Convergence in the year 2008, the GRCs were made the operational arm of the Mission at the grassroot/ community level, and given the nomenclature of 'Gender Resource Center – *Suvidha Kendra* (GRC-SK)'. The GRC-SK today acts as a single window for information and facilitation for improved access to the welfare services/ entitlements to the vulnerable and needy.

GRC-SK serves as first point of contact for the community. These structures have been set up by the Government in partnership with the civil society organizations (CSOs) to reach out to people and take government programmes to communities. GRCs have been setup in areas having vulnerable families based on poverty mapping exercise with a mandate to cater to 15,000-20,000 households (population of one lakh). Starting from just 4 in number, a quantum jump has been made in the last three years to have 80 such centers all over Delhi. Besides assisting in availing entitlements, these centers work towards social, economic and legal empowerment of women by interventions in the area of legal rights, economic initiatives-skill building, microenterprises and entrepreneurship development and health. The planning for the required interventions starts within the community and the implementing machinery comprises of a combination of professionals with social work background, community mobilisers to local community volunteers and organized groups of women from the community in the form of self help groups, *mahila mandals* (women's groups) etc. The Mission thus looks at holistic model of empowerment with a focus on women, thereby continuing the focus on gender mainstreaming and gendered development. It is through the women that the families are reached out.

Addressing Urban Poverty

There have been globally recognized best practices which prove that concerted effort through a convergence model can reduce poverty much faster than conventional models followed by the government. For example the Bolsa Familia program, through a minimal expenditure, adopted a convergence model and was able to reduce poverty by 30-35%. The need for integrated and unified arrangements for addressing the problems of poverty reduction comprehensively has been demonstrated by such models, which facilitate better targeting of

programmes, effective identification of beneficiaries, better institutional coordination etc.

The Mission takes a two pronged approach for the provision of social benefits to vulnerable individuals and households. Firstly, it seeks to make identification of the vulnerable sections of the society easier. Traditionally, income has been used to measure poverty. This has led to significant inclusion and exclusion errors, wherein people who are ineligible for the schemes get included and a large number of people who are eligible remain excluded. Additionally, other subjective indicators of vulnerability, such as ones born of disability, occupation, age, gender, etc. get overlooked if only income is used as a measure of poverty. Therefore, to create a more objective filter for inclusion of the vulnerable into social welfare scheme delivery, in discussion with a number of CSOs we developed a criterion based on vulnerability factors to identify the poor. The use of non economic criteria for identifying the poor has been influenced by the *Kudumbashree* model in Kerala too. The proxy indicators for identifying poor based on their vulnerability adopted by the Mission includes three filters. The first level of identification of vulnerability is the place of residence, therefore targeting those who live in notified slums, non-notified slums, resettlement colonies and the homeless. The second level looks at socially deprived groups which include women headed households, children headed households and families having old people, differently-abled persons and those suffering from debilitating illness. The Occupationally Vulnerable Groups includes among others people earning their livelihood as rag pickers, construction workers, street vendors, casual domestic workers and cycle rickshaw drivers. Under the new methodology, the poor identified on the basis of their vulnerability are categorised into two groups, the most vulnerable and the vulnerable. Income is used as an exclusion criterion instead of inclusion criteria.

Based on the new criteria, the Mission has launched a survey which is a virtual census of the poor and the vulnerable in the state. Already about 1 million households have been identified through this process, out of which the list of the vulnerable, most vulnerable has been drawn, and the mapping of these families is being done against the existing schemes and programmes of the government. A unique feature about this survey is that it is being carried out by community based organizations who are working in the area and who would be responsible for helping these people to access their entitlements too.

The preliminary analysis of the survey has some major findings.

Of the total households surveyed, 66% were from JJ clusters whereas the remaining was in F, G, and H colonies (the lowest categories with reference to municipal property taxation rates). Moreover 52% respondents covered belong to the OBC, SC and ST (the historically disadvantaged section in Indian context) categories. This goes to show that vulnerability based identification has been able to cover the socially and economically weaker sections of society. For the first time it included groups which were hitherto completely excluded from both the data bank and welfare entitlement schemes, groups like homeless people, waste pickers, street vendors, destitute etc. who could seldom provide enough documents to be part of either the BPL list (below poverty line) or claim entitlements. The simplified and common criteria show that the actual number of people trapped in urban poverty is much more than previously estimated.

Secondly, the Mission seeks to make the institutional processes and mechanisms of availing schemes citizen-friendly, transparent, and efficient. Based on the survey data, a uniform data bank of all the vulnerable is being created by the Mission. This would prevent duplication of efforts, and need for repetitive documentation. All scheme implementation points would be IT enabled and connected to a central server to facilitate the flow of information for MIS reporting purposes. For availing the schemes, potential beneficiaries would receive a unique smart card that would make identification easier and leave less room for error. This would also give the scheme delivery points instant access to the beneficiaries' socio-economic data, thus making verification easier and eliminating hassles related to submission of various forms and documentation for availing these schemes.

Further, in an effort to rationalize schemes, the entire gamut of schemes for social security under implementation by the nine departments (45 in number) was studied. The study showed that many of these are defunct or do not serve any useful social purpose. A set of new principles, criteria, and guidelines has been developed for rationalization of the existing schemes. As a result revisions have been made in the eligibility criteria, reducing documentation requirements, simplifying administrative procedures, avoiding duplications across schemes, and the process has been initiated for scrapping of irrelevant schemes and revising certain entitlements.

Another major step has been bringing about administrative convergence by making the Deputy Commissioners (DC) office the central point for all welfare schemes in a district. Nodal officers have been nominated for all line departments who report to DCs. District Resource Centre (DRC), run by a district level nodal NGO selected out of civil society organizations with long years of experience of working

in the social sector, have been setup at the district level in order to assist the DCs in implementation of mission convergence activities. The DRCs operated by CSOs thus facilitate the interface between citizens and government.

Developing Community Leaders

Under the Mission a large network of community based organizations have been made equal partners in governance. While there are 100 such organizations actively involved, with each of these a strong team of local volunteers is engaged along with regular functionaries with social work background. Based on the newly developed criteria, these CBOs were trained to carry out the survey. The process involved building the capacity of a large cadre of local community leaders, mostly women, so that they in turn could empower the community with relevant information about their rights and the ways in which they could access their entitlements. Going beyond the identification, the community groups have also been empowered for authentication of the antecedents of those who were denied of any services and entitlements in the absence of documentary proofs. The Mission initiated a series of workshops at different levels to share information on the Mission's vision and goals. The CBOs were trained through adopting appropriate modules for conducting surveys, interfacing with the community and in answering queries of the entitlement scheme related questions. Many interface meetings were organized between the Dy Commissioners, nodal officers of departments, and CBO functionaries for better coordination and interface to solve the citizens' problem. This process has made them not only more aware of their rights but also unleashed their full potential as productive citizens. Most of all it is the women who have proved to be the effective harbingers of this change. Building up leadership at the local level is having the desired effect of diluting and phasing out the hitherto paternalistic approach of the government and the elected public representatives. A dedicated effort by the Mission functionaries for enhancing awareness levels is not only leading to more and more community participation in the programme, but also imposing greater accountability into the system to ensure delivery. A reversal of trend has been set in motion that of the government reaching the needy's doorstep, rather than the needy approaching the government, a far cry earlier. Those who never counted in the system earlier have now been given an identity and the system can no longer overlook them from being reckoned in the public policy and services meant for them.

Emerging from the foregoing discussions, it can be concluded that

Mission Convergence is a small step aiming towards larger structural changes. It redefines public service reforms by engaging NGOs not as brokers to whom government functions are merely offloaded but as equal partner to change. Secondly it demonstrates on the ground government's commitment towards inclusive growth and creating structures at the bottom which is able to perform leadership roles. Thirdly, the government itself has redefined its role from that of a regulator to a facilitator. This shift is expected to strengthen the democratic governance by giving a voice to the voiceless and through a more inclusive citizenship. The journey has not been easy though given the resistance to change faced at multiple levels. But we are confident that with the community empowerment and strong engagement in the process of change, there can be no reverse tide.

**- Prepared by Rashmi Singh
Mission Director, Mission Convergence**

Endnote

¹ Human Development Report, UNDP 2007.

Sahabhagi: **Participatory and Inclusive Governance**

Issue of people's involvement at grass roots in administrative governance has been a matter of serious debate for a long time. The debate has now, more than ever before, been gaining momentum with the people joining the chorus and stressing the need of an effective interface at lowest levels of administrative governance with the local administration with the aim to ensuring better and effective delivery of development outcomes.

If we look back at the process of national planning since the year 1951, we would note that the first plan documents amply called for 'people cooperation' in planning process by the Government. This planning process is not only important from the point of view of creating a consensual mechanism for undertaking development projects and programs but also from the perspective of its stress on better and more inclusive governance with involvement of people in directly impacting the outcomes of the grassroots development.

The 11th Five Year Plan (2007-2012), currently in progress, has been developed by the Planning Commission; keeping the civil society involved right from the first stages of consultation of the Plan's aims and objective. This has been a historic turning point in making of a Plan where the Planning Commission formally engaged with the civil society and its groups to arrive at a consensual model of development. This process of consensus building eventually resulted in plan document being devoted to issues of broad based development and inclusive growth, where the people on periphery have more to gain from the Government's planning process.

The participation of the people in developing the plan document is a bold initiative and thus paves a way for effective interface between the people and the power-that-be at more realistic ground. The partnership thus built ensures better participation between the people and the power-that-be results in better and effective delivery of outcomes and its meaningful impacts on the lives of the millions of people, for whom the Governments both at the local, state and the national levels work and operate.

The partnership between the government and the civil society has, over the years, gone beyond consultation mode and indirect consensus

building processes into policy making exercises both at the national and state levels. The National Policy on Voluntary Sector, for instance, which was a joint work between the representatives of the voluntary sector and the Planning Commission, and cleared, by the Cabinet in the year 2007 now serves as one of the best blue prints of collaboration and partnerships. The case of involvement of civil society groups in development of the central government's flagship programme such as the Jawaharlal Nehru National Urban Renewal Mission and its subsequent implementation, case of involvement of NGOs in the National Rural Employment Guarantee Scheme and Right to Information, involvement of civil society groups in assessing contribution of the civil society to the national gross domestic product (GDP) are some of the leading examples of partnered approach to development which are existing models of engagements and partnerships between the Government and the civil society need to be activated and replicated in other areas of civic development and its governance.

Keeping in view the above context of consistent demand by people of their involvement in developmental issues and need to actualize and activate sustainable mechanism of such engagements, Times Foundation initiated a model of development – *Sahabhagi*, a citizen-government platform; taking forward the formula of effective interface between the people and the power for effectual growth and partnered approach to social development. The interactive and real time model has a strong promise of ensuring sustainable and inclusive approach of collective action as it operates on principles of bridging gap between the people and the power through citizens' participation in and ownership of developmental processes at basic unit of governance.

Narrowing the approach to city development and local level governance, a model for improving citizen participation in effective governance in a city is a crucial one as in long run; it leads to a Government that is more responsive and accountable to the needs of the people. There is also therefore a need to improve the delivery system of the government spending through an organized citizenry participation in all key issues of development. This means that the government needs to ensure effectiveness of various development programs at the level of the ward with help and support of the people from these areas. This participation of people at the local level will also ensure operational openness and have the right people share the burden of the local authorities in execution of the various development projects besides providing them necessary support.

In order to activate an effective and workable interface between the local level administrative mechanism and the people for whom the development activities are directed at, there is a felt need to form an operational structure including the representatives of the society and the people in the following manner:

- a. Mohalla Sabha consisting of Resident Welfare Associations (RWAs) and Trade Welfare Associations (TWAs)
- b. Ward Level Committees
- c. MLA Local Area Committees
- d. Lok Sabha MP Local Area Committees
- e. State Level Committee and,
- f. Integration of all these Committees

The above structure has been proposed keeping in view a bottom up approach which not only brings people and the power together at one common platform but also paves an effective path for lateral grievance handling mechanism by the local administrative authorities in a ward through a transparent process of engagement with the people who seek issues of development at local level sorted out by their representatives. It is also proposed that the *Mohalla Sabha* consisting of RWAs and TWAs function in a manner that have bottom up approach in reaching people and providing a satisfactory result of the peoples grievances in the following manner

Mohalla Sabha RWA Committee

Each polling booth (*Mohalla Sabha*) has approx 1000-1200 voters. Authentic list of all residents (adults) is available with the Election Commission. As far as possible, an RWA should be formed for each booth, if not formed already. Meeting of the committee should be held every month on the first Saturday or any other day of the week as may be decided. One week before the meeting, a notice would be send to all the members to attend the meeting. Minutes of the meeting will be made and action taken report (ATR) placed in the next meeting. Committee will work as under.

1. It would decide on the immediate, short term and long term issues of the area.
2. Every month it meets to decide the issue of the area and will decide on the works to be carried out.
3. Details of all works to be carried out in the area are given to the committee by the authorities. Quality of work is monitored by the committee and progress/variation/violation reported

to the Wards Committee. Any unsatisfactory finding by committee results in stoppage of payment to contractor.

4. The committee decides on all the issues to be forwarded to the Ward Committee.
5. Election to this committee is held every year and one representative is nominated to the Ward Committee.
6. This Committee is used for disseminating information on government schemes.
7. This Committee maintains a complaint/suggestion register for all the departments. Government department representatives collect the complaints/suggestions regularly. Alternatively a mechanism can be evolved to dispatch/forward these complaints suggestion to the concerned departments and copy is sent to Ward Committee.

Likewise the other committees, referred above, would meet periodically and resolve issues at their respective levels through participatory governance.

This structure will not only be good for the citizens but will also be beneficial to the elected representatives as they would have an opportunity to interact with their constituency regularly. It is often seen that national issues become a matter of discussion and concern in state/municipal elections and municipal issues often become a matter of concern in state/national elections. As a result, a citizen often votes in municipal elections based national/state issues whereas the candidate's evaluation on relevant issues takes a back seat and vice – versa. Thus a model of governance which integrates people in a *Mohalla Sabha* with Ward (Councilor), Assembly, Lok Sabha and the city is the need of the hour as it will also effectively empower the citizens.

To make the proposed structure more functional, it is further proposed that there be an Enactment of RWA Act or amendment of Societies Registration Act 1860 to effectively guide and enable working and operations of the RWAs. This will have a legal backing to the RWAs and its work through the proposed structure.

The principle of *Sahabhagi* aims to only supplement ongoing initiatives of the Government and provide a neutral platform to both the local administrative machinery and the common people to come together on one common platform. This builds a cutting edge interface between the local bodies and the people to understand each others' needs and take development initiatives accordingly. The *Sahabhagi*

principles do not compete with existing systems but complement; and rather provide an edge of citizen participation in a development project. Additionally, the model supports the good work being carried out by the local bodies with the promise of ensuring an accountable and tractable performance of the delivery through a robust system of citizens' audit inbuilt in the overall approach.

As it is a citizen's initiative and underscores the value of partnership, the model will create a new platform between the existing system and its supplementation by the people who are part of the local area development. Given the current context and embedding of various instruments that calls for people's participation, the model would by and large guarantee the people becoming a part of the development process and more importantly part of the solution. This will help us build together a society that is rooted in the principles of equity, justice and progress.

In closing, the level of success and delivery outcome through the proposed model finally depends on how much the government and the people open up to each other to win each other's confidence to try and work towards an equitable and just system that is not only participatory in approach but also inclusive in nature.

**- Prepared by Pooran Chandra Pandey,
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How Helpful are Delhi's Helplines?

1. Introduction

A large number of phone helpline numbers are in operation by various departments and agencies of the government. We did a quick study of the effectiveness and efficiency of these helplines in Delhi.

2. Method of Study

From the Government websites and newspapers we found 21 helpline numbers. Some numbers are for specific target group, such as children, women, elder citizens, etc some others are for specific activities like crime, traffic, pollution etc. Each helpline was called thrice during July 2009 and the response/no response was recorded and analysed on various parameters like cooperativeness, general level of awareness of the duties, time taken to respond to the queries, and the tone of the language used.

The results of the study are tabulated below. The first thing to note is that there too many different helpline numbers, almost impossible for any citizen to keep track or remember. It would be more effective as well as convenient if there were one single number or a small number of numbers as per the type of help. As with too many cooks and food, too many helpline numbers undermine the main purpose. Several of the numbers worked well, the response was courteous and to the point and there was proper follow-up too. Many numbers were difficult to get through despite repeated attempts, in some cases the respondents were not clear about their role or how to guide the caller, and some were downright ignorant and rude. The *Traffic Helpline* respondent insisted that the caller speak in Hindi and refused to answer any query in English. In such a situation, what do non-Hindi speakers in Delhi do?

Group/Department	Helpline Number	Observations	
		Positives	Problems
Children	1098	Highly cooperative, helpful and willing to hear queries	Non-reachable at times
Women	1091 23370597, 23379181, 23370557	Among all general complaints, mostly the rape related ones were well attended	No reply twice out of the three times; Tone of the attendant is discouraging for the caller
Elder Citizens	1091, 1291	Did answer	Not at all helpful; Did not know their jurisdiction of services; Highly discouraging
Inform about Crime	1090		No reply
Traffic	23010101	Clearly knew which queries to entertain	Do not have a proper mechanism for the caller to check whether action has been taken on the complaint made (no complaint number given); Refusal to entertain any caller if the language used is not Hindi;
Vigilance Cell	23213355	Answered the call promptly; respondent knew channel of hierarchy in the Cell	The call attendant did not know how to file complaints, where to forward/direct the caller and what their duties are.
Anti-corruption Cell	23890018 23890019	Same as above	Same as above
Hospital	1800-11-3300	Call attended at the earliest	Highly confused attendants with regard to what is to be done with each caller
Disaster Management	1077	Call attended at the earliest and never unavailable; Very efficient and effective	
Delhi Pollution Control Committee	23869389		No Reply
Transport Lost and Found	24351763, 9718190047	Clear about their duties	Not conversant with English at all, a problem for tourists
DTC Pollution Control Cell	28892006	Phone answered after some attempts	Did not know what is to be done
Food and Supplies Department	23370841	Did answer after several tries	Scandalises and discourages the caller; Unclear and unwilling to take action; Not reachable most of the times
<i>Lokayukta</i>	23370100	Did answer	They believe that citizens must not contact them but rather go to the PGC (Public Grievances Commission)

- Prepared by Cheistha Kochhar (student of BA Economics Honours, Sri Venkateswara College, Delhi University)

Infrastructure, Land & Development



- ❖ Blueline Became Killer Line, DTC a Liability: The Future of Bus Transport in Delhi
- ❖ Electricity Woes of Delhi
- ❖ Increasing Electricity Efficiency: Different Measures & Technologies
- ❖ DDA: Delhi Development Authority or Delhi Destruction Authority?
- ❖ Sheltering Delhi's Slums
- ❖ Delhi Development Plan: A Citizen's Appraisal
- ❖ Displacement: Winners & Losers in Commonwealth Games 2010
- ❖ Commonwealth Games 2010: What Happens Next?

Blueline Became Killer Line, DTC A Liability: The Future of Bus Transport in Delhi

1. Introduction

Delhi has an extensive road network, where roads make up for 20% of the land, the highest for any city in the world. Over the years, there has been a considerable increase in vehicular traffic on the roads, almost nine fold since past three decades, leading to reduction in average speeds. On the other hand, during non-peak hours, the Motor Vehicle (MV) movement on the signal free road network averages 50-90 km/hr, which has led the fatality rates to shoot up. Rising rates of road accidents is evidence enough of poor comprehensive urban transport management strategies adopted in the city, particularly neglecting the safety needs of pedestrians and cyclists, and promoting use of private individual vehicles. There is little justification to allow cars to occupy 70% of the road space, given that they move less than 10% of the people. In contrast, buses may occupy twice the space of a car, but can carry 40 times the amount of passenger load. (*Source: Transport Research & Injury Prevention Programme [TRIPP]*)

In spite of poor quality services, more than two-thirds of the city population depends on public transport mainly buses as mode of transit. Besides providing economies of scale, the highly subsidised bus transit serves the interests of a major section of the population across Delhi, and serves as an extremely critical mode of transport for the working population among the lower and lower middle class. Affordability is a major factor that cannot be ignored, and public transport provides this feature through universal provision of cheap bus transit services.

This argument in favour of bus service is supported not only by economical aspects but there is also the other very prominent factor involved - environment. Pollution and congestion have been constantly on the rise; Pollution Control Board claims that more than fifty per cent of the ninety cities that it monitors have particulate matters that are already critical and can cause increase in incidence of chronic heart and lung disease. In August 2008, the average total suspended particulate (TSP) level in Delhi was 378 micrograms per cubic meter - approximately five times the World Health Organization's (WHO) annual average standard (*Source: Central Pollution Control Board*). Cars that run on diesel engines pose an additional danger since they require

fuel that contains 350 ppm of sulphur that release hazardous toxic emissions which are carcinogenic in nature, thus posing serious danger to our health.¹ In contrast, by the Supreme Court orders of 2002 the use of CNG as fuel was made compulsory for all the city buses. This has been very effective in reducing the levels of pollution.

Acknowledging the need for public transport this chapter focuses on the state of bus transport services in Delhi and analyses the operational performance of the Delhi Transport Corporation which is the main public provider of bus services. The new proposed scheme of the corporatisation of private stage carriages is examined in the light of the reform model suggested and a critical appraisal of the same is presented. Further, the case for Bus Rapid Transit (BRT) is highlighted with a critical review of the first BRT corridor in Delhi from Ambedkar Nagar to Chirag Delhi. With regard to this, the impact of BRTS on different categories of commuters is analysed.

2. Present Situation of Bus Transport in Delhi

Urban transport is mainly the responsibility of the state government. The main agencies involved in managing the transport sector are:

- State Transport Authority - registration of vehicles, routing of public transport services
- Public Works Department (PWD), Municipal Corporation of Delhi (MCD) - construction and maintenance of roads
- Delhi Transport Corporation (DTC) - operating public bus transport system
- Delhi Development Authority (DDA) - construction of roads in newly planned areas
- National Highway Authority of India (NHAI) - construction and maintenance of National Highways
- Delhi Metro Rail Corporation (DMRC) - responsible for Metro Rail

Buses have an integral and pre-eminent position in Delhi's transportation system. According to the *UTES Primary Survey 2007*, 79% of the population uses bus as the means of transport. The bus services in Delhi are a mixture of private stage carriage buses, buses owned and run by Delhi Transport Corporation and metro feeder buses provided by Delhi Metro Rail Corporation.

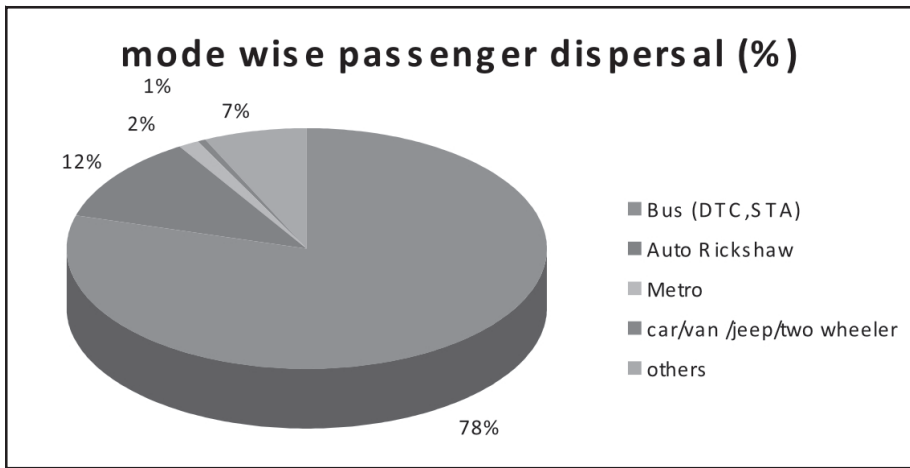


Figure 1: Mode-wise passenger dispersal (percentage)

The number of vehicles on Delhi's road has increased from 19.23 lakhs in 1991 to over 60 lakhs by 2008, an increase of 212% in last 18 years. The number of private buses currently plying the routes are 2200² and the number of DTC buses are 3658³ of which 2209 are standard CNG buses, 625 are low floor buses, 25 are AC low floor buses and 99 are diesel buses.

3. Need for Bus Rapid Transit System (BRTS)

BRTS is aimed at achieving mobility of people over mobility of vehicles. Since a substantial proportion of our population take the bus to office every morning, BRTS is a system proposed to enable greater, quicker and a more efficient movement of persons. The system is a response to the criticism against car-friendly road networks: wide roads, flyovers, signal-free networks and ring roads that serve the needs of only 10 to 12% of commuters in Delhi. Such a road infrastructure has greatly contributed to marginalization of lesser-privileged categories of commuters, mainly pedestrians and two-wheelers. However, the BRTS entered Delhi amidst mounting media speculation and a general sense of dissatisfaction among some groups of people. The prime purpose behind introduction of BRTS in Delhi was easy, speedy, and efficient movement of buses, which was well served (exclusively on the BRT corridor), but it was at the expense of slower movement of car traffic. Nevertheless with the long-run perspective in mind of encouraging use of public transport (primarily buses), the BRTS can be seen as a suitable idea with a noble objective. Hence there is not a doubt that BRTS is going to go a long way in providing appropriate incentives to people to travel by buses.

Before examining the scope for BRT, let us examine the causes behind why Delhi has been facing critical traffic problems for almost 15 years now. As a measure to deal with the traffic problems, the roads were continuously being widened, and flyovers and underpasses were being constructed all over Delhi to increase the mobility of the commuters, yet the city roads seem to be in a constant state of stagnation. But was it really the solution? For example, the Delhi Government built more than 15 flyovers on Ring Road to increase the throughput. The condition has improved radically so far as engineering is concerned, but not necessarily in a mobility context. Ring Road has become completely signal-free, but not congestion-free. The planners forgot that infrastructure was suited to movement of private vehicles (cars in particular) and it resulted in neglect of public transportation system. More and more cars crowded the roads, replacing buses. Gradually, a second car came into the middle class Delhi family for the working wife, and as the income grew, a third one for the kids and a fourth one for elderly parents and so on. With city's buoyant economy, cars have replaced buses on the roads and cyclists have switched to two-wheelers. Pedestrians thus became the most marginalised commuters on the roads, with little space to walk and long straight roads without traffic junctions and zebra crossings. Flyovers have further reduced the mobility of such commuters in the midst of speeding vehicles.

Another factor that may be said to be causing jams on the city roads is an absolute lack of a sense of lane discipline. Vehicles in Delhi do not observe any kind of lane order, shifting rashly from one lane to another, resulting in confusion, jams and accidents. When the left lane was assigned to the buses it was with the idea that the buses will have their own right of way not interfering with the normal traffic. Also, there would not be any problem for cars and fast moving traffic to overtake buses halting at various bus stops. Left-lane buses made it extremely convenient for commuters to mount-dismount buses since bus stops were built along the footpath, thus also adding to the safety of pedestrians and bus commuters.

Since we have left-lane driving in India, and speeding vehicles, by rule, are supposed to overtake from the right, hence the right lane is generally taken up by the fast moving traffic. As a result, the right side of the road was mostly occupied by the accelerating motor vehicles, leaving the left hand side free for buses, since they have to decelerate every now and then to offload passengers, often even at places not officially designated as bus stops.

However the problem arose when other light vehicles that were slow moving as well preferred to occupy the extreme left side of the road too, the lane that was dedicated to the buses. This resulted in conflict between bicycle and motorcycle traffic with the bus traffic. These vehicles moving close to the pavement forced the buses to stop away from the actual bus stop, that is, in the middle lane, causing cars to get stuck behind buses halting at bus stops, resulting in confusion and obstructing the smooth flow of traffic.

In addition, the left turning traffic caused buses as well as the entire traffic to slow down, resulting in congestion, accidents and jams on roads that were otherwise wide and spacious.

4. Priority BRT Corridors for Delhi

S.No.	Bus Corridors	Length (Km)
1.	Nangloi – Peeragarhi – Punjabi Bagh – Anand Parbat – Rani Jhansi Road – Link Road – Gole Market – Shivaji Terminal	20
2.	Azadpur – Wazirpur Industrial Area – Punjabi Bagh – Raja Garden – Naraina Vihar – Dhaura Kuan – Moti Bagh – South Extn. – Mool Chand – LSRC – Nehru Place	32
3.	Jahangirpuri – Azadpur – Rana Pratap Bagh – Malkaganj – St. Stephen’s Hospital – Mori Gate – Old Delhi Rly. Stn	12
4.	Dr. Ambedkar Nagar – Masjid Moth – Mool Chand – Sundar Nagar – Appu Ghar – Delhi Gate – Lal Qilla – ISBT	19
5.	Anand Vihar – Karkarduma Chowk – Swasthya Vihar – Lakshmi Nagar – ITO – Bara Khamba Road – Shivaji Terminal	15
	TOTAL	98 (Approx 100)

The Transport Department of the Government of Delhi organised an International Workshop ‘Bus Rapid Transit Delhi’ in December 2005 to evaluate the designs proposed. This was attended by all stakeholders (65 including four international experts specially invited

for the purpose). The designs were approved and recommendations were presented to the Chief Minister of Delhi.

The proposal for construction of the first corridor finally got an approval by the Government of Delhi in 2006. Delhi Government then initiated the implementation of Bus Rapid Transit and this was followed by a provision of Rs. 100 crores under plan scheme 'Development of Alternative mode of Transport' in Annual Plan of 2004-2005. A decision was taken by the Government to construct the first corridor on the stretch Ambedkar Nagar – Masjid Moth – Mool Chand – Sunder Nagar – Appu Ghar – Delhi Gate – Lal Quilla – ISBT.

The BRT concept for this corridor includes the following features:

- Segregated bus lanes in the centre of the road, for uninterrupted traffic movement
- Safe pedestrian and commuter movement at all locations
- Segregation of slow traffic such as bicycles to ensure efficiency

These features were in line with the priority accorded to the different modes of transport by the Public Transport Policy introduced by the Committee on Sustainable Transport. To implement this scheme the Government of Delhi appointed RITES Ltd. as the Project Management Consultant and Delhi Integrated Multi-Modal Transit System (DIMTS) as a Special Purpose Vehicle to oversee the operation and maintenance of the existing corridor as the Corridor Manager.

RITES Ltd., a Government of India Enterprise, provides engineering, consultancy and project management services in the transport infrastructure sector. Since its inception in 1974, the company has made steady progress and diversified into new areas of business such as, export/leasing, maintenance and rehabilitation of railway rolling stock, operation and maintenance of railway systems under concession agreements and Build Operate Transfer (BOT) and Public Private Partnership (PPP) projects.

RITES Ltd. took professional advice to develop conceptual guidelines and design details for the BRT system from Transport Research & Injury Prevention Programme (TRIPP) of the Indian Institute of Technology (IIT), Delhi and prepared a detailed proposal for the above-mentioned corridor.

TRIPP is an interdisciplinary programme focusing on the reduction of adverse health effects of road transport. TRIPP attempts to integrate all issues concerned with transportation in order to promote safety, cleaner air, and energy conservation. Faculty members are

involved in planning safer urban and inter-city transportation systems, and developing designs for vehicles, safety equipment and infrastructure for the future.

5. Shift towards Bus Transport: A Possibility?

According to TRIPP, if people are stuck in jams in their cars, and see buses speeding by, they would realize that it is more costly to travel in car in terms of time. But it is not what should be the focus of the policy. An effort should be made to comply with the long run objective of promoting use of public transport by providing incentives to people to take the bus to office, and not just by increasing the cost of owning a car. However, given the shortage of around 5000 buses, and the dilapidated condition of the Blueline buses there is lack of sufficient incentive and facility to the public to commute via buses.

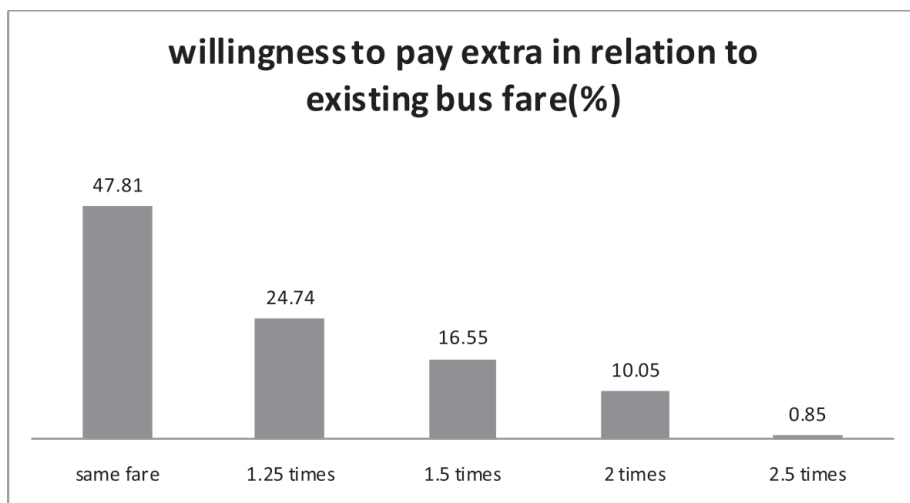


Figure 2: Willingness to pay extra in relation to existing bus fare (%)

Even though it is not an uncommon sight in other countries to see executives going to office on bicycles, the hot and unpredictable climate of Delhi does not support a preference for such a system especially for those who can afford a car. To add, the buses are overcrowded and rusty and dirty, definitely not the preferred option for a car commuter who values comfort over time. Most Delhiites would rather travel by car and spend extra 15 minutes on a certain stretch than reach office in dirty, sweaty clothes. The phasing out of these buses has far from started and even when it begins, it is going to take some time given that bid for only 1 of the 17 clusters has been finalised so far.

There are also a couple of factors that would obstruct increase in number of bus commuters. First, with respect to the DTC buses introduced recently, the seating capacity is quite limited. They may be cleaner and more spacious in structure, but if people have to travel long distances standing, cramped against each other, it defeats the purpose of the whole idea. Second, there have been supply-side problems as the existing manufacturers are not able to supply the buses. The huge demand gap is only one of the reasons why a person would not prefer public transport. The poor quality of buses, and the lack of accountability are other factors. Until we do not have the high capacity low floor bus system in Delhi on the roads on a large scale, private vehicles will always be the preferred mode of transit. Comfortable and reliable bus transport is not just complementary to but also a prerequisite for a full-fledged BRTS to come in place. The reason being that the Bluelines, particularly, are rash, congested, stinking, have poor infrastructure, and likely to break down in the middle of route due to lack of sufficient checks. Hence, there is an urgent need to speed up the process of acquisition of low-floor high-capacity buses and phasing out of Bluelines, not just on paper, but also in terms of visibility.

Furthermore, the agencies now have to deal with another 'upcoming' incentive for people to travel by cars which is the 'Nano invention', cheap, efficient and small; the best option for a growing middle class with an ever increasing income bracket. With the coming of the Nano, more people are likely to give up their two-wheelers in favour of the small (and affordable) wonder, thus adding to congestion on the roads. The government needs to look at sustainable solutions, solutions that would be beneficial not only in the long run, but also suitable for dealing with the car traffic in the current scenario, until the road has enough buses of good quality and in good quantity.

6. Criticism of BRT

In practicality, the problem with BRT lies not in allotting 2 lanes for around 35-40% of total motorized vehicle, which is cars, but the fact that the corridors have been built without caring to increase the width of the roads. Now the traditional argument (perhaps from TRIPP) would be that widening of roads have not provided sustainable solutions to the traffic problems of Delhi. But what has been overlooked is that construction of corridors has essentially reduced the width by taking up available road space (*CAG Report, 2007-08*). Most roads that allow for two-way traffic have 3 lanes for each side and either do not have divisions or are separated by a central verge of much smaller width. By constructing specific corridors and bus shelters at the central

verge of the road, the net availability of road space for other vehicles is bound to get reduced, leaving one or one-and-a-half lane for vehicles other than High Capacity Buses. Thus, care should be taken that construction of corridors does not shrink the road size and create congestion for other vehicles.

The CAG Report also criticised the Department for incurring excess expenditure of Rs.4.29 crores on a three km stretch from Ambedkar Nagar to Chirag Delhi. This was in lieu of use of expensive material, namely concrete, in construction of bus lane, motor vehicle lane, non-motorised vehicle lane and footpath. The expenditure for laying out concrete pavement was Rs. 2,320 per sq. meter, while the same was Rs. 1,608 per sq. meter in bituminous pavement. The concrete road was initially preferred to bituminous for better strength, longer life and less periodic maintenance, whereas, in cities like Jakarta and Beijing, only one of the lanes on the High Capacity Bus System (HCBS) corridor is segregated by providing detachable railings. Thus, it was suggested by the Chief Engineer, PWD that Delhi too should go for flexible pavements for HCBS Corridors, while maintaining rules/laws for lane discipline. *'This will not only reduce the cost of the project but would save great inconvenience to the road users during the period of construction.'*

However, the agencies realised midway the technical and financial difficulties with concrete surfacing, and switched over to bituminous surfacing of motor vehicle lanes and bus lanes beyond Chirag Delhi.

Another fault with the design was that of having bus shelters in the middle of the road that posed a danger for bus commuters crossing the roads. Hence, in the new design, the bus stops are now being built at the junctions so as to enable and encourage pedestrians to use zebra crossings for crossing the road, thus ensuring their safety. Foot-over bridge are also being included in the design for certain stretches due to public criticisms of lack of them, even though most planners continue to believe that most people prefer to not take the bridges, in order to save time and energy of going up and down. However, in many other cities, foot-over bridges have been built and are used on a very large scale as they connect the bus stops to the opposite sides of the road. It will be indispensable to handle the tremendous amount of pedestrian traffic crossing the roads to board or alight the buses on the central lane, once bus transport becomes the most desirable mode of transport, and the BRT corridors, the most popular routes in Delhi, which is what the planners essentially aim at.

The reason behind most of the faults with the initial 5.6 km stretch between Ambedkar Nagar to Moolchand, (another being absence of timers at certain junctions), was that no Detailed Project Report (DPR) was submitted before constructing the said stretch, which mainly includes the feasibility study of the concerned project, and is absolutely essential, even prior to the preparation of the Comprehensive Mobility Plan (CMP) for any major project in the sector. In fact, according to one official, the stretch was built on basis of a *Transport Demand Survey of 2003*, extremely outdated in nature in the present context, given that vehicle population in Delhi grows annually at a rate of more than 6%.

However, this mistake too was taken care of for the remaining portion of the stretch, as DIMTS has now been given the responsibility of preparing a DPR as well as transport demand forecast models.

7. Recommendations

There are many lessons which can be drawn from the existing pilot stretch from Dr. Ambedkar Nagar to Moolchand. Some of the suggestions are as follows:

- a. Enable connectivity of residential places and commercial hubs with BRT corridors, such as through feeder buses and provide of cycles on rent. Parking facilities near BRT corridors is being considered in the near future; however, it may not be a favourable option, due to limited space availability on roads. Parking facilities along with cycle sheds can also be built underground, but huge costs would entail for such construction.
- b. Increase width of the road by an amount equal to the width of median construction.
- c. An effort may be made to separate corridors in a flexible way (and not by physical construction) and enable maintenance of lane discipline through enforcement of rules.
- d. Timers at all traffic signals on the corridor are extremely necessary to ensure safety of pedestrians and bus commuters crossing roads.
- e. As suggested by DIMTS, it is necessary to enact a special BRT policy to regulate the system under fixed laws and rules.
- f. Have greater involvement of transport planning experts, such as experienced professors from School of Planning and Architecture, Central Road Research Institute etc. in

conceptualization and designing, in order to have different views on the system and its working.

- g. It is absolutely pertinent to speed up the process of purchase of new buses, in order to meet the rising demand, to encourage people to leave their cars at home and make the BRTS more effective as a system
- h. There is a very valuable suggestion proposed by DIMTS, which is: *'The agency should install an intelligent traffic signalling system with vehicle tracking facility... The static system of traffic lights cannot sense the change in traffic pattern resulting in slow throughput and unutilised green time.'* This measure is already in the pipeline, as bids have been invited for the same.
- i. Keeping in view the rising number of accidents, there is a need to create awareness about BRT. Just like we have hoardings on metro rail platforms with graphical representations of Do's and Don'ts, it would be prudent to have similar hoardings on traffic signals on the BRT corridors to enlighten people about how to make use of the system effectively and safely.

8. Conclusion

The system of corporatisation of private carriage is a great idea and has the potential to provide a solution to the present problems, provided it is implemented with professionalism on the part of implementing and monitoring agencies. Care must also be taken by regulating agencies that healthy competition is maintained between the private operators and the DTC plying on the same routes. Greater uniformity in infrastructure and systems of various buses is an indispensable feature of the future model. The introduction of BRTS has also a long term objective to enable a shift towards public transport but this objective has a long way to go seeing the current pace at which it is moving; there is already a delay in the purchase of new low floor buses in spite of repeated orders and sanctions by the Government. The bidding process for the corporatisation of private carriage is also getting delayed and the possibility for the completion of the process before the Commonwealth Games 2010 appears bleak. The Government has been talking about the need to phase out the Blueline buses right since 2002 but till the present date Blueline buses occupy a major proportion of city buses. Even though the Government has taken interest and initiated various projects in the above regard, it lacks stimulus and there are various issues that need to be addressed as pre-requisites. For example, there needs to be a comfortable supply of good

quality buses before laying down the BRT corridors. In addition, there is a need to more closely examine the scope for and design of an integrated multi-modal transit system, with sufficient alternatives for modes of transit and ensuring complementarities among the existing modes.

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Endnotes

¹ Narain S. Interview aired on channel, *IBN Live*, 21 January 2008

² Data from the Deputy Secretary, STA

³ Data from Manager, Traffic Department, DTC

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Newly built BRT Corridor



A usual crowded DTC bus

Electricity Woes of Delhi

1. Introduction

Delhi has to be power sufficient if it wants to be a world-class capital city. It also has to achieve this in a cost-effective and sustainable manner. The power reforms of 2002 were the first step in this direction. As a result of those reforms, private participation was introduced in distribution for the first time in Delhi. The reforms have largely succeeded in cutting down the Aggregate Technical and Commercial (AT&C) losses thereby reducing the financial burden on the exchequer and increasing the amount of metered power. However the generation capacity has remained stagnant. Delhi's model of power reform has been unique and has largely escaped unscathed from the bitter experiences of power reforms introduced in Orissa. The success of these reforms enabled the government to make claims of power sufficiency by 2010.

Supply surplus is the pre-condition to the next stage of reforms, which can be achieved by being more energy-efficient and reviving the power generation capacity. Since setting up power plants in Delhi is uneconomical, Delhi has to enter into long-term Power Purchase Agreements (PPAs) and has to invest in generating capacity in other states.

The purpose of the chapter is to demystify power reforms, to look

List of Abbreviations Used	
AT&C	Aggregate Technical and Commercial
BRPL	BSES Rajghat Power Ltd.
BTPS	Badarpur Thermal Power Station
BYPL	BSES Yamuna Power Ltd.
CEA	Central Electricity Authority
DERC	Delhi Electricity Regulatory Commission
DISCOM	Distribution Company
GENCO	Generation Company
IPGLC	Indraprastha Power Generating Co. Ltd.
NDPL	North Delhi Power Ltd.
PPA	Power Purchase Agreement
PPCL	Pragati Power Co. Ltd.

at the outcome of these reforms in the power generation sector, to verify the government's claims about power sufficiency by 2010 and to suggest future direction for the second stage of reforms.

2. Power Generation

Power generation in Delhi has been in the hands of the Government since independence and privatisation took place only in 2002. Even then the private companies have not set-up any power plants in Delhi because of three constraints viz.:

- Gas is in short supply and the supply of large quantities of gas required for power generation will need new pipelines, which will increase the costs.
- Thermal generation from coal is not practical as coal has to be hauled from faraway reserves and this transportation is costly, sometimes the cost of transportation being more than the value of coal hauled.
- Any large thermal power plant in the National Capital Region will contribute to the air pollution levels.

The main power generating corporations are:

- Indraprastha Power Generating Co. Ltd. (IPGCL)
- Pragati Power Co. Ltd. (PPCL)
- Badarpur Thermal Power Station (BTPS)

All of them are government-owned companies.

The following is the list of the power plants that account for power generation by Delhi domestically:

Company	Power Plant	Type	Installed	PLF
IPGCL	Rajghat Power House	Thermal-C	135 MW	53.69%
IPGCL	Indraprastha Power Station	Thermal-C	247.5 MW	43.92%
IPGCL	IP Gas Turbine Power Station	Thermal-G	282 MW	67.36%
PPCL	Pragati Power Station	Thermal-G	330 MW	91.53%
Dedicated power plant for Delhi	Badarpur Thermal Power Plant	Thermal-G	720 MW	93.6%

(PLF (Plant load factor) = Actual generation capacity/ Total installed capacity
Average PLF = 67.81% in 2006-07 published in Economic Survey of Delhi 2007-08)

Table 1: Power generation capacity of power plants in Delhi¹

2. Procurement of Power

Power can be procured by three ways based on time factor:

- **Long-term Power Purchase Agreements (PPAs):** The government signs a long-term PPA with power generation companies (GENCOs) in different states and these pacts are based on fixed and variable charges. The fixed charges (machine, salary, etc.) cost the end consumer Rs. 24/KW/month and the variable cost covers the fuel costs.¹ This is called a double tariff structure.
- **Short-term PPAs:** Short-term agreements include fixed and variable charges and are done by the government with different states and different companies to cover anticipated peak demand scenarios.
- **Unscheduled Power:** When the demand exceeds the power obtained from short and long term PPAs, the DISCOMs procure it through the Indian Energy Exchange or Power Exchange India Ltd. at unscheduled interchange charges which can even go up to Rs.14/unit.²

The power demand is scheduled by DISCOMs into 96 slots of fifteen-minute intervals a day in advance and they inform the State Load Dispatch Centre, a part of Delhi Transco Limited, about the same. The State Load Dispatch Centre intimates this schedule to the North Region Load Dispatch Centre. The latter prepares the same demand schedule for the entire northern region and further intimates Central Electricity Authority (CEA). The CEA is supplied a similar supply scheduled by different GENCOs. It then prepares the demand supply match for all regions and lets other states know of the surplus/deficit. This supply is distributed in a similar manner from CEA, keeping the demand-supply gap to a minimum. In this way the power is regulated by the central power agencies through the grid systems.

3. Power Transmission

Transmission of power was earlier handled by the Delhi Vidyut Board only and the focus on transmission losses was very less. Delhi Transco Limited is the sole company responsible for transmission after the Electricity Act, 2003. There are strong economic reasons for continuing public ownership of transmission. The competing private companies will have to invest in the transmission network to improve transmission efficiency though competition in transmission would mean better transmission efficiency and it would be transferred to end-user in the

form of lower prices. Since the amount of investments required are high and transmission entities will get a fixed amount irrespective of transmission efficiency, they will have no incentive to really invest and improve the network. They might continue to operate the same network without improving the efficiency. The unbundling of Delhi Vidyut Board into Delhi Transco Ltd. has increased the efficiency of transmission network.³

5. Power Distribution

Earlier the Delhi Vidyut Board was responsible for all the power distribution and the AT&C losses were 52% in 2000. After privatisation the AT&C losses have reduced to 29.82%.⁴ The present power distribution companies/local bodies are:

- North Delhi Power Ltd. (NDPL)
- BSES Rajghat Power Ltd. (BRPL)
- BSES Yamuna Power Ltd. (BYPL)
- Delhi Cantonment Board
- New Delhi Municipal Council

NDPL, BRPL and BYPL are private companies in which the Government has a minority stake. The distribution network has decreased AT&C losses to nearly 30% in 2007-08 from as high as 61.89% in case of BYPL in 2002-03.⁵

6. Subsidies

Delhi Government gives a power subsidy to agricultural consumers and to the consumers who consume less than 150 units of power per month during non-peak months. It has been decided to give the subsidies at Re.1 per unit during both peak and non-peak seasons.⁶

The cross-subsidy i.e. different industrial and residential rates per unit is also in place thereby stressing the industrial users. The Delhi Electricity Regulatory Commission (DERC) has decided to reduce this cross-subsidy gradually and level the two rates.

Rural Power Scheme

To attract private investments in generation and distribution in villages, tax exemptions are offered to these investors. In rural areas Rural

Electrification Corporation is responsible for helping set-up small power plants under the *Rajiv Gandhi Grameen Vidyutikaran Yojana*. This central scheme is being implemented by the Delhi government. According to the 2001 census the number of un-electrified rural households stand at 24,580 i.e. 14.5% of the rural households. In Delhi the rural population account for just 7% of the population which is not significant. These areas are distributed over Delhi and initiating rural power scheme to set-up an independent power plant for these areas seems economically unfeasible at the moment.

7. Organization Chart

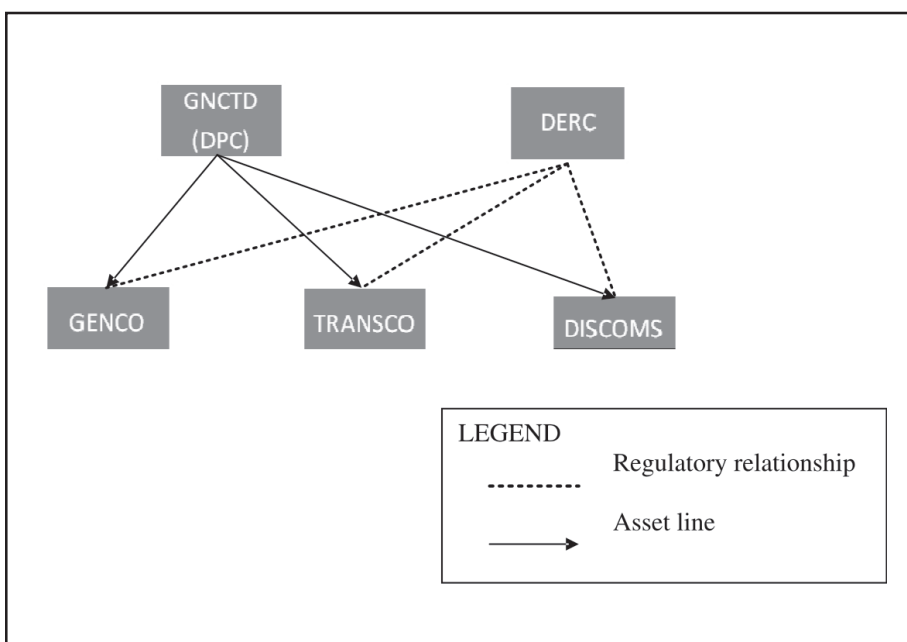


Figure 1: Structure of the power entities in Delhi

The liabilities of different companies in generation, transmission and distribution are in the hands of the Delhi Power Company whereas the government holds some percentage in terms of assets in these companies.¹ DERC also acts as consulting body on important policy matters to the Delhi Government.²

8. Role of Each Agency

AGENCY	ROLE
Delhi Government	It has stakes in all the companies through which it keeps its terms but does not directly interfere with the autonomous companies. It appoints the entire decision-making management in the bodies in consultation with the companies. It gives the subsidy to the end customers either by giving cash transfers to DISCOMs or by lower connection costs.
Delhi Power Company (DPC)	It is the holding company which is a 100% government subsidiary. It has share-holdings in BYPL, BRPL, NDPL, PPCL, and IPGCL.
Delhi Electricity Regulatory Commission (DERC)	It is the regulatory body and sets the tariff for different companies for transmission facilities and the tariff for the general public. It is also responsible for the distribution and transmission licenses. It regulates the procedures and interlinks different bodies. It also looks after the grievances of affected people.
Indraprastha Power Generating Co. Ltd. (IPGCL) and Pragati Power Co. Ltd. (PPCL)	The aim of these GENCOs is to generate electricity and intimate the capacity available in advance so that the Delhi Government and DERC can avail power from outside well in time. The two generation companies have different DISCOMs as clients.
Delhi Transco Limited (DTL)	It is responsible for transmission of power at 220 KV and 400 KV levels besides upgradation, operation and maintenance of Extra High Voltage network. It also monitors demand and gets directions from the regulatory body regarding transmission policies. It is a 100% government subsidiary. The State Load Dispatch Centre is a subsidiary of DTL.
North Delhi Power Ltd. (NDPL)	It is a joint venture between Tata Power and the Delhi Government. It is responsible for distribution of 1180 MW in the north and north-western parts of Delhi. It is responsible for reduction of a part of AT&C losses and new connections are sold by it only. It draws power from Transco and distributes at 11 KV and 44 KV lines.
Bombay Suburban Electric Supply (BSES)	BSES operates in the form of two companies: BRPL and BYPL. BRPL distributes power in south and west zones and BYPL distributes in north-east, south-east and central zones. They are responsible for controlling and reducing the power theft which varies from less than 30% to 80% in some areas (areas in Nizamuddin).
New Delhi Municipal Council (NDMC)	It distributes power in territories under its jurisdiction, which mainly includes Lutyen's Delhi, which has historically come to be regarded as the seat of the Union of India.
Delhi Cantonment Board	It is responsible for distribution of power in Delhi's Cantonment area.

Table 2: Role of various power entities in the Delhi

9. Electricity Act, 2003

The Electricity Act of 2003¹ has addressed three key issues:

- a. Payment risk from sale of electricity
- b. Tariff rationalization
- c. Open access

Key features of Electricity Act, 2003		
1. It split state utilities into autonomous entities. 2. It has directed to setup autonomous electricity commissions. 3. Setting up independent organisations legally binded to control national supply at national level.		
Generation	Transmission	Distribution
1. Licences are only required to setup the hydel plants. 2. Generation from waste and renewable sources encouraged.	1. Different agencies for energy trading. 2. Privatisation in this sector allowed. 3. Power trading given in hands of unbundled regulatory authorities which are further supervised by autonomous national agencies.	1. Consumers given freedom to choose their own suppliers. 2. Regulatory bodies to decide power structure. 3. Reduction of subsidies and cross-subsidies. 4. Stress on reduction of AT&C losses. 5. Stress on anti-theft and accurate electricity connections.

Table 3: Key features of the Electricity Act, 2003

10. Demand Projections

Demand projections are done by various agencies – the North Region Load Dispatch Centre, State Load Dispatch Centre and Central Electricity Authority and based on that the supply-side decisions shape the power security of Delhi. The demand trends are analyzed and then investments decisions are made to set-up new power plants in the region or to use those investments to improve grid efficiency.

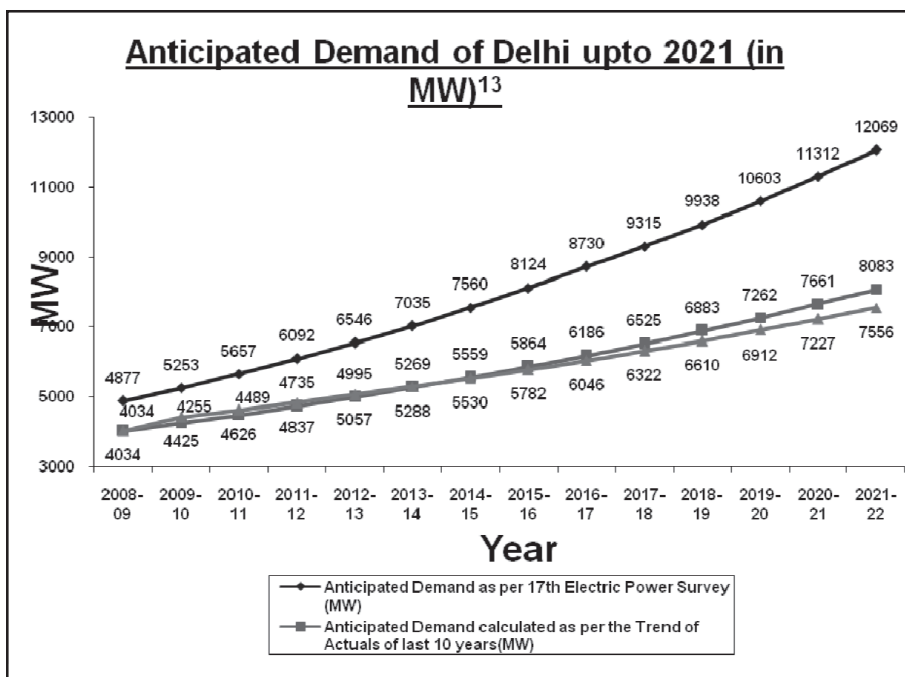


Figure 2: Anticipated Demand in Delhi (2008 to 2021)

Demand has been projected by three agencies viz. CEA, DTL and Northern Regional Power Committee (NRPC) till 2022-23. The projections are highest by CEA and lowest by NRPC. They have taken different annual average growth rate of electricity demand. The NRPC takes average rate at 4.5% from 2010-11 onwards; CEA's average rate is 7.26% till 2016-17 and 6.69% till 2021-22 and DTL projects at an average rate of 4.56% from 2009-10.

Demand Pattern in Different Seasons

The figure shows the month-wise demand in Million Units (MUs). Most of this power was procured from Central Grid System through CEA.¹

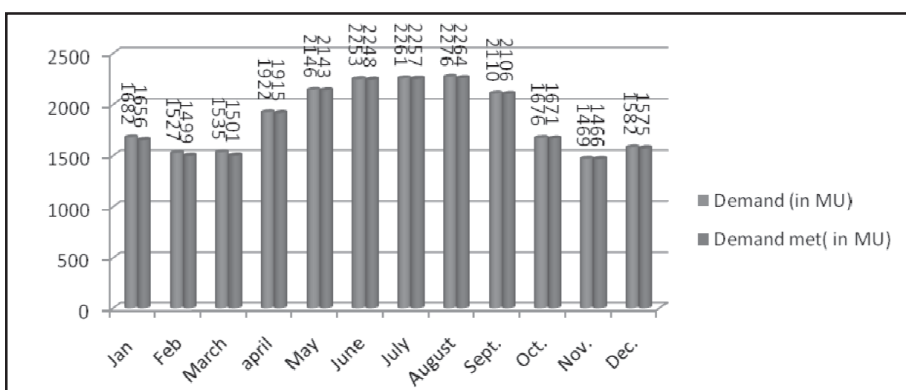


Figure 3: Month-wise power demand in Million Units (MUs) in 2008

The figure reveals the maximum deficit of 111 MW in the month of August showing peak variations.¹

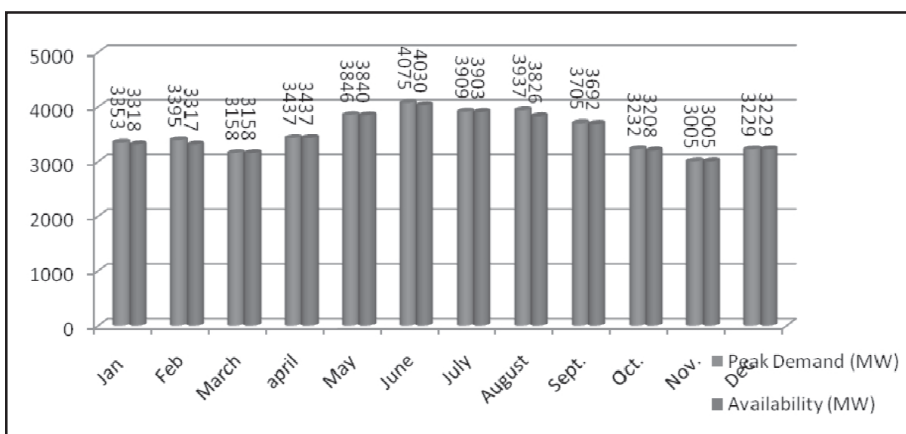


Figure 4: Seasonal pattern of power demand in Delhi in 2008

The seasonal pattern is a typical bell-shaped curve showing peak variations in summer months. Most of the demand met is due to Central Grid System and not due to Delhi's own power plants.

Demand Distribution

The per capita electricity consumption of Delhi is 1,265 KWh, the highest in the nation. The demand distribution pattern is shown in the following charts for the year 2001 and 2007:¹

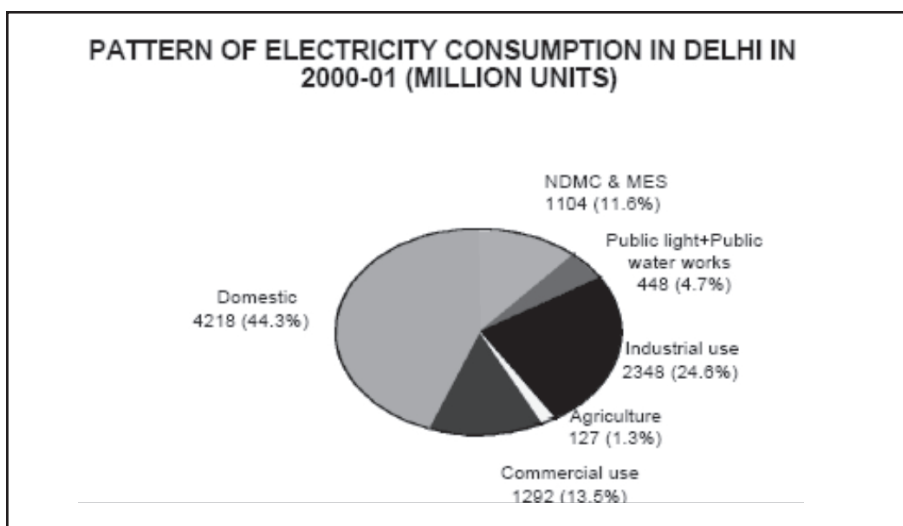


Figure 5: Pattern of electricity consumption in Delhi in 2000-01

The large part of power is consumed by the domestic and non-domestic connections. The housing share is increasing at a greater rate than any other connection and is expected to increase further.

PATTERN OF ELECTYCITY CONSUMPTION IN DELHI IN 2007

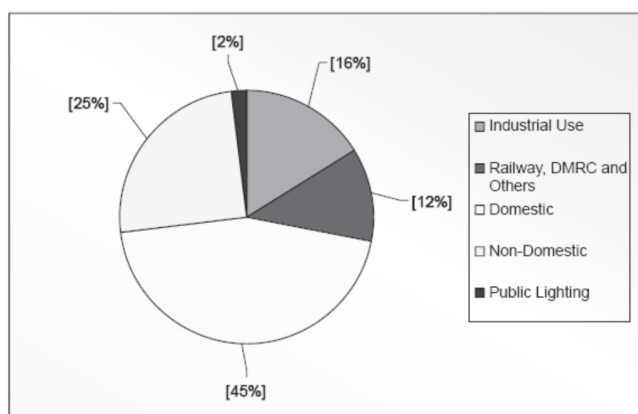


Figure 6: Patter of Electricity Consumption in Delhi in 2007¹

11. Supply Projections

The supply projections are based on the maximum power made available from existing power plants and the capacity of upcoming power plants in the future. Supply projections also take into account power received through PPAs. Based on these figures supply projections are made and the demand and supply gap is projected. The present situation is shown in the figure below where most of the share of Delhi's power is drawn from the central grid¹ i.e. there is more dependence on the central grid. Delhi extracts a large amount of power for its use.

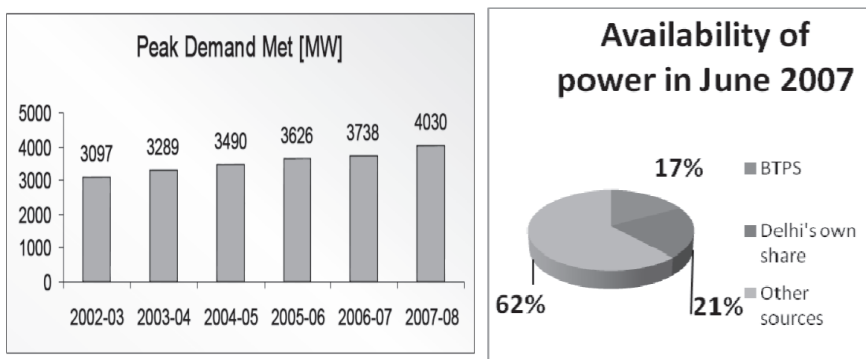


Figure 7: Peak demand met (2002-2008)

Figure 8: Availability of power in June 2007

The Delhi Government has very limited generation capacity of its own i.e. 1699 MW installed capacity. Most of the power is procured from the central grid and some of it is obtained from power exchanges.

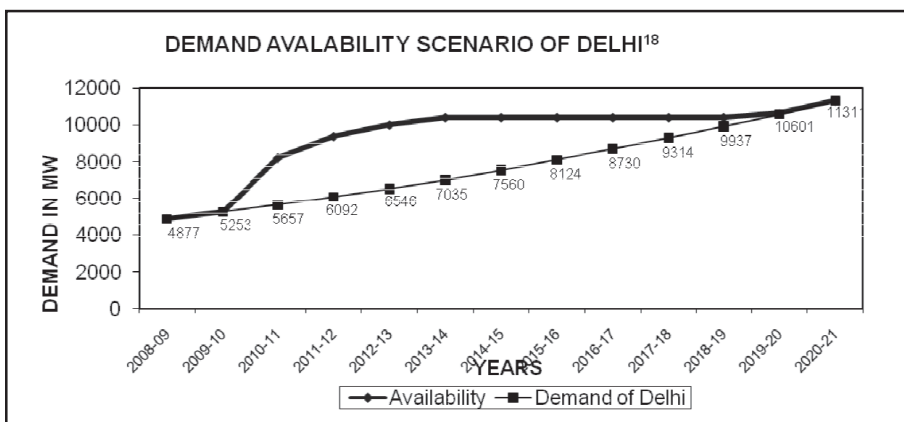


Figure 9: Demand-Availability scenario in Delhi (2008 – 2021)

12. Inferences

- a. The demand for power has grown and exceeded the supply multi-fold in recent years. The major problem is that supply is still short in peak months. Load shedding is done in many areas and the DISCOMs exert a lot of pressure on the regulatory body to increase the tariff because of rising prices at which they buy electricity.
- b. The trend in the recent years has shown that government's dependence on the central grid system is increasing rather than decreasing. Delhi was slow in initialising many turn-key projects. But now most of them are in place and the date of commissioning is near about 2010-11. This suggests lower dependence on central power grid and more self-sufficiency. The prices can rise because of the high unscheduled interchange charges in peak seasons. Cheaper electricity can only be ensured by more supply otherwise the limited privatisation would not help.
- c. Based on these factors and the supply projections made by the different agencies Delhi will be power sufficient by 2011 and will have a power surplus in peak time as well. The rider to this is that only if the current projects are completed in time and the existing PPAs are maintained.
- d. Delhi's own capacity will start increasing only from 2009-end when 108 MW NDPL's Rithala plant will add to the capacity. It will also see phasing out of Indraprastha plant's old generation units.

13. Next Steps in Privatisation

The major problem is the demand and supply gap due to growing the ever growing demand. Delhi's demand can go upto 7000 MW by 2010¹ or even more. Being power surplus is a pre-condition for the next steps in privatisation or else there will be no takers for the government proposal. Delhi needs privatisation to reduce the rates for the consumers and this can only be done by generating more power. Introducing more competition in the distribution will raise the costs for DISCOMs, diluting their profits without reducing the price. This is because the price of electricity being regulated, the DISCOMs cannot increase the price as they want while they will be forced to purchase costly electricity from different sources to avoid power-cuts.

So the next step in privatisation should be introduction of private players into generation of power but the pre-condition to this is a sound

distribution system where AT&C losses are minimized. Three phases in the power reforms have been identified which can act as the roadmap for framing future government policy. These can be seen in the figure below.

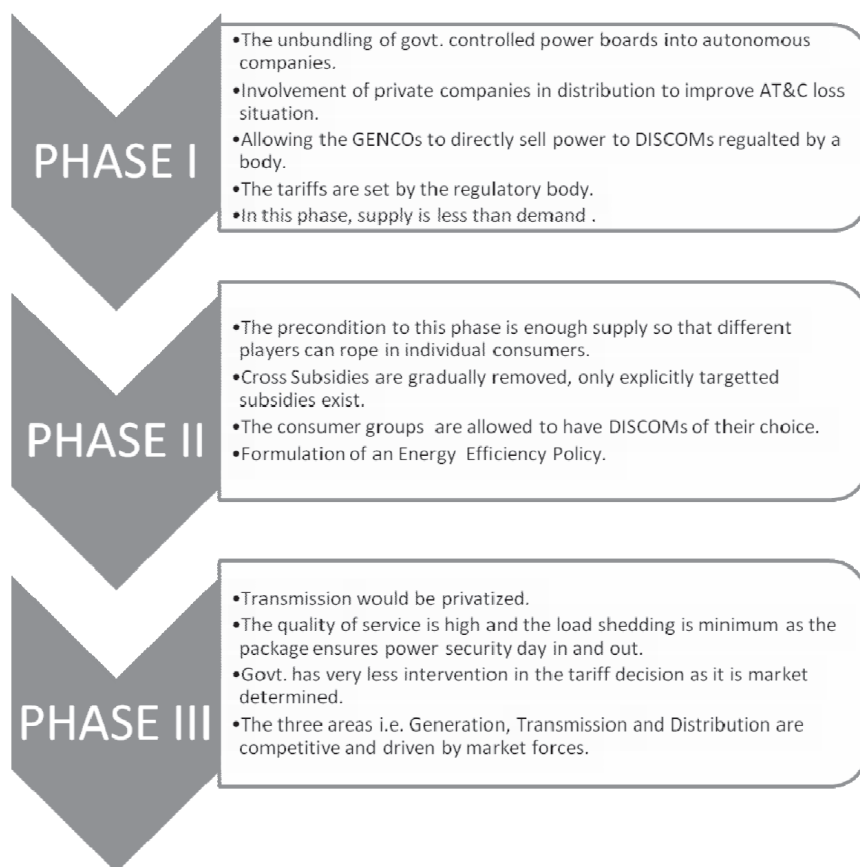


Figure 10: Phases of power reforms in Delhi

Delhi's reform process is in the first phase though foundations of second phase have been laid for e.g. the freedom given to consumer groups to choose their own supplier. No private company has taken this up as the tariff is still regulated by DERC and the supply-demand gap is still prevalent. The power is purchased by the DISCOMs from the GENCOs but the tariff is set by the DERC. That is why the market is still regulated and needs to be till the supply-demand deficit gets bridged by upcoming power projects.

14. Raising Customer Satisfaction

The system as a whole needs to be made more accountable for power security and the quality of power. The present system has shown a significant improvement in terms of reduction of AT&C losses and quality connection services. Increasing the benchmarks will lead to better services. This can be done by putting more pressure on the system as a whole irrespective of public and private inter-relationship.

The following customer concerns should be addressed:

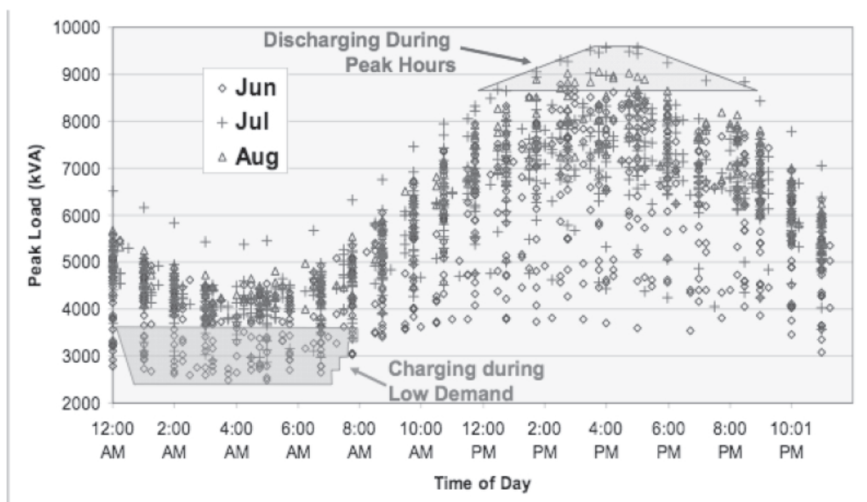
- a. The quality of service needs to be monitored e.g. fluctuations in power supply. Power outages should be banned and if there are to be any, they should be intimated in advance.
- b. A Citizen Charter should be followed by the DISCOMs.
- c. New energy efficiency measures need to be promoted by DISCOMs.

The overall customer satisfaction level has to be raised. Though the recent A C Nielsen Consumer Survey¹ done on the behalf of DERC indicates that the overall customer satisfaction is on rise, it is still short of what it should have been as a result of reforms. Customers have expressed a 'high degree of satisfaction' about stable voltage, regular visits by meter readers and regular receipt of bills. The unscheduled power cuts are still an area of concern. It is expected that they will reduce once the supply situation improves.

For the smooth functioning of the system it is very necessary that supply should exceed demand. This can be achieved both by supply and demand-side management.

15. Energy Efficiency

The energy efficiency has a lead role to play if the peak-hour outages have to be controlled and Delhi made power sufficient. The lead role has to be taken by government in terms of policy measures and DISCOMs in terms of implementation. The charging of system at low demand and discharging at peak times is a solution to the inefficiency which has become inherent in the generation plants due to fluctuating demand. This inefficiency leads to wastage of fuel and may even increase the generation costs.



EPRI 2008

Figure 11: Hourly variation in power consumption over three months in Delhi

The above graph¹⁸ shows hourly variation in power consumption for every day over a period of three months. If the system can be recharged during the off-peak hours, it can be discharged during peak-hours and thus the demand can be managed.

Currently Tehri Hydro Development Corporation Ltd. has adopted a method where they discharge the water from reservoir during peak demand hours, while the same water is pumped up into the reservoir during off-peak hours when there is a power surplus. This way the generation system acts as a storage unit as well, discharging during peak hours while recharging during the off-peak hours.

Time-of-day metering is another novel method of distributing the supply throughout the entire day instead of concentrating it during few hours of a day. The customers are charged more for consumption during peak hours, while off-peak consumption is charged less. This gives customers an incentive to use some equipment like washing machines etc. during off-peak hours and thus distribute the overall variation in demand over the day.

16. Observations and Conclusions

Self-sufficiency of Delhi in terms of Power

Delhi will have sufficient power only after the year 2011. The term self-sufficiency means that supply from Delhi's power plants will meet the power demand of Delhi which will never happen. Power from long-term PPAs, from the unscheduled interchange and short-term PPAs will be needed to achieve sufficiency in the power sector. Since the power from short-term PPAs and Indian Energy Exchange is expensive, this will slow down the pace of reforms as market forces cannot operate freely in such scenario. They cannot buy expensive power and sell it at regulated rate for long. Self-sufficiency can be achieved only after Delhi gets its share of power from Damodar Valley Project of 2300 MW. Only after the commissioning of the plant can Delhi become power sufficient.

Competitive Environment for DISCOMs

Power reforms have not induced a competitive environment for DISCOMs because the set-up in phase I is regulated to keep the prices affordable to the end-consumer. Though the Government ensures that the DISCOMs get a 16% return on investment, there is no competition dimension in the power environment. The only competition they face is when they sell excess power in open market. But that has no effect on reduction of prices at retail level.

Efficiency of the Distribution System

Certainly the DISCOMs have reduced their AT&C losses remarkably. But the actual efficiency has not been passed to the consumer yet because of the demand and supply gap. The AT&C losses have reduced below the national average of nearly 30% but still some areas have theft and commercial losses that go up to 80%. Achieving the level of 15% AT&C losses seems difficult because it took more than five years to reduce AT&C losses from 46.3% to 30.4%.

Conclusions

1. Since introduction of private DISCOMs the electricity rates have not reduced as promised. The sole reason for this is demand and supply gap.
2. The generation capacity will increase considerably to make Delhi power sufficient in the coming years.

3. The AT&C losses have reduced considerably but net AT&C losses still stand around 30%.
4. Delhi's own generation capacity can never match its demand. Hence it needs the long-term PPAs in future too.
5. Transmission sector's privatisation is unfeasible in small grids as the investment costs are huge.
6. The phase I of reforms needs to be highly regulated in order to protect the customer from high prices due to the demand and supply gap.
7. The next phase's pre-condition is supply exceeding the demand.
8. Delhi's model of privatisation is a successful model for areas with more than 90% urban population and less agricultural connections. Here the major users are the domestic ones followed by industrial or non-domestic. Service should aim to achieve a high level of customer satisfaction.
9. Energy efficiency has not been introduced by the DISCOMs at the consumer's end.
10. Both supply-side and demand-side management are needed to achieve a power surplus scenario.
11. An energy efficiency policy is needed for demand-side management.

17. Recommendations

1. The power plants' commissioning should be monitored closely as the supply surplus is a solution to the price problems and will lead to sufficiency.
2. The reviving of demand from the households at lower income level is necessary as power consumption is seen as a vital factor for Human Development Index.
3. Demand-side management is also necessary to curb the peak demands. No policy or practices curbing the peak demand to lower levels are in place. There are many technical and policy measures which can curb demand of large users.
4. The entire system should be pressurized to deliver better customer experience. There should be a citizen charter on quality of service being delivered and it should lay down the exact parameters of service provided by the DISCOMs. The charter should also have energy efficiency targets to be achieved by DISCOMs.

5. New measures on efficiency will help move Delhi to next phase of privatisation as pressure will reduce on the DISCOM since no unscheduled power will have to be drawn at peak time. The efficiency measures should include:
 - a. Necessary energy audits for all industrial and government buildings.
 - b. Allowing private companies to enter Energy Services Business by allowing ESCOs (Energy Services Companies) to audit and consult on energy consumption matters.
 - c. New buildings have to follow a set of standards like those laid down by 'Leadership in Engineering and Environmental Design' (LEED) or '*Green Rating for Integrated Habitat Assessment*' (GRIHA).
 - d. Net metering should be introduced by the DISCOMs to increase the information standards. This should at least be mandatory for new industrial connections.
 - e. An Energy Efficiency Policy (EEP) should be designed to assist these measures. It should have following salient features:
 - i. Legislative measures: Formulating a law/policy which outlines the energy efficiency targets and measures which will be taken in that regard. The support of law will make various provisions enforceable.
 - ii. Administrative measures: Setting up of an autonomous body to advise and monitor the implementation of various energy efficiency measures, especially for large consumers of energy.
 - iii. Fiscal initiatives: Changing the economic policies to incentivise the adoption of more energy-efficient technologies and to reduce the cost of their adoption. Increase in energy efficiency should not cause an increase in energy consumption which may actually offset any savings. So measures have to be in place in order to reduce this 'rebound effect' to minimum.
 - iv. Civil initiatives: Making energy efficiency targets a necessary part of various organizations which are large users of energy and also introducing it into the citizen charters of DISCOMs in Delhi. Popularizing the adoption of energy efficient technologies and raising the overall awareness level on this issue is required.

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BUSINESS | AUGUST 7, 2009

India Has Its Own Kind of Power Struggle


Article | Slideshow | Comments (37)

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By JACKIE RANGE

NEW DELHI -- Seven years ago, more than 50% of the power distributed by North Delhi Power Ltd. wasn't paid for by customers. Today, the company has cut that to 15%, signaling that one of India's biggest infrastructure problems can be solved, if tackled aggressively.

Power theft by rich and poor customers as well as businesses has plagued India for decades, hindering foreign and domestic investment that could spark the increase in generating capacity the nation desperately needs.



View Slideshow | Associated Press

The experience of North Delhi Power, a joint venture between the Delhi government and Mumbai-based Tata Power Co. Ltd., shows that a broad and sustained effort can make a difference.

A key challenge for power companies is reducing theft by India's poor. Many have come to view free electricity as a right, something that politicians have done little to counter in a bid to win votes.

"The main problem in arresting the theft is a lack of political will," said Vijay Kumar, who works with the Andhra Pradesh Electricity Regulatory Commission.

Sajida Siddiqui and her neighbors in New Seemapuri, an impoverished area of Delhi, say they don't pay for power they use at home because it is too expensive. Among their neighbors, a typical household power bill runs between 600 rupees (\$13) and 700 rupees a month, while their

Power crisis deepens in Delhi, Sheila Dixit calls meeting

Tags: Meeting , Sheila Dixit , Power Crisis , New Delhi

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Published by: Sudhir Kumar

Click Image to Enlarge



Published: Sun, 28 Jun 2009 at 14:18 IST

New Delhi: Upset over deepening power crisis, Delhi Chief Minister Sheila Dixit today has called an emergency meeting of officials of electricity companies.

According to report, power crisis has augmented in Delhi. Chief Minister Sheila Dixit has called the meeting of electricity companies' officials to deal with the problem.

The senior officials of the power companies will participate in the meeting. The meet will discuss electricity crisis.

It is worth mentioning that continuing demonstration and protests against the power crisis has increased problems for the government. Therefore, the meeting has been called so that the problem could be solved.

Regional

Power woes continue in Delhi

New Delhi (PTI): Reeling under one of its worst power crises in recent history, several areas in the national capital on Sunday continued to face power cuts lasting for 10-12 hours in the blistering heat.

Amid growing criticism over her handling of the water and electricity problems, Delhi Chief Minister Sheila Dixit has called a meeting of top officials to discuss the power situation in the capital.

Sources in the Power Department said the Delhi government has requested the Union Power Ministry to allocate more power to the city to meet with the growing demand.

They said the situation will substantially improve by tomorrow as Delhi is expected to get 250 MW more from either Uttarakhand or from southern states.

Power cuts were witnessed for different periods in several areas of the national capital, including Lajpat Nagar, Safdarjung, Gulmohar Park, Laxmi Nagar, Priyadarshini Vihar, Mayur Vihar, Dwarka, Dilshad Garden, Naraina and Patparganj.

With heat wave conditions continuing, the power demand in the capital had shot up to an all-time high of 4275 MW yesterday, leaving a huge shortfall and resulting in long outages across the city.

The national capital has been witnessing protests against power cuts and water shortage for the past few days.

Delhi government has issued an advisory to the private discoms asking them to strictly comply with its directive to publish the schedule of power cuts.

In the advisory, the government asked the discoms to buy at least 250 MW of power daily from the power exchanges to meet the shortfall. The discoms were also told to employ enough manpower at complaint registration centres so that grievances of citizens could be addressed.

With most of the northern states overdrawing from the quota of power, Delhi is also faced with the situation of under frequency, which is forcing the discoms to resort to load-shedding in various parts of the capital.

The official said overdrawing of power by neighbouring states is putting a lot of stress on the grid.

Increasing Electricity Efficiency: Different Measures & Technology

1. Introduction

Delhi's power demand has been increased continuously and the dependence on power from other states has been increasing simultaneously. Though power corporations have earned sufficient surpluses during the winter season, the summer peaks are way high above the total arranged capacity which leads to load shedding.

Power reforms have largely succeeded in taking care of rising transmission and distribution losses. Number and duration of power cuts have gone down. But problems still persist around the peak time. Since investing in additional generation capacity requires huge capital it is more prudent to arrest the growth rate of demand, as a negative MW of power is cheaper than any additional MW. This requires an EEP (Energy Efficiency Policy) applied to electricity sector.

Delhi needs an EEP for its power sector. Power consumption has grown by leaps and bounds requiring capital investments in additional generation capacity. Rising and uncertain peak demand requires purchase of power at high costs or very often DISCOMs (distribution companies) take resort to power cuts. Though several large power projects are coming up adding significant amounts to total power available for Delhi prudence dictates that we should take steps to reduce the rate of growth of demand.

Demand can be controlled without affecting the economic growth rate through some simple measures, largely policy changes and changing the economic incentive structure. This chapter enlists some of those measures which will need little policy changes and technologies which are not very expensive to introduce. The chapter also tries to make a modest effort to present some new innovative methods.

2. The Challenge

The major challenge is demand and supply gap in the present phase due to growing demand. Delhi's demand can go up to 7000 MW by 2010² or even more. Satisfying this rapidly rising demand requires huge investments and these investments usually have significant social and environmental consequences (land acquisition and pollution). It is better to invest in reducing demand by increasing the efficiency of electricity usage.

Energy is essential for economic and human development. In the recent years growth in global demand for energy has caused tremendous fluctuations in prices. Additionally high fossil fuel consumption has contributed to global climate change.

The solution to this twin problem of environmental damage and limited supplies of conventional energy is to use these conventional resources more efficiently while simultaneously developing new sources of energy. We already have the technical and the industrial means to exploit fossil fuel reserves more efficiently, to develop competitive carbon-free production and to improve energy efficiency in household and transportation sector. But for all these technologies to be effective we need a proper institutional framework in which all stakeholders are well-informed and can act with freedom. A well-researched and effective public policy will divert investment to appropriate technologies and will enact regulatory measures which will take care of economic growth and environment and will be acceptable to all stakeholders.

A policy designed to increase efficiency in electricity use will have two principle benefits. It will enable us to supply more consumers with same generation capacity, it will slow down the growth of electricity demand and it will reduce the amount of capital needed to add new generation capacity needed for this growth. It will also reduce the pressure on the transmission network and will result in higher quality of electricity delivered to the end-customer.

3. Draft Policy

'The policy aims to reduce the electric intensity i.e. to reduce the amount of electricity needed to produce a unit economic output.' The policy also aims to reduce the growth rate of electricity demand without affecting the economic growth by:

- reducing the rate of growth of household demand.
- increasing overall efficiency of electrical consumption in industrial sector.
- increasing efficiency of electricity consumption in buildings
- providing citizens information on how to use electricity more wisely and efficiently.
- redesigning tariff structures to incentivize energy conservation and to change the amount and timing of customer demand.
- encouraging higher efficiency technologies and methods.

- removing or modifying the existing laws which hinder the operation of Energy Service Companies (ESCOs) and establishing institutional setups and frameworks which will help these entities expand and exploit the full potential of energy efficiency market in Delhi while easing the entry of new players in the field.
- allowing tax breaks to entities/households and technologies implementing energy efficiency measures.
- introducing standards and regulations to ensure implementation of different measures for household, commercial and industrial sector and making Demand-Side Management strategies a necessary part of charters of the various DISCOMs.
- making energy efficiency targets a necessary part of charters of various public entities.

4. New Technology

Today there are new technologies available which will help in making electricity consumption more efficient. These include Intelligent Meters, AC Outage Technologies, energy efficient appliances, Zero Energy Buildings and Most Energy Efficient Technologies for the Industry and Bio-Diesel Technology. The Delhi Government must, under the Bureau of Energy Efficiency (BEE), introduce these new technologies to make the demand for and supply of energy in the city a more efficient process that meets everybody's needs without compromising on economic growth.

5. Administrative Measures

Administrative measures can have significant impact on energy savings. They often involve enforcing of rules and regulations regarding energy consumption. A variety of administrative mechanisms add up to the total approach. Delhi needs to establish a dedicated agency for energy efficiency which can ensure implementation of other measures. BEE is already taking steps towards that. Some administrative measures which need to be put in place in Delhi include maintaining different and relevant energy ratings for different appliances, introducing an Energy Efficiency Monitoring Committee of Delhi (EEMCD) under the BEE, maintaining Minimum Energy Performance Standards, maintaining a Consumer Indexing System (CIS), conducting routing energy audits, introducing Time of Day Metering and making mandatory the Energy Conservation Building Code.

6. Legislative Measures

A legislative framework needs to be designed which takes care of the following aspects:

- a. Make the Energy Conservation Building Code mandatory.
- b. Make Energy Audits compulsory for consumers using above a particular unit level according to their particular connection category. They should be required to do energy audits (or efficiency consulting) within three months after calculation of payback period and financing through the ESCOs or they themselves need to make the investments and register it with the EEMCD.
- c. EEMCD needs to be given power to monitor any agency on the efficiency aspect and enforce the laws drafted.
- d. Licenses needed to enter the market should be abolished for ESCOs as they have captured only 1% of the potential in Delhi region and also this will promote more efficiency and awareness.
- e. Penalties need to be paid by the defaulters if the Minimum Energy Performance Standards are not maintained by the consumers.
- f. Also as in case of transport where the government has continuously raised the bar for efficiency standards, minimum energy ratings need to be raised for each type of appliance individually especially for refrigerators and air conditioners. A minimum efficiency of the system needs to be maintained by industrial consumers specific to the industry. These measures have to be monitored by EEMCD.

7. Fiscal Measures

Fiscal measures can be introduced for a wide range of instruments and techniques. They can be applied to some of the aforementioned measures as well. Some fiscal measures that need to be introduced include Weighted Tax w.r.t. Ratings, Solar Subsidy, Time of Day Metering, Zero Energy Buildings (ZEB), Promoting Bio-Diesel Technology, Delhi Energy Fund (DEF), Financing Vehicle for ESCOs, leasing CFL Lamps, and the '20-20' measure.

8. Awareness Generation

The Delhi Government must initiate educational and awareness generation programmes to sensitise the stakeholders in the households,

industrial and transportation sectors to use energy efficiently. Some efforts in this direction may be made with the help of citizens charters in every DISCOM and initialize new campaigns, initiating an energy awareness campaign regarding investment schemes to discourage the use of inefficient appliances. Delhi Government can start a 'Golden Carrot' drive as US started it in California in 1997 which concentrates on giving a subsidy to the developer of a low cost and highly energy efficient refrigerator beating all standards in the market.

A possible mechanism for energy efficiency companies and financing them is given as below:

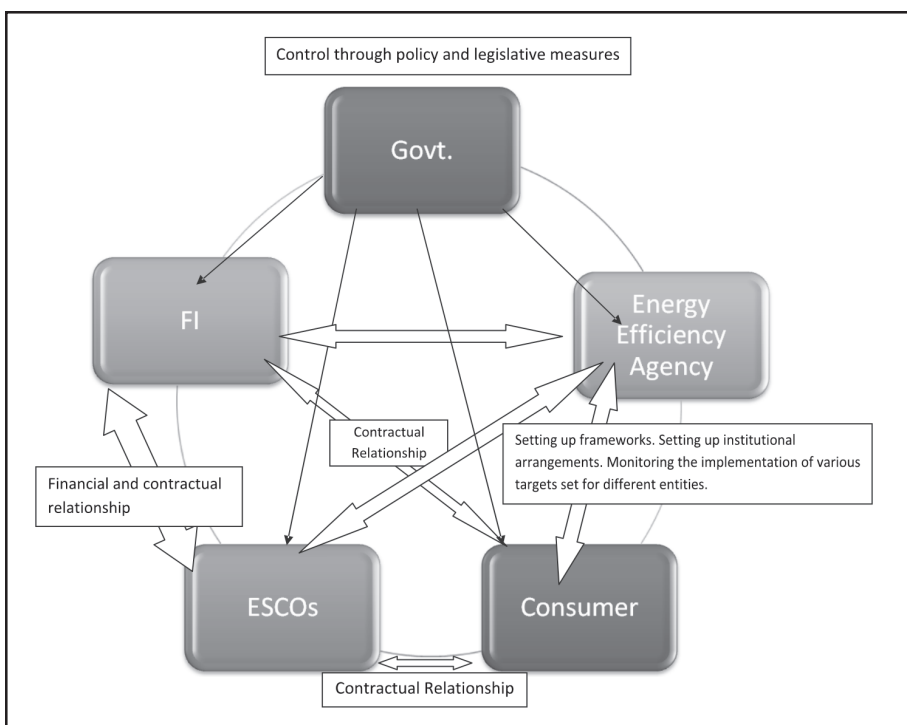


Figure 1: Mechanism for energy efficiency companies

The Energy Efficiency Financing Structure

There are five entities:

- a. The government: Its role is limited to only formulation of policies and intervening when asked to do so by EEA.
- b. EEA's principle functions will be as follows:

- i. EEA will recommend action to be taken against defaulting parties. The measures recommended can either be monetary or punitive (revocation of licenses, etc).
 - ii. EEA will form frameworks under which the consumer, the financing institution and the ESCOs will interact. It will also maintain a fund, which will cover the costs of defaults (the costs over and above of what had already been paid in the form of fines by the defaulting party).
 - iii. EEA will also implement and monitor new codes for buildings (residential and commercial) and give star ratings to households based on the building designs, kind of electric equipment used, total electricity consumed and other parameters. The ratings can be reviewed yearly and used to determine tariffs. Buildings which move down the energy ratings can be charged higher rates than what they might have otherwise paid, while the ones who move up can be given rebates. Initially this can be done for large consumers and if the scheme works smoothly it can be extended to smaller consumers, who form the majority of consumers in Delhi.
- c. The ESCOs will provide energy services like auditing, efficiency consulting and arranging suitable financial contracts which will enable the consumer to replace old equipments with minimum of expenses.
 - d. The FIs will have contractual and financial relationship with ESCOs. The ESCOs will advise consumers on the most suitable financing package available and then after arriving at an agreement on the repayment scheme, the three parties will enter into an agreement. If any of the parties default, the defaulter is penalised by the EEA, while the other parties get compensated. If the default occurs because of failure to meet energy efficiency standards then the ESCO is the defaulting party. If it occurs due to failure to pay back by consumer, then the customer is the defaulting party. The defaults cases are decided by EEA, after cross checking the reasons of default.
 - e. The consumers will be incentivised by law to cut down their consumption. Every household's electricity consumption will be tracked and in case the monthly bill exceeds 1000 units for three consecutive months, the household would be required to consult an ESCO and get a report prepared for the household. The report would highlight the areas where the household can cut down on

electricity consumption and how it can finance those measures. The cost of report will be borne by the household. The report will however only be advisory in nature initially. Based on how people react to such reports (prevailing studies indicate they adopt energy conservation methods) the reports can be made enforceable or can continue to be advisory in nature.

- f. EEA should come up with a rating index for different buildings. The guiding principle should be that people should pay extra if the growth in their demand requires Delhi to arrange for additional capacity during any period of the year than what Delhi has already arranged based on their present demand. Suppose a building is consuming 100 units and if the demand of building grows up by 11 % during peak time in July, this means if the entire Delhi went by the same pattern, then the Government will have to arrange for 5% additional power capacity, since the current average growth rate is assumed to be 6%. This should then attract additional charges for arranging that capacity (arranging it either through short-term power-purchase agreements or through the Indian Energy Exchange). The charges could be 10% extra for every percentage point increase in demand with an upper limit at 100%.

The index will suppose 100 units as standard consumption. 100 units is a consumption level where Delhi does not need to add any additional generation capacity. 110 units is the rating where Delhi would need to arrange 10% extra power. If the building actually shows any reduction in demand, they should be given rebates in the similar pattern. Given the fact that the enterprises will already benefit from lower energy bills, if they reduce their consumption below a certain point, the quanta of rebate offered can be changed at the lower levels.

Rating Index	Additional Charges
>150	Flat 100 % extra charges
150	50 % extra charges
140	40 % extra charges
130	30 % extra charges
120	20 % extra charges
110	10 % extra charges
100	Normal tariff applies
90	2 % rebate
80	4 % rebate
70	6% rebate
60	8 % rebate
50	10 % rebate
40	12 % rebate
30	14 % rebate
20	16 % rebate
10	18 % rebate
<10 (if reduction is more than 10 % of previous demand)	25 % rebate

Table 1: Additional charges and rebates as per electricity consumption

9. Riders

There are many riders especially those that relate to the functioning of ESCOs in Delhi.

- Banks are not interested in supporting ESCOs, neither are other financial institutions, as ESCOs have failed to come up with a fool-proof mechanism to determine the baseline i.e. the exact amount of money that customer saves when she starts using energy efficient appliances provided by an ESCO. The Indian Renewable Energy Development Agency is the only financing vehicle which is available to ESCOs right now.
- Subsidies are not favoured, as government is slowly dismantling the subsidy regime and another subsidy regime for renewable energy is not seen as a prudent thing to do.
- Government does not favour providing too many incentives for energy efficiency appliances since consumers are already benefiting over the life-cycle of the equipment, and providing tax-breaks in order to make hidden savings visible is not the right thing. Instead consumers should be sensitized about the hidden benefits.

- d. Technological and practical barriers in determining the baseline.
- e. Subsidy regimes are unsustainable, not the prudent thing for propagating sustainability.
- f. Current business model is a little difficult to apply to household, as cost of collection itself might exceed the expected energy savings.
- g. Collection of savings from households is a difficult and cumbersome task. RWAs can come forward to help ESCOs.
- h. Tying ESCOs with DISCOMs is not a viable option as DISCOMs can directly approach the appliance and equipment manufacturers and run the energy efficiency programmes themselves. Tying up with ESCOs with their current business model will only introduce a middleman between consumer and DISCOM.
- i. Energy Efficiency Service Ltd, a company dedicated to increase energy efficiency is being set up by the central government. The company will have equity participation from four government power companies - NTPC, Power Grid Corporation, Power Finance Corporation and Rural Electrification Corporation. The combined holding is likely to be in the range of Rs 325 crore.
- j. TERI's recommendations on Time of Day metering are not accepted due to consumer concerns. High charges during peak hours might have been unpopular.
- k. Manufacturers on their part are too wary to enter ESCO market as they do not want risks.
- l. Difficult for ESCOs to enter heavily politically influenced markets like agriculture and talk about energy efficiency, given the inherent risks of their business model.
- m. ESCOs face operational problems such as lack of trained staff, vehicles etc.
- n. As of now only Demand-Side Management measures bought and financed by utilities can work.
- o. Reaching out to the consumers is the only hope for energy efficiency measures. People have to be convinced about these technologies.
- p. The appliances are slowly moving towards higher efficiency standards.

- q. Delhi Electricity Regulatory Commission is ambivalent over the Time of Day process.
- r. Most of the current projects have been pilot demonstration projects but the models developed cannot be implemented on a large scale. Everyone is working on different models and no single model is fool-proof.
- s. A programme which reduces the subsidy as well as increasing the efficiency will be much more attractive.

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Economy and Politics **RSS**

Energy norms for home appliances to be mandatory soon

At present, voluntary 'star' labelling scheme is applicable on 11 appliances including ACs, tubelight, refrigerator and ceiling fan

PTI

New Delhi: It may soon become mandatory for home appliances makers to label their products according to their energy efficiency.

A Bureau of Energy Efficiency (BEE) official said the government would soon make the punitive provisions of the Energy Conservation Act 2001 compulsory.

"We are planning to make it mandatory for the appliances to carry 'star' label for energy efficiency," the official said.

As per the new provisions, home appliances should comply with the energy efficiency norms failing which the companies manufacturing these products would invite penalty.

According to the 'star' labelling programme, home appliances such as air-conditioners, refrigerators, tubelights, transformers are given star efficiency labels on a scale of 1 to 5. At present, the highest rating for energy efficient products is 5.

"We have received the government's green signal for making this scheme mandatory but the final decision will be taken next month by the Prime Minister's committee on climate change," BEE director general Ajay Mathur said.

"BEE has proposed a fine of Rs1,000 per day for the companies not complying with the energy efficiency standards. But the final decision will be

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Measures on anvil for 'green' Commonwealth Games

New Delhi (PTI): The Organising Committee of next year's Commonwealth Games is rolling out a series of measures to make the mega sporting event in the city the first ever 'green games'.

Officials of the committee said numerous measures are on the anvil to reduce carbon footprint and ensure energy efficiency.

They said the venues of the Games are being constructed keeping in mind the green vision of the Games. Measures in terms of energy efficiency, water conservation etc have been initiated to reduce carbon emission from Games-related activities.

The Committee also plans to launch anti-litter campaign, bio-diverse afforestation drive, water conservation rally and spread awareness on how individuals can change their lifestyle to make a difference to the environment.

The objective of the anti-litter campaign is to reduce the littering rate in Delhi by raising the level of awareness and responsibility among the masses.

The aim of the bio-diverse afforestation drive will be to help increase the existing green cover in Delhi. The drive will be held regularly and will involve the public and school children.

As part of the sustainable transport awareness programme, a number of initiatives have been planned to reduce carbon emission from vehicles.

People will be encouraged to adopt pollution-free mode of transportation and therefore awareness messages will be developed on tackling the growing problem of air pollution in the city.

Organisers will also promote cycling as a preferred green alternative for short distance commutation and its importance in the areas of health and environment.

A 'Save Water Rally' promoting conservation of water will be conducted on March 22, 2010.

The Committee had signed a pact with United Nations Environment Programme (UNEP) to make the event a 'Green Commonwealth Games'.

As per the pact, the UNEP and the Organising Committee will work together to incorporate environment considerations into the planning and staging of the

Delhi government for energy efficient buildings

Bombay News.Net
Wednesday 15th July, 2009 (IANS)

The Delhi government will promote energy efficient buildings with white roof and CFL bulbs.

Starting from its secretariat, the Delhi government will undertake a slew of measures to conserve power in buildings under its jurisdiction.

The plan to build what it called 'cool roofs' painted white was finalised at a meeting between Delhi Chief Minister Sheila Dikshit and officials of the Bureau of Energy Efficiency (BEE), an official spokesperson said.

"White roof may result in a reduction in roof temperature. This will help in saving electricity as cool roofs will bring down the maximum temperature," the official added.

DDA: Delhi Development Authority or Delhi Destruction Authority?

1. Introduction

Unlike most states in India, public sector housing in Delhi is outside the purview of the state government. The Delhi Development Authority (DDA) formed in 1957 is the major agency responsible for public sector housing in Delhi. DDA is an autonomous body which reports directly to the Ministry of Urban Development, Government of India and started its housing activities in 1967.

The Land and Building Department of the Delhi Government acquires land for DDA. DDA then undertakes it for the process of development. After land development, DDA constructs houses/flats on a certain percentage of the land and then sells them off. In addition, DDA also disposes of land to private developers and cooperative group housing societies for the purpose of housing.

Over the years, it has been observed that DDA has not been able to fulfill the housing demands of the capital. This is evident in the increased number of unauthorized colonies. Also, DDA has not been able to fulfill its housing targets. It therefore becomes necessary to look at what the major problems are and suggest alternative solutions.

2. Housing Delivery Mechanism

a. The Procedure

The planning wing of the DDA prepares a Master Plan and zonal plans for planned development within Delhi. As far as housing and shelter policy are concerned, the plan examines the housing need and proposes a housing strategy that incorporates specific approaches for development of new housing areas, upgradation and re-densification through redevelopment of existing housing areas including unauthorized colonies, housing in villages and Special Areas. In order to undertake this planned development, DDA has been acquiring land in areas earmarked under the Master Plan for urbanization. Acquisition of land is undertaken by Government of the National Capital Territory of Delhi (GNCTD) on the basis of requisition given by DDA. The Land Acquisition Collector (LAC), GNCTD carries out the acquisition under the provisions of the Land Acquisition Act, 1894. Further to provide

for the peculiar nature of acquisition in Delhi for planned development, a scheme for Large Scale Acquisition, Development and Disposal of Land, was also formulated by the Government in 1961. While the Land Acquisition Act provides for compensation to land owners at the rates approved by the Government from time to time, the Scheme for large-scale acquisition provides for allotment of alternate residential plots to land owners by DDA based on the certification of eligibility by GNCTD. For the simplification of land acquisition process, a standard operating procedure has been finalized between DDA and Land and Building Department of GNCTD. As far as monetary compensation is concerned, LAC/L&B Dept/Dy Commissioner of GNCTD are competent to acquire land as per the Land Acquisition Act. The compensation rate is fixed and the award is passed by the LAC. The award is also approved by the Competent Authority in GNCTD, after which the amount of compensation is released by DDA. After the acquisition of land, DDA develops the land and allocates a certain percentage for the purpose of housing. DDA currently undertakes construction of four categories of housing units: High Income Group (HIG) and Self-Financing Schemes (SFS), Middle Income Group (MIG), Lower Income Group (LIG) and housing units for the Economically Weaker Sections (EWS) i.e. Janta Housing. After the construction of flats, DDA makes allotments to dispose them off. Applications are invited by the DDA so that interested homebuyers can deposit the minimum amount to book the flats, following which DDA carries out a computerized draw after which the selected applicants pay the remaining amount to acquire the possession of DDA flats.

Other than this, there are a few more ways through which housing is provided within Delhi. These include the involvement of Central Government agencies like the Ministry of Urban Development (MoUD), which is responsible for making policies for urban development and for laying down the policy perspectives, building data systems for the whole country and over viewing the state level programmes and the Public Works Department (PWD), which undertakes various housing schemes for its employees in all the union territories.

The Delhi Government undertakes some amount of housing projects especially for the economically weaker sections through state level agencies such as the Delhi State Industrial and Infrastructure Development Corporation (DSIIDC) and the slum departments of Municipal Corporation of Delhi (MCD) and DDA.

b. The Experience so Far

The NSSO Report 2002⁴ shows that the housing structures in Delhi are considerably better than the national average. More than 96% of the structures are of the *pucca* category as compared to the national average of less than 50%. However, simply looking at the type of structure is not sufficient to get a clear picture of housing in Delhi. The following table⁵ gives a clearer picture of the types of housing in the years 1991 and 2001.

Type of Housing	1991	2001
	'000	'000
Plotted development including cooperatives	304 (16%)	540 (20.2%)
DDA flats	209 (11%)	351 (13.1%)
Cooperative group housing flats	152 (8%)	324 (12.1%)
Resettlement and squatter units	437 (23%)	594 (22.2%)
Slum rehousing units	38 (2%)	71 (2.7%)
Government housing	129 (6.8%)	169 (6.3%)
Traditional area and urban village housing	361 (19%)	357 (13.3%)
Unauthorized and regularized housing	270 (14.2%)	270 (10.1%)
Total	1900	2616

Table 1: Type of Housing in Delhi (1991 and 2001)

From the above table, it is clear that a major part of the population still does not have access to planned housing. According to the Delhi Water and Sewerage Project Preparation Study Report, only 21% of the total population in Delhi will be fortunate enough to reside in Planned Colonies by 2011. However, this figure is extremely low in view of the fact that the Delhi Development Authority has been dedicated to the task of providing planned housing to the people of Delhi since 1967. Therefore, it becomes extremely important to study how DDA has provided housing for all these years.

As of 2005, DDA has acquired a total of 28,000 hectares of land, of which 46% of the land is under housing schemes. On closely analyzing the housing supply in Delhi, it was found that DDA has been able to assist the provision of only 40% formal housing (10.8 lakhs), excluding unauthorized colonies and urban villages. Out of those 40%, DDA built just 28% of the houses (3.05 lakhs).⁷

As far as flats constructed by DDA are concerned, 59% of the flats built till March 2008 are for the people belonging to the lowest income strata. As much as 30% of the flats are for the economically weaker sections and around 29% are for the Lower Income Group.⁹

Just building houses for the people belonging to the lowest income strata is not sufficient. There is no mechanism in place that ensures that the houses built for EWS and LIG categories are actually used by them. It has been found that most houses allotted to the EWS and LIG category are resold or have been taken up by households belonging to the MIG or HIG groups instead. This is basically due to the various stipulations of the programmes, like large initial payments and prohibitive monthly installments, complicated procedures of registration etc. Also, a large number of the flats are lying vacant in the capital. This gives a slight indication that the houses are not used for the purpose of shelter but have rather become tools of investment for the rich. There are inherent problems within the DDA policy which encourages such a behavior. There has been a shift from the Hire Purchase Housing Schemes towards Self-Financing Schemes (SFS). Since under SFS, the entire price of the house has to be paid before possession of the house, it becomes extremely difficult for the poor to arrange such a large sum. Such a policy excludes the poor from the formal housing delivery mechanism. Besides the high cost, the poor are also deterred by the distance of the project sites from the business/ industrial centres. Furthermore, the houses created for the EWS category especially in the resettlement colonies lack basic infrastructural requirements.

The following table¹⁰ looks into the proposed targets and achievements of DDA in the housing sector. It reveals that DDA has not been able to achieve its targets even once in the five-year span from 2002-03 to 2006-07. The shortfall in achievement ranges from 58% to 88.5% in case of new projects and 17% to 72% in case of ongoing projects.

Year	New Projects/ Houses			Ongoing Projects/ Houses		
	Target	Achievement	Shortfall %	Target	Achievement	Shortfall %
02-03	18966	2370	16596 (88)	6623	5521	1102 (17)
03-04	14511	3988	10523 (72)	5919	1676	4243 (72)
04-05	7943	3356	4587 (58)	12662	9896	2766 (22)
05-06	10676	1670	9006 (84)	8695	2570	6125 (70)
06-07	25556	2936	22620 (88.5)	5070	3081	1989 (39)

Table 2: Housing targets missed by the DDA (2002 to 2007)

An analysis of the DDA budget reveals that budget estimates are being prepared on an unrealistic basis. The budget allocation, budget estimates and actual expenditure on housing schemes during 2002-03 & 2006-07 are stated below:¹¹

Financial Year	Budget Estimates	Revised Budget Estimates	Actual Expenditure	Percentage of shortfall in actual expenditure vis-à-vis Budget Estimates
2002-03	476.27	295.47	290.58	39
2003-04	607.43	426.52	327.84	46
2004-05	627.13	414.16	344.30	45
2005-06	455.22	282.73	278.15	39
2006-07	506.01	272.34	237.05	53

Table 3: DDA Budget estimates and expenditure (2002 – 2007)

It can be seen from the above table that actual expenditure was significantly less than the budget estimates over the five-year period 2002-03 to 2006-07. This means that despite availability of funds, projects could not be completed/initiated. This implies that the problem lies not with the availability of finances but elsewhere.

Let us now look at the pace of land acquisition/development under the current land policy:¹²

- Only an average of 777 hectares of land was acquired annually instead of 1372 hectares as intended to meet the targets of the development set in the MPD-62 in the period of 1962-1981. During 1981-2001, against a planned acquisition of 24,000 hectares, 9507 hectares were acquired by 2001, only 39.6% of the target.
- Around 14,479 hectares of land was proposed to be developed in the plan period 1961-81. However, by 1984 the land actually developed for residential purpose was 7316 hectares.
- In the various sub-cities envisaged under MPD-2001, of the total 17,493.15 hectares proposed to be developed; only 8388.15 hectares (47.95) of serviced land was made available by 2001.

These details point out that the flaw in the current housing delivery mechanism is in the 'Land Acquisition' part of the process.

3. Finding a Solution

The shortfall in land acquired/developed can be primarily attributed to the following reasons:

- Dissatisfaction of the landowners on the compensation package led to disputes and litigations thus slowing down the process of land acquisition.
- Delays in alternate allotment further increases costs.

- Enhancement in compensation awarded by the court means managing additional resources and extra administrative work on part of DDA, which in turn delays the land acquisition and development process.
- Pockets and plots of land which were under litigation for a long time and therefore left vacant have been encroached upon by unauthorized and JJ colonies. Such pockets have no sanctions by the Authority.
- Slow pace of land development and pricing out of the LIG/EWS from the formal land market has also been another reason for the proliferation of unauthorized colonies, slums, and squatters in urban and rural Delhi.
- The present urban land policy is not in consonance with the Master Plan proposals both in terms of phases of development and in land use.

All the above have resulted in public supply of land falling short of demand and of targets not being met. Thus, the need of the hour is an alternate land development model that is simple to operate and attractive to the landowners and which can quicken the process of land assembly.

4. Proposition of a Model for Delhi

The Association of Urban Management and Development Authorities (AMDA) proposed a 'Land pooling cum Barter model' for development within the planned project areas in Delhi. The main features of the model are as follows:

- a To ensure rational and attractive returns to the farmers. This can be achieved by returning net residential developed land up to 16% of the land under notification of section 4 of the Land Acquisition Act surrendered to DDA by the landowner.
- b This leaves up to 84% of land with DDA to meet the plan requirements.
- c DDA gets 100% of the land for an area earmarked for development in lieu of the net residential land upto 16% returned to the landowner within a developed area.
- d 16% of the land given for barter is based on the plan prepared and executed by the DDA and the conditions mentioned in the plan are applicable.

- e In the 84% of the remaining land, the Development Authority develops all housing for EWS and part of the total dwelling units for LIG along with all the facilities at Master/Zonal plan level. The landowner on the other hand has to provide all housing for HIG and MIG and a part of the total dwelling units for LIG in the land returned to him. Through this the model seeks to achieve the social equality of land.
- f The landowner does not feel deprived of his land when he is given compensation in terms of land and he is also left with numerous options like:
 - i. Retaining the land with him, to partially or totally dispose of the land.
 - ii. Wait for land prices to rise in the market and sell the land to developers at market rates.
 - iii. Come forward as a promoter.

The barter system takes into account the entire spectrum of development, including the facilities to be provided at Master Plan/Zonal Plan/Layout level. It is not a piecemeal approach to development.

The following advantages and weaknesses of this model have been recognized:

Stakeholders	Advantages	Weakness
DDA	<ul style="list-style-type: none"> Reduced financial burden, as no compensation is to be paid Land development process will become fast as after notification for land acquisition, DDA can start the development process within one year of notification. Reduced restrain from landowners. 	At least 300 hectares of fully developed net residential must be ready for barter with DDA per year. If DDA fails to keep pace, development will be further delayed.
LAND OWNER	<ul style="list-style-type: none"> Get a share in the land. Gets liberty to earn profit from the land returned to him, as he gets fully developed net residential land which he can either build upon or put up for sale. 	Landowner is legally bound either to sell his land or to build upon it within a specified time period.

It is also advised to change the institutional setup of DDA. The existing institutional mechanism under the DDA dealing with acquisition/development and disposal of land is highly centralized. The system/mechanism has not been fully effective in keeping pace

with the provisions of Master Plan. Therefore, the following changes are suggested:

- Decentralize the authority under DDA that deals with land assembly, development and disposal.
- An autonomous body which will act as a monitoring and regulatory body for land acquisition/development and disposal should be established under the DDA Act.

5. Some Other Issues

- Non-disposal of constructed houses
- Non-allotment of houses to long awaiting applicants (there is a total backlog of 2468 under three live schemes of DDA viz. 1043 under New Pattern Registration Scheme 1979, 449 under Ambedkar Awas Yojana 1989 and 976 under Janta Housing Registration Scheme 1996)
- Construction of houses of unacceptable design under Janta category
- Allotment of houses without basic amenities like water, electricity, sewage disposal etc
- DDA scams (such as the major scandal involving the allotment of 5,000 houses in the DDA housing scheme – 2008¹⁹ in which some property dealers in collusion with present and ex-DDA employees tried to allot flats to a large number of fictitious applicants)

6. Conclusion

The most important aspect of any urban development project is the process of land acquisition. Statistical data reveals that the process of land acquisition has been very slow. In order to speed up the process of housing delivery, there is a need to adopt an alternate land assembly process that helps speed up both land acquisition and land development process. The proposed land assembly model, 'Land pooling cum Barter model', looks into the current problem of land acquisition and devises measures to speed up the land assembly process.

Apart from the slow pace of housing development, there are also problems with the current supply of houses. Experience reveals that constructed houses are not disposed of on time. To address this problem, it is recommended that constructed houses be sold off within a time frame. To make sure that allotted houses have basic amenities, the Ministry of Urban Development should ensure proper integration and

coordination between DDA, MCD, DJB and other local bodies. Also, to check the growth of unscrupulous elements that resort to unfair practices in the allotment procedure, it is recommended that the Vigilance Department be made more effective.

In order to meet the requirement of housing units, and to overcome the weaknesses in the procedure hitherto being followed by DDA and GNCTD, it is proposed to allow private sector participation in land assembly and housing development. While permitting such private participation, checks and balances should be introduced to ensure compliance with provisions of Master Plan as well as building Bye-laws, the latter being administered by local bodies. The inclusion of private developers in the housing sector will introduce an element of competitiveness and innovation in this sector in Delhi, which will automatically counter any speculative tendencies or profiteering at the expense of the citizens.

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Long queues of people waiting for the DDA lottery result



Long delays in construction of DDA flats

Sheltering Delhi's Slums

1. Introduction

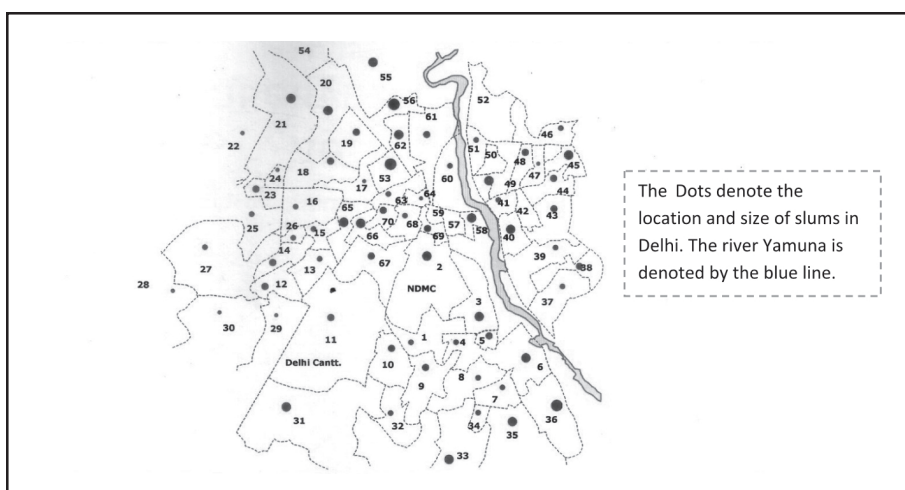
Delhi, the capital of India, is home to about 3 million people living in slums and it is estimated that 45% of its population lives in unauthorized colonies, *Jhughi Jhopri* (JJ) and urban villages.¹ As the UN-HABITAT definition states, 'A slum household is a group of individuals living under the same roof in an urban area that lacks one or more of the following:

- a Durable housing of a permanent nature that protects against extreme climate conditions;
- b Sufficient living space which means not more than three people sharing the same room;
- c Easy access to safe water in sufficient amounts at an affordable price;
- d Access to adequate sanitation in the form of a private or public toilet shared by a reasonable number of people;
- e Security of tenure that prevents forced evictions.'

For the purpose of Census of India 2001, slum areas broadly constitute:

- a All specified areas notified as 'slums' by state/local governments and Union Territory administrations under any Act.
- b All areas recognized as 'slums' by the state/local governments and Union Territory administrations which may not have been formally notified as slum under any Act.
- c A compact area with a population of at least 300 or about 60-70 households of poorly built congested tenements in unhygienic environment usually with inadequate infrastructure and lacking in proper sanitation and drinking water facilities.

The slum areas are those that are notified under the Slum Improvement and Clearance Areas Act of 1956. Buildings and/or areas that are considered to be unfit for human habitation may be declared as slum areas under section 3 of the Act. As such they are considered to be legal structures and are eligible for benefits under the Act. The squatter or JJ cluster settlements on the other hand are considered as encroachments on public and private lands. They are therefore seen as illegal settlements.



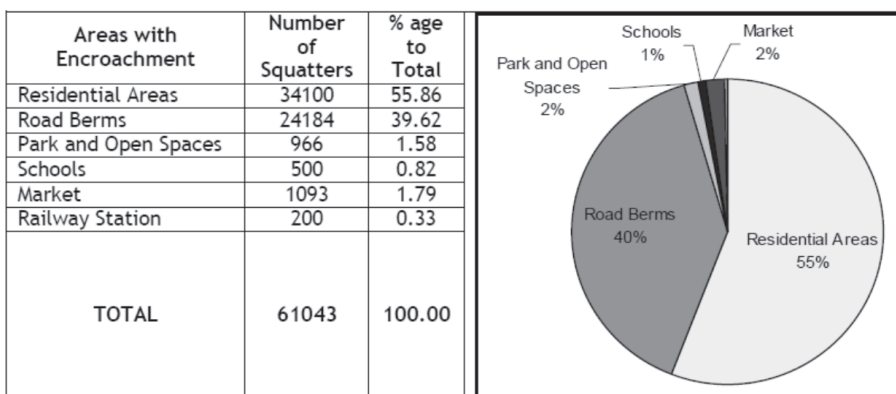
(Source: Delhi Urban Environment and Infrastructure Improvement project Part III, Slum Upgrading programme Volume I)

Figure 1: Location of Slums and JJ Clusters in Delhi

Because of the lack of adequate developed land at affordable prices to different categories of residents, various types of unplanned settlements have come up in Delhi. According to an estimate, the population residing in different types of settlements in the year 2006 was as shown in the table below.

No	Type of settlement	Approx population in millions (2006)
1	Jhughi Jhopri Clusters	2.448
2	Slum Designated Areas	3.148
3	Unauthorized colonies	0.874
4	Resettlement colonies	2.099
5	Rural village	0.874
6	Regularized – unauthorized colonies	2.099
7	Urban villages	1.049
8	Planned colonies	3.909
10	Total Population	16.5

Table 1: Type of settlement and population (2006)¹



(Source: Sabir Ali, *Environment Senario of Delhi Slums*, Centre for Social Development Studies, 1998)

Table 2: Status of JJ Clusters in Delhi

A significant portion of this burgeoning population remains illiterate. Many others do not find enough means of gainful employment. While society at large is concerned about potential health hazards and criminal dangers from slum population and demand their eviction from residential areas, they are dependent on this very population for their daily needs. The vegetable vendor, the maid, the milkman, the people who do the laundry and even ironing under the roadside trees are all slum residents forming an important component of any urban household. Studies have revealed that settlers in these slums and JJ clusters are pursuing various informal economic activities making a significant contribution to the city's economy, and over a period have established an interdependent relationship with the formal commercial, industrial and manufacturing functions in the city.

2. Policies in Place

While evaluating the policies affecting housing for slum dwellers we take a top-down approach by first giving a brief overview of the National Housing Policy 2007 and then getting an insight into special schemes laid out for Delhi's slums by various authorities.

a. National Urban Housing and Habitat Policy 2007

The National Urban Housing and Habitat Policy 2007 states its goal as 'affordable housing for all' in the country. It promotes various types of public-private partnerships and pays special emphasis on the urban poor intending to promote sustainable development of housing in the country, with a view to ensuring equitable supply of land, shelter and

services at affordable prices to all sections of society. The policy focuses on multiple stakeholders—the private sector, the cooperative sector, the industrial sector for labour housing and the services and institutional sector for employee housing.

To attain the overarching goal of affordable housing for all, emphasis is laid on urban planning, increasing supply of land, use of spatial incentives like additional floor area ratio (FAR), transferable development rights, increased flow of funds, effective solid waste management and use of renewal sources of energy.

Encouraging integrated townships and Special Economic Zones (SEZs), the policy calls for reservation of 10-15% land in every new public and private housing project or 20-25% FAR (whichever is greater) for Economically Weaker Sections (EWS), and Low Income Group housing through appropriate spatial incentives.

The private sector would be permitted assembling land within the purview of master plans. The policy also sets action plans for urban slum dwellers with a special package being prepared for cooperative housing, labour housing and employee housing. The primary choice would be to give provision of shelter to urban poor at their present location or near their work place. The approach taken will be *in situ* slum rehabilitation; relocation will be considered only in specific cases. The policy would also promote micro-finance institutions at state level to expedite flow of finances to the urban poor. The current budget allocates Rs. 3973 crore for the different projects addressing the needs of housing for the urban poor.

The role of housing and provision of basic services to the urban poor has been integrated into the objectives of the Jawaharlal Nehru National Urban Renewal Mission (JNNURM).¹

b. Basic Services to the Urban Poor, JNNURM

The Sub-Mission II of the JNNURM involves Basic Services to the Urban Poor (BSUP) including the integrated housing and slum development programme. The objectives of the Mission are outlined as:

- i. Focused attention to integrated development of basic services to the urban poor in the cities covered under the Mission.
- ii. Provision of basic services to urban poor including security of tenure at affordable prices, improved housing, water supply, sanitation and ensuring delivery through convergence of other already existing universal services of the government for education, health and social security. Care will be taken

to see that the urban poor are provided housing near their place of occupation.

- iii. Secure effective linkages between asset creation and asset management so that basic services to the urban poor created in cities are not only maintained efficiently but also become self-sustaining over time.
- iv. Ensure adequate investment of funds to fulfill deficiencies in the basic services to the urban poor.
- v. Scale up delivery of civic amenities and provision of utilities with emphasis on universal access to urban poor.

The Delhi Master Plan 2021 has laid emphasis on improvement of the living conditions of 45% of Delhiites living in slums and JJ clusters in the next ten years as part of the improvement in the livability of the city for its inhabitants, for which the overall JNNURM budget which was Rs. 11, 842 crore, is increased by 87% this year.

c. Three-Pronged Approach in Delhi

The urban poor live predominantly in squatter settlements which rank among the worst in sub-standard slums. The programme of squatter clearance was discontinued at the end of the Sixth Plan (from 1985). Accordingly, no major settlement programme was carried out until 1992 when a Revised Resettlement Policy was formulated by the DDA. This did not mean that there were no resettlement works in progress. The general policy adopted by the government since then is two-fold: firstly, no fresh encroachments shall be permitted on public land; and secondly, past encroachments (those in existence till 30 January 1990) would not be removed without providing alternatives.

Squatter settlements are found throughout the city and especially on vacant land along railway lines, roads, drains, river embankments and around resettlement colonies. The strategy of the government towards slums/squatter settlements has been mainly of clearance. In recent years, however, there have been some changes in the attitude and strategies. The three strategies used in Delhi since 1991 are as follows:

- i. Improvement of slum environment
- ii. Relocation of slums
- iii. *In situ* upgradation and rehabilitation

d. Draft National Slum Policy 2001

Another more specific policy namely the 'draft' National Slum Policy is yet to be ratified by the Government. The Draft National Slum Policy envisages cities without slums. The policy adopts an approach of *in situ* upgradation and improvement towards fulfillment of this vision. It recommends clearance only in exceptional circumstances. It therefore talks of urban growth with equity and justice and makes a plea for greater participation of communities and civil society in all areas of planning, capacity-building and development. Correspondingly, it proposes a series of interventions with regards to definitions, tenure, planning, economic empowerment, governance and management, and shelter upgradation.

The draft policy is however silent over the ways in which its goals could be realized. Furthermore, the definition of all under-served serviced lands as slums will hinder and deny the most needy and vulnerable from having access to resources for upgradation and improvement.

3. Matrix of Parameters and Weightage

Among the three approaches viz. environmental improvement, relocation and rehabilitation undertaken by the Delhi Government, a conditional matrix must be discussed to decide a transparent approach to identify the policy best suited for a particular slum. This is not assuming that one solution or one matrix of conditions can lay out guidelines for every slum in Delhi. This matrix only provides a basic first step in the decision-making process and provides some direction.

Some characteristics can be identified as important in making a decision of relocation or *in situ* rehabilitation. The matrix uses only these two options as alternatives and does not include environment improvement. This is because environment improvement is more of a direct action with more and more basic services being provided in slum areas and thereby encouraging more people into that particular slum. Both relocation and *in situ* rehabilitation propose clearing the slum area and providing permanent housing of some sort; thus seen as more of one-time actions, unlike environment improvement which requires action every few years.

The most important condition identified to decide whether relocation or *in situ* rehabilitation is the best approach for a slum is to ascertain whether the land on which the slum or JJ cluster has come up has the ability to be developed. A lot of slums come up around drains, near railway tracks, river beds etc. If the land on which they

are currently based cannot be developed, relocation is the only option. This is, therefore, the most important characteristic to determine whether *in situ* rehabilitation is even a possibility.

The other conditions, in order of preference, are listed in the matrix below:

The slum is in a residential area according to the Master Plan	<i>In situ</i> rehabilitation is possible since this land can be developed as a residential colony	20% importance
More than 80% of the residents work in areas within 3 km radii of the slum	<i>In situ</i> rehabilitation is the approach to undertake since this would ensure their ability to earn a livelihood	20% importance
A house of minimum 25 sq meters is allotted to at least 80% of households living in the slum after considering the Floor Area Ratio with a maximum of 4 storeys	<i>In situ</i> rehabilitation is possible as the majority of slum dwellers would be taken into consideration	20% importance
More than 30% of the residents earn their livelihood within the slums	Relocation should be the approach since <i>in situ</i> rehabilitation will only be feasible if workstations are provided	15% importance
There are concrete plans by the Land Owning Agency to develop/use the land in the next 5 – 7 years	<i>In situ</i> rehabilitation is not possible. Relocation should be undertaken since the land owning agency will want to evict the slum dwellers	10% importance
The slum is more than 20 years old	<i>In situ</i> rehabilitation would be preferred since the residents have been in the slums for a long period of time	10% importance
The ties within the community are fairly strong	This would allow better <i>in situ</i> rehabilitation as the community would function well as a whole	5% importance

Table 3: Matrix of conditions for relocation or *in situ* rehabilitation

Thus, if the first three criteria are met then *in situ* rehabilitation would be the obvious choice as it will have the highest weightage. Based on the above-mentioned traits, weightage for both *in situ* rehabilitation and relocation can be assigned and the decision can be made. It must be remembered though that the overriding condition that the land should have the ability to be developed must be met.

4. Recommendations

a. Deregulation of the Delhi Rent Control Act

The Delhi Rent Control Act 1958 came into force in February 1959. This is the current legislation of rent control in Delhi and it extends to the areas included within the New Delhi Municipal Committee and the Delhi Cantonment Board together with the urban areas of the Municipal Corporation of the urban areas in Delhi (as specified in the first schedule of the Act).¹

‘Amendment of rent control laws’ is one of the mandatory reforms suggested in the JNNURM. States are expected to implement the reform within the Mission period. It is widely recognized that the existing rent control laws are biased in favor of tenants. The objective of the reform of the Rent Control Act is to bring out amendments in existing provisions for balancing the interests of landlords and tenants. ‘Reform in the rent control laws will go a long way in improving housing situations in urban areas, lessen distortions in the market and have a beneficial impact on urban finances,’ states the Rent Control Reform Report under the JNNURM. So far only Karnataka, Manipur, Mizoram, Nagaland, Orissa, Rajasthan and West Bengal have accomplished the reforms.² Delhi has still not undertaken the rent reforms even though they are required to be fulfilled under JNNURM.

b. For-profit, Low-cost Rental Housing

A recent venture by the Housing Development and Infrastructure Ltd. (HDIL) and the Mumbai Metropolitan Development Authority (MMRDA) to provide low-cost rental housing in the Mumbai metropolitan region is the ideal example of a public-private partnership. HDIL will provide the land while related social infrastructure such as schools, hospitals, community centers, playgrounds and police stations will be taken care of by MMRDA.³ As per the conclusions of the Working Committee of the 11th Plan (2007-12), the total shortage of dwelling units at the beginning of the Eleventh Plan period in 2007 was 24.7 million nationally. Low-cost housing is a segment which is starting to interest developers and investors in India and outside with some already eyeing the first movers’ advantage.⁴

There is much to be gained from the private sector involvement such as private sector finance and investment, and private sector expertise in efficient management of projects. The sector also has much greater experience in cost-minimization and the effective use of human

resources among many other strategies for efficiency.⁵ The predominant business model in low income areas relies on small unit profits at high volumes. In order to meet the slum dwellers' demands while still ensuring a sufficient profit, the basic economics is based on small unit packages, low margin per unit, high volume and high return on capital employed. It makes good sense in terms of volumes that the market is offering. Providing economical housing is beneficial for buyers (in terms of providing more options to choose from) and to developers since the latter can construct more. The demand in terms of units is phenomenal and developers getting into this segment can build for years to come. They have the assurance of sure-shot absorption as well. One must understand that developers are not shifting from high-end to low-cost housing. They are only branching out.

The margins are comparably less in this segment with estimated 15-20% margins in the low cost segment compared to 25-30% in the high-end segment.⁶ In order to ensure lesser barriers to entry, land costs need to be comparatively lower for low-cost housing projects.

Another aspect that cannot be neglected is that of good transportation. Most projects are likely to be on the outskirts of cities so the importance of providing or having a sound transportation system cannot be undermined. Other interesting aspects in this model are the innovative cost saving techniques companies use to cut down construction cost without compromising on quality. One example is the ash-based cellular light-weight concrete that ensures that process uses 35% less cement and overall the cost of construction reduces by about 10-15% compared to any other technology. Furthermore, economies of scale visibly reduces the cost for each of the dwelling units due to the paradigm shift from horizontal to vertical i.e. high rise and high density approach.

c. Housing Vouchers

The third and last aspect to the model solution is the issuing of rental housing vouchers to the slum dwellers & JJ cluster residents in Delhi. The housing vouchers by definition cannot be used for any other purpose apart from paying rent to the landlords. The Delhi Government, with the help of local NGOs, can issue these vouchers to slum dwellers thus inducing them to spend it on rent housing as opposed to living in slums. The slum dwellers will use these vouchers to pay rent in various rental houses constructed city wide under the low-cost rental housing model. The landlords can verify the identity of the tenant with the name on the voucher, thus reducing chances of misappropriation. Upon receipt of the voucher, the government will

reimburse the landlord with the specified amount. This system would induce two positive reactions: firstly, it would incentivize the slum and JJ cluster residents to use the vouchers and thus help them get out of the slum areas; secondly, it would induce more and more participants to enter in low-cost rental housing since they are now assured a certain amount of rent in the form of vouchers and an assured demand.

d. Travel vouchers

This recommendation could also be incorporated into the current relocation/resettlement policy. Even though land and rent costs are cheaper in the outskirts or the peripheries of the city the main disincentive to move out is the transport costs and the high expenditure of everyday travel. There are two ways to incorporate the system of travel vouchers in the policy:

- i. Have subsidized travel costs for the resettled residents by means of a daily travel card
- ii. Introduce the option of a flat payment covering all travel for a month

After allocating houses to the resettled colony residents, the government can provide them with a card with identification to get discounted rates of travel on the buses or Delhi Metro trains. Also the government can provide them with a card for which they have to make a monthly payment for all bus and Metro rides.

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Endnotes

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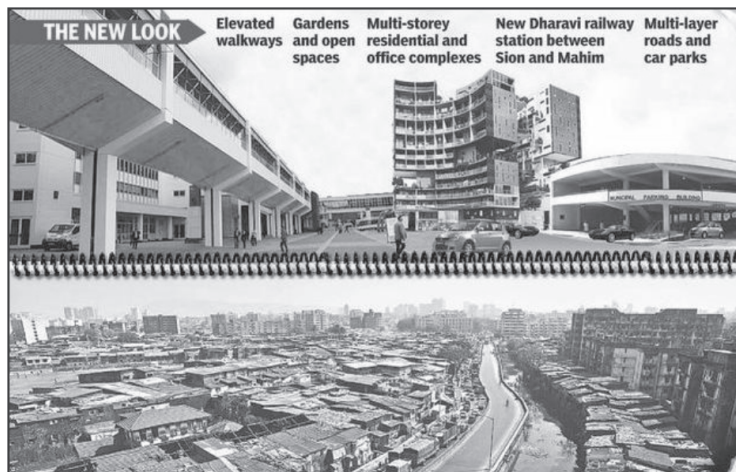
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A picture of proposed Mumbai's Dharavi Redevelopment Plan.

Delhi Development Plan: A Citizen Appraisal

1. Introduction

The ever-increasing population of India has been a concern for long from the perspective of developmental needs and limited resources. The population of Delhi grew at 3.85% p.a. during 1991-2001. The increment in Delhi's population from 240,000 in 1911 to nearly 13,782,000 is attributable to natural rise as well as to migration. Also as per NSS 58th round survey, about 33,234 households had migrated to Delhi during the year 2002 of which 84.89% moved permanently. According to Economic Survey of Delhi most people migrate in need of employment. In the year 1981-91, 31.29% migration and in 1991-2001, 37.6% migration was attributable to employment opportunities available. Furthermore the population is expected to rise by 40% by the year 2021. The same concern also propped up the need for planned development of the physical infrastructure defined as 'amenities', 'building' etc.

Definition of 'development' can vary depending on the context under consideration. For the purpose of this chapter, borrowing words from Delhi Development Act 1957 “ *'development' with its grammatical variations means the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change in any building or land and includes redevelopment*”.

To keep pace and to sustain the tremendous growth that the country and Delhi in particular has achieved, the city needs to integrate its history and the modern aspirations and developments of its people into one integrated policy document, which encompasses the political, socio-economic, environmental, cultural and the globalizing attitude and aspirations of the people. Infrastructure, irrespective of the segment, has to be developed at an unprecedented pace and investments targeted accordingly.

Every agency involved, be it the governmental agencies, the private institutions, the corporate houses, the NGOs, the services—urban, rural, tertiary and local have to have one beacon of policy guideline bestowing them to a common direction. This need of Delhi to be turned into a world-class city makes infrastructural development the need of the hour.

2. Master Plan for Delhi 2021

A Master Plan is a plan for a large area that may address land use, landscaping, infrastructure and services provision. It can also be defined as a document that explains how a site or series of sites will be developed. It will describe how the proposal will be implemented and set out the costs, phases and timing of development.

Post-independence the process of planned development of Delhi started with the enactment of the Delhi Development Act 1957 followed by the promulgation of the Master Plan of Delhi in 1962 (MPD-62).

The MPD-1962 was prepared with a perspective of 20 years i.e. upto 1981. Based on the experience of the plan and to cater to the increasing population and changing requirements of the city upto the year 2001, extensive modifications to MPD-1962 were made under Section 11-A of the Delhi Development Authority Act. The Master Plan for Delhi - 2001 was prepared by in-house professionals of DDA. The modified plan, MPD-2001 was approved by the GOI and promulgated on 1 July 1990.

a. Vision 2021

Vision 2021, the guiding principle for the framework, formulation and implementation of the Master Plan of Delhi 2021, is to make 'Delhi a global metropolis and a world-class city', wherein people resources would have conducive atmosphere and infrastructure to conduct themselves in productive work with a better quality of life, living in a sustainable environment. This will, amongst other things, necessitate planning and action to meet the challenge of population growth and migration into Delhi; provision of adequate housing, particularly for the weaker sections of the society; addressing the problems of small enterprises, particularly in the unorganized informal sector; dealing with the issue of slums, upgradation of old and dilapidated areas of the city; provision of adequate infrastructure services; conservation of the environment; preservation of Delhi's heritage and blending it with the new and complex modern patterns of development; and doing all this within a framework of sustainable development, public-private and community participation and in a spirit of ownership and with a sense of belonging among its citizens.

b. Major Highlights of the Draft Delhi Master Plan - 2021

A fair amount of creative and constructive thinking and introspection has been invested into the planning, formulation and intended implementation of the Delhi Master Plan 2021. Innovation and reform, affecting the Delhi population positively were the considered factors.

Some of the salient highlights of the plan are listed below:

- Facilitating public-private partnerships
- Incentivising redevelopment / modernizing of the old buildings and locations
- Restructuring the physical infrastructure of the city through better coordination and augmentation of resources and services.
- Proposal for the Master Plan of Delhi planned till the year 2021, to be reviewed at intervals of every 5 years, and take into account the fact changing needs, aspirations and requirements of city
- Participatory approach - **involving the private sector** in the assembly and development of land. Public participation in policy and implementation
- Incentivised redevelopment with **additional Floor Area Ratio**, wherever applicable
- Influence zones – alongside Mass Rapid Transit System and major transport corridor

The plan has divided the targets for the planned period of 20 years, counted till 2021, into different phases. The objective behind this was to keep a close watch on the development process.

3. A Brief Review of Building Bye-laws

Delhi's diverse urban landscape was sought to be seen through a single prism of the unified building bye-laws framed in 1983. Prior to these, the building bye-laws of different local bodies were different and underwent changes in 1959 and 1967. The need of the hour was to create new building bye-laws which can encompass and correspond to the diversity of the city.

Accordingly, in December 2003, a Steering Committee was constituted by the Municipal Corporation of Delhi (MCD) to provide the policy guidelines for the new regulatory framework for building

regulations for Delhi and to scrutinize the evolving policy agenda so that the interests of all the stakeholders are duly protected.

A new regulatory framework for building regulation in Delhi including a draft of the Delhi Municipal Corporation (Amendment) Bill, 2005 which aimed to replace chapter XVI on 'Building Regulations' and Chapter XXI on 'Improvement' in the Delhi Municipal Corporation Act, 1957 was prepared in a manner so as to be applicable to all the various bodies in Delhi including the Municipal Corporation of Delhi, the New Delhi Municipal Council, the Delhi Development Authority and the Delhi Cantonment Board. It included following notable additions: streamlining procedures for obtaining various permits, easing monitoring during construction, and improving compliance. The emphasis is on clarifying procedures, making them time-bound and addressing all eventualities. Procedures for appeals and for obtaining variance to the bye-laws are proposed to be instituted. Roles of different players involved in the process viz. authorities, owners, architects, advocates, structural engineers and construction engineers are clearly defined.

The building bye-laws have been approved by the Government of NCT of Delhi and Ministry of Home Affairs and the Government of India. It is presently under consideration of the Ministry of Law & Justice, Government of India.

4. Land Policy - A Critical Analysis

National Commission on Urbanisation of India (NCU, 1988) recognized the need for adequate supply of land, efficiency and equity in allocation of land and promotion of flexibility in land use.

The Eleventh Five-Year Plan (2007-12) of India emphasizes, 'Governments at appropriate levels including local authorities have to strive to remove all possible obstacles that may hamper equitable access to land'.

It identifies failure to adopt appropriate urban land policies and land management practices as the primary cause of inequity and poverty. Thus the Eleventh Five-Year Plan calls for a flexible land policy which will make conversion from one use to another cost efficient and promote equity. It judges that urban planning tools like master plans, zoning and regulations are not enough for the requirement of land supply for rapid urbanization. The problem has also been addressed somewhat by Jawaharlal Nehru National Urban Renewal Mission.

a. Key Challenges for Delhi

- Ensuring supply of basic services in all localities
- Ensuring universal access to space and services
- Augmentation of infrastructure
- Promoting mixed use
- Dealing with unauthorized constructions
- Inter-agency coordination

b. Suggested Solutions to the aforementioned problems and challenges, especially with regard to commercial land use:

- Encouraging mixed land use
- Discouraging misuse of premises
- Ensuring structural safety
- Enhancing Floor Area Ratio
- Providing space for the informal sector
- Providing public facilities and improving physical planning and design

5. Recommendations

On analyzing the evils that have surfaced due to the planned development problems faced in Delhi the most practical solution comes out to be creating space for civil societies and making the system more participatory. Forging partnerships between the urban local bodies and various civil society/community groups is also a step forward to solving such problems. The following are some methods suggested for encouraging the aforesaid goals.

a. Participatory Approaches

Two broad approaches of structuring participation may be outlined. They include the following:

- i. Priority problem approach
- ii. Sectoral or municipal services approach

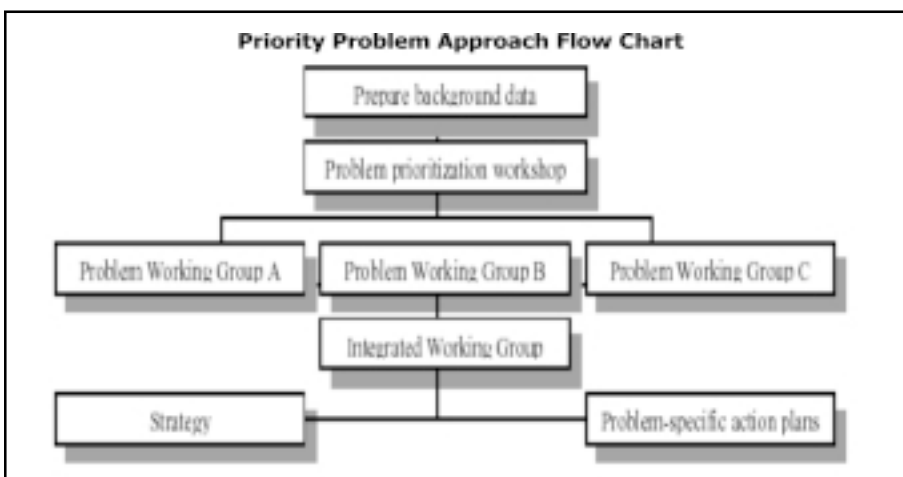
i. Priority Problem Approach

The most commonly used means of structuring public involvement at a local level (e.g. city or part of a city) is to involve stakeholders in determining priority urban problems and then structuring participation

around key problem areas.

The process is as follows:

- Background or baseline information on the city's urban environment is prepared (e.g. urban infrastructure data and a 'State of the Urbanisation' report) if available.
- A stakeholder workshop is held to discuss the background information and prioritize urban problems.
- Stakeholder working groups are created around the 2-6 highest priority problems.
- The working groups identify and prioritize options for solving the problems.
- A panel with representatives from each working group, along with experts, develops an integrated strategy and individual action plans for each priority problem.



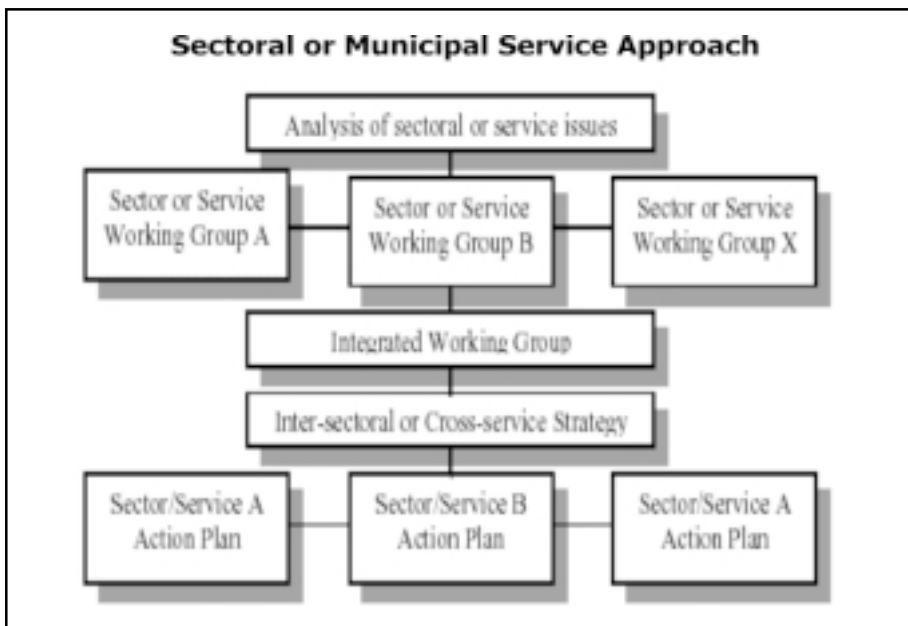
The Priority Problem approach requires:

- Consensus on which problems are the most important;
- Consensus within each problem area as to priority options; and
- Participation of relevant stakeholders, especially decision-makers. Its advantages are that it focuses on addressing the most important issues and promotes an integrated approach to strategy development. Its disadvantages are that real-life problems may be different from identified priorities if the process takes too long and it may be difficult to achieve consensus on priority problems and options.

ii. Sectoral or Municipal Service Approach

This approach is based on the urban environmental dimensions of a city's existing sectors or municipal services. The process is as follows:

- An analysis is made of sector-by-sector or service-by-service issues, either by experts or by a stakeholder workshop.
- Stakeholder working groups are established for each key sector or municipal service.
- Working groups prioritize issues, identify options and prioritize options for each sector or service.
- An integrated working group develops an inter-sectoral or cross-service strategy and sector or service-specific action plans.



The sector or service-specific approach requires the active participation of key sectoral actors (e.g. the water and sanitation company directors as well as representatives of their industrial, commercial and residential customers) and a willingness to evaluate real problems in each sector or service. The advantages of this approach are that it focuses on operational problems in each sector or service and that it results in practical, institution-specific recommendations. The disadvantages are that it may not identify and address the most important issues in a city and it tends to reinforce the existing sectoral structure or service delivery system.

b. Workshop-based Methods

Sometimes called 'action planning workshops', these are used to bring stakeholders together to design development projects. The purpose of such workshops is to begin and sustain stakeholder collaboration and foster a 'learning by doing' atmosphere. A trained facilitator guides stakeholders, who have diverse knowledge and interests, through a series of activities to build consensus. Appreciation Influence Control (AIC), Objectives-Oriented Project Planning (OOPP), and Team Up are three such methods.

c. Methods for Stakeholder Consultation

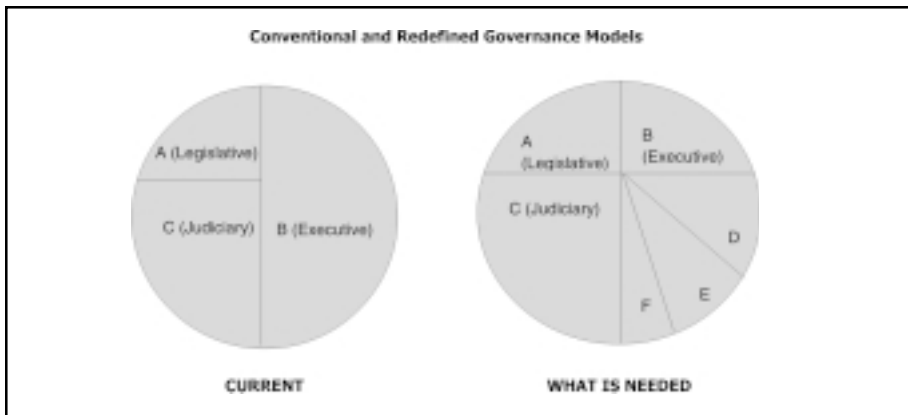
Beneficiary assessment (BA) is one of the techniques that focus on listening and consultation among a range of stakeholder groups. BA has been used throughout World Bank regions, in both projects and participatory poverty assessments (PPAs). The method intends to serve clients better by making donors and service providers aware of client priorities, preferences, and feedback.

Beneficiary assessment (BA)

BA is a systematic investigation of the perceptions of beneficiaries and other stakeholders to ensure that their concerns are heard and incorporated into project and policy formulation. BA's general purposes are to:

- a. Undertake systematic listening so as to 'give voice' to poor and other hard-to-reach beneficiaries thereby highlighting constraints to beneficiary participation and
- b. Obtain feedback on development intervention.

Essentially, the failures of public institutions in providing efficient and effective governance can lead to the emergence of institutions to fill-in the vacuum. In case of government failures, alternative institutions could be public-private partnerships, or non-governmental organisations such as non-profits, co-operative societies or commercial organisation (Virmani 2005). These partnerships offer a space for deliberation, collaboration, co-working and networking of different stakeholders - public and private. It is important to view such innovations in the light of broader objective of good governance, which at the moment is more concerned about governance reform. These autonomous institutions need to be nurtured as complementary institutions working towards better provision of services to the citizen.



(D-Private Sector, E-Local Government, F-Civil Society/Community)

d. Slum Networking Project in Ahmedabad

The Slum Networking Project was launched in 1995 by Ahmedabad Municipal Corporation (AMC), in partnership with SAATH and Arvind Mills. The Slum Networking Project (SNP), Ahmedabad is an innovative approach for the improvement of slums. The residents contribute a part of the total cost of infrastructure, while the AMC provides hardcore physical infrastructure. The NGO is responsible for community organization and mobilization. The SNP provides basic infrastructure in an affordable and sustainable way to the slums. The project motivates and facilitates the target communities, local NGOs and the private sector to work together in a unique partnership. The basic premise behind Slum Networking Programme is to provide the same level and quality of services as provided to mainstream citizens of Ahmedabad city. SNP has been scaled up with other local NGOs.

This is an excellent paradigm of partnership between the urban local bodies and civil society. This example can be replicated in Delhi for the development of commercial spaces and thus solve the problem of inadequate infrastructure.

e. Other Suggestions

- i. It was also observed during the study that even though the plans are good in theory they have failed to materialise. The reason for this is primarily inefficiency on the part of the employees. So it is suggested that some leadership and other training sessions should be conducted for the officials to enhance their performance.

- ii. Accounting reforms are also suggested to ensure better management and usage of funds.

- Prepared by Rajul Jain (student of BA Hons Economics at the Shri Ram College of Commerce, New Delhi)

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Traders on hunger strike against sealing.



Representatives of Traders Associations and Residents' Association meeting
Ajay Maken, then Minister of Urban Development and Sheila Dikshit, Chief
Minister of Delhi.

Displacement: Winners & Losers in Commonwealth Games 2010

1. Introduction

'See You in Delhi' was the message that India sent out to the world at the closing ceremony of the Melbourne Commonwealth Games 2006. And with the message, there started in Delhi, a phase of rapid development, be it the Games Village or the stadium, roads, and Metro Rail projects, all shot into a mode of dynamic frenzy.

But the aspect of games-entailed development this chapter strives to address is one over which there may be dispute if it can be classified as development at all. For, in the name of development itself, thousands of families residing in slum clusters on government-owned land were dislocated and resettled (at, mostly, not very convenient locations) so as to initiate projects of national importance and public good, or just for the sake of clearing up the land space that had been '*dirtied*' by the squalor residing on the aforesaid encroached property.

2. Why Eviction?

It is indisputable that building stadiums and other Games-related city infrastructure would translate into an *act of improving and refining the land* so as to be able to make it *useful* for better productive and *profitable* purposes. But is it really justified to displace homeless millions in the name of development with the intention to hide from the world the poverty and destitution that India is known for and Delhi is evidently ashamed of?

Two reasons are presented to answer why people were evicted. First, construction of the Games Village on the banks of River Yamuna required land and space which made necessary the displacement of slum clusters residing in Yamuna Pushta area. There was also the construction, repair, expansion and improvisation of The Village, stadiums and housing flats for the domestic sportspersons and accommodation for players and for tourists flying in for the Games.

Secondly, Delhi felt it imperative to welcome the world to the *Green Games* in a clean, systematic and *beautiful* city. Infrastructure and general beautification of the city required some citizens to sacrifice their habitat and livelihood. History has shown that world over this

process of 'cleaning up' the city has always resulted in eviction of those who are economically too weak and politically unrepresented.

3. Eviction: Gains and Losses

The urban poor of the city are settled in JJ colonies/clusters. The residents of these slum clusters form the core of the city; neither the elite upper class nor the industries and not even the government can do without. They are the low-wage labour class comprising of peons, drivers, domestic help, construction workers, guards, sweepers, rag pickers, hawkers and vendors, industrial and commercial workers and the list goes on. Many of them have been settled in their clusters since generations; they initially come as labourers in nearby construction sites and the *Jhuggis* are the only accommodation provided/available to them. Rather, given their socio-economic profile, and specifically their extremely low-income levels, they are forced to suffice with the worst kind of settlement. The projects get completed and buildings constructed but they stay on and settle down in those very *Jhuggis* to become encroachers of government land. Even though substandard housing is largely the consequence of poverty, there is also the effect of policy and financial constraints imposed on the government departments and agencies to provide adequate services for the poor.

What is ironic is that most of the 27,000 families displaced from Yamuna Pushta had actually come in as workers in the 1980s for construction of the Games Village and stadiums when Delhi was to host the Asiad Games, and are now being ushered away in the follow-up to the Commonwealth Games in 2010.

The site of relocation beholds the worst kinds of nightmares for these slum dwellers. Firstly, they have to move out of their 'homes' with all basic amenities and little luxuries of life (TV, cooler, fridge etc.) to a simple low-lying plot of land, prone to flooding in the rainy months. Here, they have no shelter, no water, no toilets, no health care, no transport; the water that is available is not potable, the toilets that are there are in a miserable state and often locked, medical services are not affordable, and schools are too far and too few, and definitely not good enough. The most heart-rending aspect of resettlement is the loss of livelihood. The sites being located on the outskirts means that there are no jobs in the vicinity and people tend to hold on to their older jobs forcing them to travel long distances (at times, 10 to 13 kms at a stretch) and hence, incur heavy expenditure on transport. Figure 1 and 2 shows how the resettlement colonies are all situated around the borders of the city, displaced right from the heart of the urban centre.

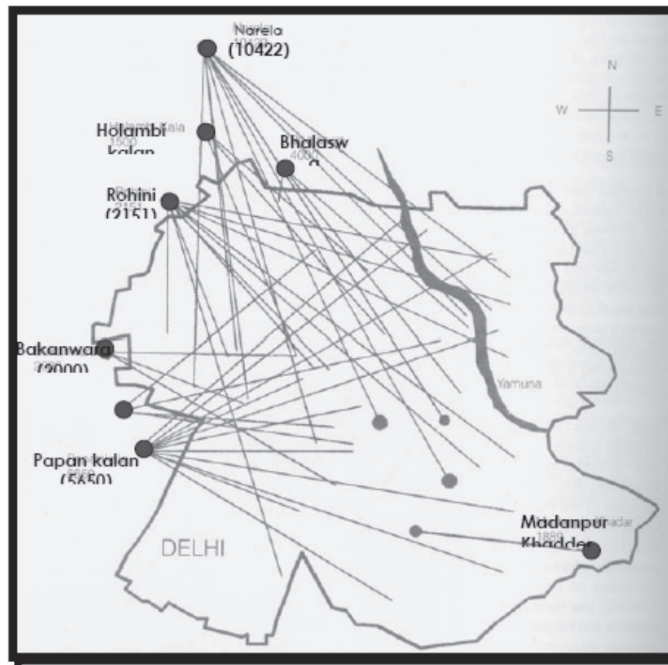
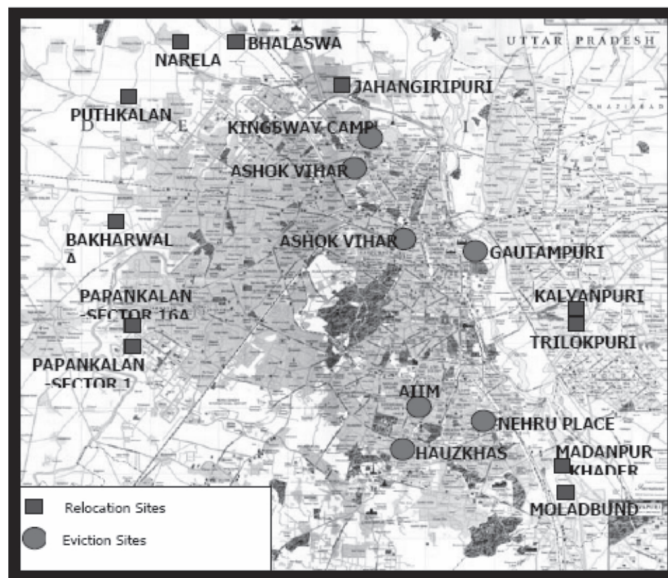


Figure 1: Relocation Sites and Relocated Clusters



(Source: Ch-06 Urban Poor and Slum, CDP of Delhi (2005). JNNURM¹)

Figure 2: Relocation Sites and Recent Eviction Sites

Not all those residing in slum clusters are allotted the plots. This is mostly due to lack of documentary proof of identity, residence etc. It is common for fire to break out in slums which often leads to the documents getting destroyed. Procedure for documentation is tedious and long and when the deadline given for eviction is short, as often has been the case, these slum dwellers fail to acquire the required documents and are forced to suffer in the hands of bureaucracy.

The only argument that the government perhaps has in favour of eviction of these JJ clusters is that they are built on government land and such establishment is lawfully an act of encroachment. It is also true that Delhi will soon no longer be able to support its growing population at the rate at which it is multiplying. Increasing urbanisation and rapid development have caused heavy human inflow from other cities to come to Delhi in search of employment, and these persons, on not finding well-paying jobs, have to suffice with shanty temporary structures where they then permanently settle down and the colony keeps on expanding as more and more add to the number. In fact, every year, 2 lakh migrants come to Delhi and slums add roughly 50,000 to Delhi's population,² clearly indicating that the land will no longer be able to provide housing or support these increasing numbers in the recent future. Under such conditions, it is but natural to try discouraging such colonies and rather accommodating them in largely uninhabited areas around the borders of the city.

It is not to deny that the government has long been weighing the pros against the cons of eviction but the fact remains that it has yet been unable to escape the dilemma and arrive at a conclusive, sustainable solution.

4. Policy Evolution

The government's policies along with their attitudes towards slum areas and JJ clusters have not been constant. They have varied a lot, from the 1960s to the present day. 'The change in attitude of the government' refers to the fact that the government has at times followed the policy with a vengeance while sometimes when it turned a blind eye, JJ clusters sprawled across the city.

The main difference between slums and JJ clusters is that while slums are legal the JJ clusters are illegal. JJ clusters being illegal are not entitled to any public services. Neither did the Slum Areas Act of 1956, the Act that governed the approach of the government toward notified slums, apply to them. Under the Slum Areas Act, 1956 the government dealt with slums either by way of clearance/relocation, in-situ up-gradation or environmental improvement schemes.

Since the Act did not apply to JJ clusters, the attitude towards dealing with them was basically clearance.

A large number of squatter colonies came up with mushrooming small-scale industries after independence leading to unregulated growth in Delhi. To curb this unregulated growth, the government constituted the Delhi Development Authority (DDA) in 1957.

The body with the authority and responsibility to control this haphazard growth has changed time and again. Initially, the DDA was responsible for handling JJ clusters. On 1 January 1960 this responsibility was shifted to the MCD and the S&JJ department was set up in the early 1960s.³ For eight years the MCD carried out resettlement of close to 50,000 squatter families before the responsibility of removal and resettlement was handed back to the DDA in 1968. In 1977 the Slum and JJ Department changed hands again, going back to the MCD. The DDA was given the authority for the same again in 1980.

After 1986, at the end of the Sixth Five-year Plan the policy of clearance and relocation was stopped. With focus on in-situ up-gradation, no major clearance was carried out until a Revised Resettlement Policy was brought out in 1992 by the DDA.⁴ The Slum and JJ Department is presently back with the MCD.

Following this, there was a three-pronged strategy followed by the Delhi Government comprising the following points:

- a. *In-situ* up-gradation
- b. Relocation
- c. Extension of the Urban Basic Services Programme (UBSP) through Environmental Improvement

a. *In-situ* upgradation

In-situ upgradation is only possible for a slum notified under the Slum Area Act of 1956, implying that only slums developed before 1990 are eligible for *in-situ* upgradation. It involves re-planning of JJ dwelling units in modified layouts by re-distributing the encroached land pockets among the squatter families. The JJ households are given sites of 10 to 12.5 sq. metres for construction of their own shelters.⁵

b. Relocation

The relocation scheme has been modified from time-to-time - the initial beneficiaries (3560 households) received two-room residences. The scheme was later modified and partially developed plots of 80 sq. metres

were given to squatters, which was further reduced to 40 sq metres and then to 25 sq. metres. Comparing this to the present scenario, some squatters relocated to Madanpur Khadar were allotted as little as 12 sq metres of undeveloped land when the colony was developed in 2002.

c. Extension of the Urban Basic Services Programme (UBSP) through Environmental Improvement

This Urban Basic Services Programme, initiated in the Seventh Five-year Plan in 1987, is meant for all JJ clusters, even those developed after 1990. It is integrated with the Environmental Improvement of Urban Slums (EIUS) programme and under the programme the government provides the following basic amenities to the slum:

- i. Pay and use *Jan Suvidha* complexes containing toilets and bathrooms
- ii. Water supply
- iii. Street lighting
- iv. Paved pathways and drains
- v. *Dalaos*/dustbins for domestic waste

5. Policy Criticism

Table 1 shows the amount of money spent by the Slum Wing of the MCD on slum rehabilitation and improvement programmes since 2002-03. It provides a check on the status of facilities and services that the government is obliged to provide to the displaced residents under the aforesaid scheme.

Under the above scheme, only plots are to be allotted to the slum dwellers without any physical structure/halls. Given their socio-economic status and their miserably low-income levels hovering just at/above minimum standards, it was quite unrealistic to expect them to be able to build their own *pakka* constructions. They were more likely to establish the same kind of temporary, *kuccha* structures called *Jhuggis* due to scarcity of availability of any kind of finance.

Hence, this policy of resettlement simply implied displacing a slum from one place to another. Moreover, it was unfair on them to be having their shelter and place of residence demolished and then forcibly shifted to a plain plot of land and also having to cough up an additional Rs. 7,000/- for it. Many of these dwellers even had their bulldozers run over their homes along with all their belongings of value and substance. Already having lost so much, from where are they expected to bring the money to provide themselves with a decent living?

Name of Schemes	10 th Plan Approved Out Lays	2002- 03	2003-04	2004- 05	2005-06
Night Shelter including Mobile	30	5.9	6.03	6.04	5.51
Relocation of Squatter	1200	-	-	-	-
Construction of Community Halls	50	11.2	6.03	6.57	18.22
In situ Up gradation of Slums and JJ Clusters	100	-	-	-	-
Environment Improvement in Urban Slums	100	55.6	19.7	18.8	19.95
Construction of Pay & Use Jan Suvidha Complex	50	10.0	10.0	8.60	3.9
Structural improvement and rehabilitation of Katras	100	22.5	28.2	25.7	18.57
Incremental Houses for Katra Dwellers	50	5.15	1.8	-	-
Shishu vatikas/common spaces in JJ clusters	25	5.51	4.4	1.3	13.19
National Slum Development Programme	1000	176.9	179.4	132.7	88.53
Study and preparation of perspective plan of sub standard area for next 20 years	50	-	-	-	-
TOTAL	2755	292.9	255.6	199.8	167.8

(Cited: CDP Delhi (Ch6 Urban Poor and Slum. Source: Slum Department, Municipal Corporation of Delhi, Delhi)

Table1: Financial Performance of Slum Improvement (Rs Million)¹

Perhaps in answer to these very problems and questions, from this year on, Delhi Government has formulated a new policy for resettlement of squatter families under which it has proposed to provide built-up flats instead of plots to the slum dwellers, economically weaker sections and the poor under JNNURM. The Government is also required to construct multi-storied dwelling units for slum dwellers under JNNURM in Dwarka, Rohini and Sawda Ghevra. In addition, the action plan for 2009-2010 for Slum & JJ Department consists of building up 15,500 flats at Bhalswa where 100 acres of land is available with the Department.²

6. Recommendations

It is ideal that the relocation sites be chosen such that they are not located very far (within 5 kms) from the JJ colony where the residents have been residing. Their place of work, schools for children, hospitals, and transport services would still be accessible, and the procedure would not alter their lives greatly. Also, the government would not have to provide for these services or sources of livelihood of slum dwellers separately as the previous ones would still be available.

However, in cases where such locations are not available that are within a convenient distance from the slum colony of displacement, such locations be provided for that are within 3-5 kms of a commercial, industrial or residential complex, so that job and livelihood prospects are not shattered.

2009 onwards the new policy requires the government to provide the displaced slum dwellers with not just plots, but built houses. Given that these colonies can mostly be located on the outskirts, where the livelihood opportunities are not as expansive as at their previous slum colony, it could be a good idea to employ the slum dwellers themselves, at minimum wages, in the construction of houses, sewers, water pipes, public toilets and perhaps even schools and hospitals.

Moreover, some local commercial complex could be provided for within the colony that may give them additional employment/business opportunities. The residents could be helped and encouraged to start small and simple shops for local hardware, telephone booths, toys, utensils, etc so as to create a market and hence, generate income in their mostly desolate environment. For this, it is absolutely necessary that loans be made available to them easily; even micro financing can be encouraged so that people are made capable of starting their own business, especially those who had to shut down their shops because of the relocation.

It often happens that the slums are demolished at very short notice. This results in heavy loss to the slum dwellers as they lose not only their homes but also all belongings of value. If they are aware of the eviction well in advance, say a month, and also know of their plot number and details, they will be able to arrange for sale of or movement of TVs, coolers, fridge, gas stoves, food grains, clothes etc. to their new allotted plot/built house.

There are numerous facilities listed in the policy that should be made available at the relocation sites. But it is observed, that basic amenities such as water, power, sewerage and public toilets are not

being provided by the government. There are not any complaint cells in the periphery and the police is mostly apathetic to their misery and even contributes to it by charging 'haftas' or bribes regularly from the residents. Therefore, it is essential that the colonies may be encouraged to form their own associations such as the RWAs, and these associations be given the duty of addressing community problems and communicating them to the concerned agencies.

It is often the opinion of people that the NGOs working in the areas are doing immense work for the residents, but they mostly work in isolation which creates limitations on the amount of work that can be done. They should thus be encouraged and incentivized to work in co-operation so as to be able to benefit the community on a larger scale.

There is no government information centre located within or around the colony to provide its residents with the information about the various government schemes for the girl child, for education, scholarships, health care etc. The problem here is not of ignorance, it is largely of inaccessibility.

Hence, there is dire need for the Government's programme of Mission Convergence to reach out to these people. The Government must establish Gender Resource Centres in all current and future relocation colonies to enable people to access information conveniently and correctly.

With these recommendations, it is hoped there will be a difference in the lives of those in hope for a better living by those who have the duty to provide one.

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Endnotes

- ¹ Jawaharlal Nehru National Urban Renewal Mission.
- ² Slum & JJ Department, Municipal Corporation of Delhi (MCD).
- ³ Entitlement to Services and Amenities in JJ Clusters, JJ Relocation Colonies and other Non-planned Settlements in Delhi: An Overview.
- ⁴ Delhi Urban Environment and Infrastructure Improvement Project.(February 2001). Policies and Strategies, Slum Upgrading Programme Part 3 Volume 1.
- ⁵ Delhi Urban Environment and Infrastructure Improvement Project.(February 2001). Policies and Strategies, Slum Upgrading Programme Part 3 Volume 1.
- ⁶ Slum Department, MCD.
- ⁷ Slum & JJ Wing, MCD.



Picture of Madanpur Khadar area, which has been resettled due to Commonwealth Games.

Commonwealth Games 2010: What Happens Next?

1. Introduction

‘Come Lets Play’! With this message Delhi is hoping to advertise and promote the upcoming mega event: the prestigious Commonwealth Games 2010. This is the first time that the Commonwealth Games will be held in India. The event is scheduled to be held between the 3rd and 14 October 2010. India is the third developing country, and the second Asian nation to be hosting the event after Jamaica (1966) and Malaysia (1998). India is set to host an event of this kind after nearly thirty years (after the Asian Games of 1982), hoping, in the process, to propel itself onto the world stage as an economic superpower, along with bringing about improvement within the hosting city itself in terms of infrastructure, and also promoting sports culture in the country as a whole. The Games ostensibly bring with them global media exposure which could in effect make or break India’s image on the global scene.

This chapter brings forward, among other things, certain issues gathered through the method of direct interaction with some key stakeholders, and through collecting and compiling information available from the concerned departments and from the internet. Based on the findings obtained from the above certain suggestions have been made to maximise the returns on this investment, to ensure efficient use and maintenance of the established infrastructure, to ensure its accessibility to all parts of the community and to promote sustainable development.

2. Commonwealth Games 2010: Infrastructure Projects

a. Facilities

Organisers of the Commonwealth Games 2010 are not only aiming at the provision of an improved infrastructure and global media exposure to transform the image of the city but are also aiming to provide a legacy that will ensure the social, economic and physical regeneration of the Delhi. The Games will help boost urban renewal and will promote increased investments. Of course the Games will leave behind world-class sports facilities which generations of Indian sportspersons can use whereby helping in promoting the sports culture in the country.

It can in fact be said that because of mega-events such as Commonwealth Games political and bureaucratic hurdles in the infrastructure sector get mitigated resulting in fast-track completion of big infrastructure projects which under normal circumstances could take upto 10 to 15 years to become a reality.

The facilities can be divided into the following:

i. Sporting Facilities

The existing venues will be upgraded so that the facilities become revenue earners to meet the operational costs during the legacy phase i.e. post-games phase. The following are some of the venues which are going to be used for the Games as well as for training purposes:

No.	Facility	Ownership	Pre-condition	During and after Games
1	Talkatora (Swimming)	Government	Roof in a bad state	Upgradation of the pool Air-conditioned hall – capacity of 10,000 – temporary capacity- 4,000
2	Major Dhyan Chand (Hockey)	Government	Not put into much use	Seating gallery redesigned A new warm up pitch Hostel- cum-media centre
3	Indira Gandhi Gymnasium	Government	Technological problems, leaking roof	Existing roof will be replaced A new warm-up hall and a multi-purpose hall Area will be used for business activities and for seminars after the Games
4	Nehru stadium (Athletics)	Government	More used for Bollywood events and political rallies than sports events	Partial open-close roof Upper tiers have bucket seats instead of concrete Linked to Delhi Metro rail
5	National stadium (Swimming/Diving)			1930 building-façade cannot be changed much. Night playing facilities, additional competition turf, hostel block to be served as media centre
6	Wrestling Hall (Wrestling)	Government	New construction	5000 seating capacity - 1000 permanent Would be used commercially after the Games
7	Karni Singh Shooting Range (shooting)	Government	Used as a training ground	A new 300 metre range Venue for finals of 10,15 and 25 metres events is being constructed To be used by Central Reserve Police Force

Table 1: Venues for Training Purposes

ii. Non-sporting Facilities

India is intensively preparing for the event in terms of infrastructure development and has a number of projects in the pipeline for the same. With the Asian Games in 1982, Delhi witnessed the building of its first flyovers and ring roads, and with another sporting event coming up in the country now the city is being given a virtual facelift that is inclusive of improved infrastructure, along with better and more organised road and transport networks.

A number of projects are being sub-contracted to private firms by the government to ensure timely and quality development. These include the upgradation of the *Indira Gandhi International Airport*, creation of an efficient transportation and road network consisting of metro rail and low-floor buses, building of hotels for guests and improvement of civic services such as power, water, hospitals and parking. The government has also taken-up projects relating to city beautification.

iii. Games Village

The Games Village is being touted as the most expensive of its kind in history, the expenditure being pegged at 230.7 million US dollars. A state of the art Commonwealth Games Village, which also includes a residential complex, is being developed along the east bank of river Yamuna near the Akshardham Temple by the Delhi Development Authority (DDA), an agency of the Government of Delhi and Commonwealth Games delivery partner. It is noteworthy that this site in itself has been embroiled in controversy since the very beginning for environmental reasons. It is being built by a Dubai-based real estate firm Emaar, in collaboration with an Indian enterprise, MGF. The Village is being designed to combine traditional Indian hospitality with standards of comfort and excellence, which the organizers claim, have never been seen before by participating nations.

The Games Village is spread over an area of 63.5 hectares (158.4 acres). The residential complex developed under the Public Private Partnership (PPP) model has 14 blocks, 34 towers and 1,168 air-conditioned flats to comfortably accommodate 8,000 athletes and team officials. There will be a number of apartment types ranging from two to five bedroom units, each with en-suite facilities which, with only two occupants per room, is the highest ratio of facilities provided for any Games ever held. Apart from this it will contain training areas for athletics (400m eight-lane synthetic track and separate area for throwing events); swimming (50x25m, kids and leisure pool); weightlifting; wrestling; and a fitness centre. Temporary structures

will house the International Zone, Village Operation and Support Areas.

The work for the same began in August 2007 and is on schedule: the Commonwealth Games Village is expected to be ready for use by March 2010. Not only is the Games Village located within easy access of all competition and training venues but it also lies in close proximity to some of Delhi's well-known landmarks such as the Bahai Temple, Humayun's Tomb, the Akshardham Temple and India Gate.

The amount of money spent on all the above stated facilities can be summarized as follows:

No.	Commonwealth Games 2010 Venues	Investment
1.	Games Village	950 crores
2.	Nehru Stadium at Lodhi	550 crores
3.	Indira Gandhi Stadium at ITO	512 crores
4.	Talkatora Stadium	295 crores
5.	Dhyan Chand Stadium at India Gate	125 crores
6.	Siri Fort Sports Complex	300 crores
7.	Yamuna Sports Complex	100 crores
8.	Saket Sports Complex	40 crores
9.	Thyagaraja Sports Complex	100 crores
9.	Additional Renovation	458 crores

Table 2: Expenditure on Facilities¹

The city of Delhi intends to invest an estimated Rs. 26,000 crores (\$6.5 billion) on city infrastructure, urban planning and sporting facilities in the context of the Games.

No	On What?	How much?
1.	Total CWG related construction of sports facilities: the venues mentioned above plus flyovers, roads, parking lots, etc	7,000 crores
2.	Metro Rail expansions	8,000 crores
3.	Airport modernization	5,400 crores
4.	Power plant in Bawana	5,000 crores
	Total on the above, plus sports specialty hospitals, cultural centres, five-star and budget hotels, etc	26,000 crores

Table 3: Breakdown of Project Costs

3. Key Stakeholders

The key stakeholders in this process are the Commonwealth Games Federation (CGF), the Indian Olympic Association (IOA), the Organising Committee (OC), the Government of Delhi comprising the Delhi Development Authority (DDA) and the Delhi Police, the Government of India comprising the Ministry of Home Affairs, the Ministry of External Affairs, the Ministry of Youth Affairs and Sports, the Ministry of Commerce and Industry, Ministry of Tourism and the Sports Authority of India (SAI), the participants in the Games and finally displaced persons and the citizens of the host city.

4. Impact on Various Sectors

The positive impact of the Games will be seen on city infrastructure, employment opportunities, economic investment in the region, transportation and road network, sports legacy in the country, volunteering culture, tourism industry, business opportunities, skill development and education, image of the country, cultural legacy and national fervour.

The attempts to make Delhi a world-class city have a large number of positive effects. However they do not come entirely devoid of their share of negative aspects. The possible negative impacts of the Commonwealth Games can be seen in terms of displacement of the marginalized communities, huge financial costs in executing this mega-event and risk of environmental damage. Other potentially adverse impacts include under-utilization of facilities after the Games, inability to attract a large number of spectators for the event, high infrastructure development costs, high opportunity cost of capital, skewed ownership structure - more government owned, less usage by public, problems of access, absence of long-term vision, potential to create chaos, no real public consultation or transparency in the planning process, gentrification and loss of public confidence. Criticism is also heard over not having accounted carefully for all post-Games expenses and for not receiving proper responses from the government to the concerns voiced regarding the post-game scenario.

5. Recommendations

India must take note of happenings around the world with respect to the organisation of such Games and pay careful heed to the negative impacts it can have due to lack of a proper policy on post-Games legacy use. Some ideas, suggestions and recommendations that can be efficiently put into use for successful operation of the Games and also

for the post-Games utilization of the facilities are:

- The focus should be primarily on delivering a successful event keeping in mind the legacy objectives (economic, social, cultural, civil, national, international) which are beneficial for the country as a whole during the Games and thereafter.
- Create a proper media strategy for worldwide exposure of the event as well as at the national, regional and sub-regional levels to create a transformed image of the city and country and also to inspire a sports culture.
- Monitor post-Games public opinion generally and attitudes towards the post-Games plan in particular.
- Clearly lay out the plan for the commercial use of new facilities after the event is over stating the role of the private and the public sectors.
- The information on firms, volunteers, employees etc can be used to make a database for potential use for other events, taking into account privacy requirements.
- Provide for a high standard of customer service with easily accessible customer-care helplines.
- Market visitor attractions wherever possible, using event tickets, printed information on the event and other information sources and media.
- Utilise local and national expertise for almost every event.
- Provide for a strategic link between the event and regeneration and employment wherever possible.
- Provide for integrated ticketing wherever possible and one-stop information on the main event as well as any associated events.
- Provide for efficient transport facilities to and from the venues.
- Provide for a safe, clean and attractive environment for visitors.

The key actions required to meet the above-mentioned objectives and to ensure efficient use of the infrastructure during as well as after the Games can be listed as follows:

- Partnerships developed during and after the Games can be built upon to allow public sector to play an important and active role in bidding for, funding and hosting major events.
- The role of the private sector can be increased in delivering major event strategies through measures such as developing

opportunities, providing regional businesses with avenues to showcase and further develop their businesses.

- Development of a core marketing strategy to clarify as well as state the position of the city/country in the world events' market.
- An Event Impact Assessment toolkit can be prepared which can be used to measure the estimated impact of events on various sectors of society and to measure its commercial value in the world market. This information would keep us better informed for future investments and biddings for such events.
- International sports federations, media and political bodies need to cooperate in order to stage an event successfully. In general, events improve political networks such as close partnerships with the central government. Network-building of this kind can then enable an understanding and the creation of a common interest for the mentioned entities, which are otherwise entirely separate bodies with separate objectives and separate areas of interest.

With regard to the sporting facilities being created the following strategies may be adopted for maximum returns:

a. Ownership

The ownership of the stadiums and sports complexes can be under a PPP model (Public Private Partnership) implying that government and private enterprises will share the risk of operating the stadium for more efficient management, use and maintenance of the venue and to provide accessibility to all sections of society, from the poor to the rich, from the urban to rural people.

The role of private players will be that of managing and maintaining the facilities which would enable them to earn profit by putting them to multiple uses such as renting venues for corporate seminars, conferences, events, etc Moreover such facilities can also be utilised by schools and universities, government schools in particular, where adequate sports facilities and equipment are hard to find. Such schools can be given concessions by the government to access them or to hold large-scale school events in the sports complexes or stadiums. A grass-root coaching programme can be created providing such facilities to all.

b. Housing

The DDA holds a 50% share in the housing created in the Commonwealth Games Village. The remaining share lies with Emaar MGF which has already begun the sale of the luxurious flats. Keeping this in mind it can be proposed that the flats under DDA may be auctioned or sold at the maximum price available and the money earned from the same can be transferred to the Slum Wing operational under the DDA for the construction of houses for displaced slum-dwellers.

Additionally the DDA can be made to declare a clause beforehand, in consultation with sports authorities and the government through an MoU, that a pre-decided amount of money earned from the sale/auction of the flats would be awarded to a particular number of Indian sportspersons and athletes to commend their performances during the Games as a an act of encouragement and motivation to athletes and sportspersons all over the country. This is also with particular emphasis on sports other than cricket, since we need to generate interest in other sports as well for which such encouragement is essential.

c. Returns on Investment and Other Uses

To gain maximum returns on the investments made a number of strategies can be employed, a few of which are listed below:

- i. Sale of tickets is an obvious way of generating returns. With widespread advertising and promotion of the event a sufficiently large audience can be attracted. Along with this in order to attract young audience some concession for students may be provided to draw them to the event, and in the long run, to sports as a career.
- ii. Facilities can be rented out for multiple uses such as seminars, conferences, concerts, events, fairs, programmes and other such events.
- iii. Selling naming rights of stadiums and sports complexes can be a good option. For instance when the main national stadium in Sydney was unable to garner profits the naming rights were sold to an Australian telecommunication company Telstra, which served to significantly offload the debt from the government.
- iv. Advertising and telecast rights of the event can be given to the highest bidding private players apart from Doordarshan.

- v. Corporate sponsorships can be encouraged. Also under CSR (Corporate Social Responsibility) of any individual enterprise there can be the provision of funding to sportspersons individually or collectively for training and other purposes. It would also help to lessen the burden of the government in providing trainers and funds, having the corporate sector invest in the same instead.

d. Parking

Parking areas can be used as parking spaces even after the Games and they can be rented out to nearby shopping centers, office buildings and residential apartments to be used by the general public.

e. Open Public Spaces

Open public spaces can be developed as beautiful green landscapes or to build commercial centers, educational institutions or public libraries. A sustainable and vibrant township can be created, operational 24 hours a day and 7 days a week which can help in generating investment and suitable and timely returns.

6. Conclusion

The city of Delhi is poised on the brink of radical transformation for the Commonwealth Games 2010. However it is important to keep in mind that while progress as an isolated process may be widely taken for a positive phenomenon it does not always come without a cost. An apt illustration of this principle is the preparation underway for the Games at this point which may not indicate too many obvious signs of negativity but a closer look reveals that it has more to it than development and improving the economy.

The world has already been witness to many such events and the experiences of other countries have been considered by aspiring bidders in order to build a strategy that minimises loss and maximises profit during the event as well as after. Whether such events do more harm than good is still a debatable issue since many of the benefits derived as well as adversities ensued are intangible. It therefore becomes crucial to scrutinize each event in detail, studying the unique characteristics which are also country-specific, in order to learn from the experience.

India, a developing country, as the host to one of the largest and most opulent Commonwealth Games the world has seen yet must therefore exercise extreme caution if it aims at forwarding its progress

as an economic superpower. The present plan for the Commonwealth Games may spell catastrophe in ecological as well as financial terms while there is also the possibility of the Games being instrumental in creating and presenting a new and improved face of the city and subsequently of the country in the global arena. They may herald a surge in the direction of progress or they may mark a downfall, the likes of which India never has had to face before. Popular perception tells us that the Asian Games was an unmitigated success but closer analysis brings out the fact that it is a little more complicated than that. For the Commonwealth Games to be a success on all fronts, benefiting all spheres, effective planning and implementation is essential with a crucial need at this moment for foresight in order to prevent the possible negative after-effects of the event while encouraging and strengthening the positive ones.

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Come 2010 Commonwealth Games, and there would be a demand for 20,000 hotel rooms in Delhi. But with only 6,000 rooms available as of now, tourists may be left high and dry



NO ROOM FOR 2010 VISITORS?

Come 2010 and voila, the city will be transformed into Shanghai/Singapore/Bangkok etc etc. We have been listening to this and more for some time now. Only the cows mooing on the road, the incessant and endless traffic jams and potholes the size of craters belie everything the government is promising before the Commonwealth Games. And along with the common people, the hospitality industry doesn't seem to be smiling too.

The reason: Delhi just doesn't have the infrastructure to accommodate the influx of tourists that the Commonwealth Games will bring along. A quick calculation explains the situation: For the 1.5 lakh tourists expected, there are just 6,000 rooms in Delhi, while the demand will be for over 20,000 rooms!

Chaos, circa 2010
As Manav Thadani, MD of HVS International, a global hospitality consulting firm

says, "Currently, there are approximately 6,000 rooms in the NCR market. The supply should double to 12,000 by 2010 to meet the regular demand. For the Commonwealth Games specifically, we probably need an additional 8,000 or a total of 20,000 rooms."

In fact, industry insiders would classify the present situation as drastic. Gautam Anand of TTC Group of Hotels says, "It is obvious that come 2010, there is going to be utter chaos - because the gap between demand and supply will be over 50 per cent."

Which is why most of the hotels are looking at expansion. "We cannot add to the

444 rooms that we have. But we will work on it. We are also looking for properties in Noida, and other areas, but all the plans are too nascent to talk about," says Anjali Chatterjee, GM, marketing and communications, Grand Intercontinental.

The current scenario
Going purely by the room count, luxury rooms constitute 55 per cent, mid-market 30 per cent and budget hotels 15 per cent of the available capacity, reveal HVS statistics. If the expansion plans of the luxury hotels are approved by the government, then the situation would correct itself, feels Thadani.

And there lies the big 'if'. For, as Vinod Sharma of Hotel Ashok points out, "Both the government and the private-owned hotels are waiting for approvals. We are waiting for the ministry of tourism to sanction funds. Then we can renovate the hotel to be at par with international standards. And if the MCD changes the norms, then we can actually build another hotel of 150 rooms right within the complex."

As of now, 40 hotels are in different stages of development in Delhi and NCR, which total up to 8,500 rooms. This is not taking into account the

DDA auction of sites where the work is yet to start.

Making the grade
As of now, the hotel industry has put a question mark in front of the DDA auctions. They feel that the DDA announcement of auctions is totally misplaced and not really helping matters. Most of the hotel locations like Shastri Park, Paschim Vihar and Shalimar Bagh are not what would be described as Grade A by international standards. Also, by putting in high rates for bidding, the government seems to be encouraging only luxury hotels and not budget hotels.

The tourism ministry and bureaucracy, meanwhile, say that they will go according to the "plan". But when does the work start? "While we have no completion date in place till now, we are sure the work will be done in time for the Games," says an official.

What after 2010?
But the dilemma for the hotel investors is: What happens to the excess capacity of rooms post 2010? Though most of them are quick to paint a rosy picture. "If there is the capacity, we can always create a demand. If we have world-class facilities, even tourism will get a boost," feels Gautam. Echoes NC Somanah of Radisson MBD, "After the '82 Asian Games, a few hotels went through a rough patch before breaking even. I guess we will go through the same cycle once again - but with the growing demand from the corporate sector and the leisure market, I'd say in a couple of years post 2010, most hotels can break even."

JYOTHI PRABHAKAR

public services

Public Services



- ❖ Reforming the Police: How Does Delhi Fare?
- ❖ National Means cum Merit Scholarship Scheme: Delhi's Experience
- ❖ What Ails & Heals Delhi's Healthcare
- ❖ Department of Art & Culture & Department of Archaeology

Reforming the Police: How does Delhi Fare?

Delhi does not deserve the police that it has. As residents in the national capital of the largest democracy in the world, the people of Delhi are entitled to a police service that is accountable and professional. In a democracy the police are not mere *enforcers* alone. They are *upholders* of the law. Enforcement has the connotation of unquestionable authority with unfettered power. The notion of upholding the law suggests that the police must always act in accordance with the law, never be outside it and ever be answerable to it. Yet, since the inception of the human rights commissions throughout India, the highest number of complaints to come before them have been of violations allegedly committed by the police.¹

The fact is that law enforcement in Delhi and India enjoy so little confidence from the common man that public perception surveys indicate that the police are viewed as the most corrupt sector after political parties.² Today, even when the police do the right thing and their actions are credible, there are few who will believe them because their reputation is so damaged. The poor standing of the Delhi Police has been achieved after years of inefficiency and ineffectiveness. First, it is important to understand how the Delhi Police are governed and structured.

Delhi Police

In 1978 the Delhi Police Act was passed and the Commissionerate system of policing was introduced.³ 'Prevention, investigation and detection of crime, as well as maintenance of law and order, are the important functions of the Delhi Police.'⁴ In order to accomplish those tasks, Delhi has been divided into three ranges and each range is headed by an officer of the rank of Joint Commissioner of Police. These ranges have been further subdivided into 10 Districts, each headed by a Deputy Commissioner of Police (DCP).⁵ Reporting to the DCP are the Station House Officers (rank of Inspector) who are responsible for registering First Information Reports (FIRs), helping trauma victims, assisting victims of crime and getting the help of civil society in community policing related projects. This is all done under the supervision of the DCP. In addition to all these duties and functions the Delhi Police also has a separate Crime Branch. This 'elite' unit handles specialised cases pertaining to homicide, armed robbery, kidnapping, extortion, and bomb threats.

The Delhi Police have to contend with an exceptionally high crime rate. The Delhi crime rate of 319.1 in 2007 stands way above the national average of 175.1. Similarly, Delhi's violent crime rate of 26.6 is above the all-India average of 19.0.⁶ In 2007, Delhi accounted for 15.1% of total Indian Penal Code crimes reported from 35 mega cities.⁷ Delhi particularly stands out among the mega cities with regards to crime against women, reporting 29.5% of total rape cases, 31.8% cases of kidnapping of women, 15.6% cases of dowry deaths, 14.2% cases of cruelty by husband and relatives and 21.5% cases of molestation.⁸

In terms of resources assigned to Delhi Police so that they may effectively address the high rates of crime, Delhi ranks third among states and union territories in terms of per capita expenditure on the police. In 2007, it spent Rs 257,387 per policeman, as compared to the national average of Rs 159,396 per policeman.⁹ Delhi also has the highest density of policemen in the country – in 2007 there were 3953.1 policemen per 100 sq. km as compared to the national average of 45.0.¹⁰

Yet, despite the tremendous resources that have been allocated to Delhi, the performance of police services in the National Capital are no better than elsewhere in India. After Madhya Pradesh, the Delhi records the second highest number of complaints against police personnel. In fact, Delhi received 5,786 out of a total of 51,767 complaints (11.2%)¹¹. The National Human Rights Commission has seen a rise in cases registered from Delhi from 2002-05. In 2004-2005, Delhi was second only to Uttar Pradesh in the number of cases of human rights violations registered by the NHRC. The NHRC registered 5,264 cases from Delhi out of a total of 74,401 total cases (7.1%).

Cumulatively, the poor everyday performance of the police, along with the rising crime rate and high public dissatisfaction, make it obvious that the Delhi Police are desperately in need of reform. In addition to a well-deserved reputation of corruption, abuse and generally not being public-friendly, the Delhi Police have their own share of problems. They suffer from tremendous political inference, the working conditions of the rank and file are pitiable, and issues relating to recruitment and training have remained unaddressed.

Delhi's experience of poor policing is not unique. Throughout India, law enforcement has a long history of unaccountable behaviour that is a result of internal mismanagement and illegitimate external political interference. Consequently, there have been repeated demands for police reform in this country. In 1979 the National Police Commission (NPC) was set up to report on policing and give recommendations for reform. The Commission produced eight reports,

which included dozens of specific recommendations. However, nothing was done to implement the NPC's findings.

In 1996, two retired DGP's Prakash Singh and N K Singh filed a petition in the Supreme Court asking state governments to implement the recommendations made by the NPC. In the course of the 10-year long case, in 1998 the Court set up the Ribeiro Committee which handed in its reports in 1999. This was followed by the Padmanabhaiah Committee report in 2000 and eventually the Police Act Drafting Committee (PADC or Soli Sorabjee Committee) that drafted a new model police bill to replace the colonial 1861 Police Act. Meanwhile, very little was ever done on the ground to improve policing or implement recommendations put forth by any of these committees or commissions.

Prakash Singh: The Judge ment and its Impact for Delhi

Finally in 2006, a decade after the initial petition was filed, the Apex Court delivered a judgement in *Prakash Singh & Others vs. Union of India & Others* directing all states and union territories to comply with its directives on police reform. What was positive about the judgement, even though it took ten years, was the fact that the directives were binding. However, three years and many hearings later, the process of reform is limping along with almost all states refusing to comply with the letter and spirit of the directives. The Court has set up a Monitoring Committee to look into compliance of the states and union territories. The table¹² below gives an indication of the long arduous journey that police reform in India has had to take till date.

Date	Journey of Police Reforms in India
1996	<ul style="list-style-type: none">Two retired DGP's, Prakash Singh & N K Singh, file a public interest litigation in the Supreme Court
22 September 2006	<ul style="list-style-type: none">Court Delivers judgement on the petition.Passes seven directives to be <i>implemented by</i> state and central governments by 31 December 2006.Gives States until 3 January to comply
11 January 2007	<ul style="list-style-type: none">Hearing on compliance. Request for extension by states.Six States file separate review petitions.Supreme Court rejects review petitions and orders immediate compliance of directives 2, 3 & 5 while extending deadline for compliance of directives 1, 4, 6 & 7 by three months
31 March 2007	<ul style="list-style-type: none">Extension for implementation of directives 1,4,6 & 7
10 April 2007	<ul style="list-style-type: none">Deadline to file affidavits of compliance
23 August 2007	<ul style="list-style-type: none">Prakash Singh files contempt petitions against six states: Gujarat, Punjab, Maharashtra, Karnataka, Tamil Nadu, Uttar Pradesh
23 August 2007	<ul style="list-style-type: none">Supreme Court dismisses review petitions filed in January

14 December 2007	<ul style="list-style-type: none"> Hearing on contempt petitions filed by Prakash Singh. Court makes no ruling on merits and grants a further extension of 6 weeks to all states and union territories to file affidavits of compliance.
13 March 2008	<ul style="list-style-type: none"> Court hearing and deadline for States to file compliance report
28 April 2008	<ul style="list-style-type: none"> Supreme Court considers establishing a Monitoring Committee (MC)
16 May 2008	<ul style="list-style-type: none"> Supreme Court passes an order to set up the MC
18 December 2008	<ul style="list-style-type: none"> Supreme Court hearing declines to rule on contempt before the Monitoring Committee's report
	<ul style="list-style-type: none"> Monitoring Committee continues to report every six months to the Court on compliance levels

The Apex Court's judgement on the Prakash Singh case compelled the Central and state governments to make seven major changes that would - if taken together in the spirit of the judgement - tackle the major ills that plague policing today. Simply put, these ills relate to: ensuring the police are at arms length from illegitimate political interference, have professionalised internal systems of management based on transparent criteria, and are much more accountable.

Delhi's current status vis-à-vis compliance with the Supreme Court judgement is shockingly abysmal. Being the national capital, many would reasonably expect Delhi to lead the way in honouring directives issued by the highest judicial body in the country. However, with the Delhi Government and the Centre constantly debating over whom has the responsibility to implement the reforms demanded by the Supreme Court, the result has been inaction by all parties involved. The below is a description of what the Supreme Court has precisely directed governments throughout India to implement and Delhi's performance regarding the same.

Seven Steps to Reforming the Police: How Does Delhi Fare?

Step 1: Set up of a State Security Commission

The Supreme Court directed the appointment of a State Security Commission (SSC) to ensure that the State Government does not exercise unwarranted influence or pressure on the police and for laying down the broad policy guidelines so that the State Police always acts according to the laws of the land and the Constitution of the country.

The SSC is a body made up of the responsible minister, the leader of the opposition, other elected representatives, experts, and credible members of civil society. This is to ensure that policing is a bipartisan subject that is not merely controlled by the ruling party. Having an independent body with properly appointed people creates a panel

from which the Chief Minister can choose the chief of police and which can, in conjunction with government and police, lay down overall policing policy for the state that is unbiased.

No police with all its powers can be completely independent of all executive control. That would be wrong and was never the Court's intention. The responsibility of the political executive and the operational responsibility of the police are interlinked spheres. But the control and supervision of the police by the political executive has to be conditioned so that each one's powers and spheres of responsibility are specifically put down in a way that there is no room for ambivalence or overlap.

DELHI: There has been no movement to establish an SSC for Delhi. The NCT Government has stated that it has no authority to make and enact laws pertaining to policing and thus have done nothing to create an SSC or any similar entity that ensures a reduction in illegitimate interference of police operations.

Though the NCT Government may be correct regarding the jurisdictional nature of the directive, the fact is that the Union Government has failed to act as well. It has suggested to the Court that *one* SSC ought to look into all the Union Territories, but the Union Government has failed to even deliver on this alternative. The continued absence of an SSC, despite the Supreme Court's dismissal of all review petitions submitted before it, indicates a sustained reluctance on the part of the Union Government to honour the *Prakash Singh* judgement. Meanwhile, the national capital continues to have a police service without an SSC, an entity that would increase efficiency and better service delivery by neutralising outside interference in police work.

Step 2: Selection and Tenure of the Director General of Police

The Court directed that the Director General of Police (DGP) should be appointed from one of three officers nominated by the Union Public Service Commission. These nominees will be selected on the basis of seniority, career record and range of experience. He/she will head the police force with a minimum tenure of two years. The state government can take disciplinary action, acting in consultation with the SSC and under the All India Services (Discipline and Appeal) Rules, if it deems the officer to have acted improperly.

Currently, there is arbitrariness in the selection of DGPs. Appointments are usually made on considerations of personal preference. The post of the DGP is also held at the caprice of the political

executive leading to uncertainty of office and tenure. This directive ensures that the Chief Minister can choose a DGP from candidates that have been recommended on the basis of transparent and objective criteria. This way the chosen DGP is assumed to enjoy the trust of the political executive, the police service and the public. It would therefore be anomalous if the executive could remove the head of police at will. Hence, the Court has provided for a minimum tenure of two years for the DGP. The grounds for removal prior to the two year period must be in accordance with the laid down law.

DELHI: To date, neither the NCT Government nor the Union Government has passed any order or legislation guaranteeing the Commissioner of Delhi Police tenure of two years. In addition, neither level of government has articulated the criteria for selection (or removal) of the Commissioner of Delhi Police. The Union Government has issued an advisory to Union Territories, including Delhi, which states that “it is *advised* that...it *may be* ensured that the tenure of the police officers at key functional positions is kept, *as far as possible*, at a minimum of two years” (emphasis added). The use of such permissive wording demonstrates that the intent of the Union Government to implement this directive in Delhi is extremely weak. As a result, the Commissioner of Delhi Police continues to be hard-pressed to discharge his duties without fear or favour. No action has been taken to bring the process for selecting and removing the Commissioner of Police in line with the Supreme Court judgement.

Step 3: Tenure of Police Officers on Operational Duties

The Apex Court also recommended a fixed tenure of two years for police officers on operational duties in the field like the Inspector General of Police in-charge of a Zone, Deputy Inspector General of Police in-charge of a Range, Superintendent of Police in-charge of a district, and Station House Officer in-charge of a Police Station. Officers on operational duties are arbitrarily and frequently transferred at the behest of influential third parties. These transfers are done as means to punish and reward and are rarely related to actual policing requirements.

This Supreme Court direction ensures that police officers on operational duties in the field have the necessary protection to better withstand undue political interference. Further, it gives them time to properly understand the needs of their jurisdictions and do justice to their jobs.

DELHI: The NCT Government and the Union Government have not properly abided by the Supreme Court's directive on tenure for officers on operational duties. The Delhi Government claims that "stable tenure" has been provided to officers on operational duties, but there is no order or legislation that supports this assertion. Moreover, the Union Government has issued an advisory to all states (including Delhi) whereby "it is *advised* that...it *may be* ensured that the tenure of the police officers at key functional positions is kept, *as far as possible*, at a minimum of two years." This extraordinarily permissive language means that no concrete effort has been put in place to respect the letter and spirit of this particular directive. In the absence of any steps taken to comply with this directive, rampant interference continues to plague the Delhi Police.

Step 4: Separation of Investigation from Law & Order

The Court also recommended a phased separation of the investigating police from the law and order police. This is meant to ensure speedier investigation, better expertise and improved rapport with the people. The Court also directs the states to ensure close cooperation between the two arms for better resolution of cases.

Both investigation and law and order are vital and specific police functions. In order to encourage specialisation and upgrade overall performance, the Court has ordered a gradual separation of investigative and law and order wings, starting with towns and urban areas with a population of one million or more. It is felt that this will streamline policing, ensure speedier and more effective investigation and improved rapport with the people. The Court has not said how this separation is to take place in practice but clearly indicates that there must be full coordination between the two wings of the police.

DELHI: In what is a rare instance of compliance with the Apex Court's directives, the Delhi Government has issued orders to separate the law and order machinery from the investigation arm of the police. In an affidavit filed before the Supreme Court former the Commissioner of Police indicated that "the process for the separation from law & order duties is under progress and an Inspector (Investigation) has been posted in each of the Police Stations." The order also nominates selected investigation officers that are to be dedicated to investigation and largely exempt from other routine duties. This is indeed a step in the right direction.

Step 5: Establishment of a Police Establishment Board

The Supreme Court also directed the establishment of a Police Establishment Board (PEB) in each state. The PEB which would be a departmental body comprising the DGP and four other senior officers of the department would decide all transfers, postings, promotions and other service-related issues of officers at (and below) the rank of Deputy Superintendent of Police. The PEB would also function as a forum of appeal for officers (Superintendent of Police and above) who have issues regarding promotion, transfer/disciplinary proceedings, or being subjected to illegal orders.

Subjective appointments, transfers and promotions within the police force lead to influence peddling and patronage on the one hand and uncertainty fear and de-motivation on the other. In effect, the Board is intended to bring these crucial service related matters largely under police control. Government's role lies in appointing and managing the senior police leadership. However, service-related matters of other ranks should be internal matters. Given the prevailing illegitimate political interference in decisions regarding police appointments, transfers and promotions in India, this statutory demarcation is absolutely required in order to decrease corruption and patronage.

DELHI: When a Chief Minister's conference was scheduled in New Delhi on 17 August 2009, it was announced that the Centre is moving to set up Police Establishment Boards in the National Capital Territory of Delhi and other Union Territories. Reports indicate that Union Home Minister P Chidambaram has already cleared a proposal to this effect and that legal vetting of the proposal is underway.¹³ It is expected that the PEB for Delhi will fix the tenure of all officers, starting from the Commissioner down to the Sub Inspector.

Step 6: Set up of Police Complaints Authorities

The sixth recommendation issued by the Court was for states to constitute a Police Complaints Authority (PCA) at both the district level (to look into complaints against police officers of and up to the rank of the Deputy Superintendent of Police), and at the state level (to look into complaints against officers of the rank of Superintendent of Police and above).

The PCAs are meant to address the lack of police accountability for everyday performance, as well as serious violations and abuse of power by the police. The PCA should comprised of diverse civilians (experts or otherwise) who represent various segments of society. Its

mandate is to examine complaints from the public against the police for a variety of criminal and disciplinary acts. The powers of these authorities can be recommendatory or binding. Generally, the PCAs that have been established are not fully provisioned and are hardly known. In addition, their design is faulty and their powers weak. Any impact they will have will take a long time to discern.

DELHI: Neither the NCT Government nor the Union Government has constituted a PCA for Delhi. In an affidavit submitted to the Supreme Court, the former Commissioner and the NCT Government expressed reservation about the utility of a complaints authority. They argued that review authorities for police misconduct already exist. Their argument failed to appreciate that the PCAs recommendations would be binding (and therefore more likely to improve police behaviour), and the body would only deal with police abuse (and therefore possess specialised skills and knowledge on the matter of better policing).

Step 7: Set up of a National Security Commission

The final directive issued by the Court called for the establishment of a National Security Commission at the Union level, headed by the Union Home Minister and comprising the heads of the Central Police Organisations (CPOs) and some security experts as members. This body would be responsible for nominating potential candidates as Chiefs of the CPO's. Selected individuals would also be given a minimum tenure of two years and for reviewing the service conditions of the CPO personnel.

DELHI: This directive pertains to policing at the national level and does not directly relate to Delhi.

Conclusion

With policing in Delhi and the rest of India unaccountable, unprofessional and under funded, and with governments throughout the country (including Delhi) refusing to take the necessary steps to reform the situation, one can only guess when Indian citizens will get the democratic form of policing they deserve. As taxpayers and citizens of Delhi, we are each entitled to a police service that is responsive, understanding, effective and efficient. However, with police continuing to be politicised, institutionalised corruption being the norm, and insufficient review of police misconduct prevailing, the people of Delhi are in possession of a police 'service' that operates aggressively and

with impunity. In order to change that dynamic it is incumbent on each of us to demand of our elected representatives that they implement the necessary reforms to improve police functioning. The solutions are known and achievable; what is required is the political will to usher in those changes.

**- Prepared by Athar Khan, Navaz Kotwal & Sanjay Patil
Commonwealth Human Rights Initiative (CHRI)**

Endnotes

- i. A full range of the most serious police excesses are the regular features of complaints: refusal to register complaints, custodial deaths and violence, extrajudicial killings, illegal arrest and detention, disappearances, false implication and crimes against women.
- ii. Transparency International website: http://www.transparency.org/news_room/in_focus/2007/gcb_2007#critical.
- iii. Government of Delhi website: http://dcw.delhigovt.nic.in/structure_CICs.htm.
- iv. Ibid.
- v. Ibid.
- vi. *Crime in India 2007- Charts*: http://ncrb.nic.in/cii2007/cii-2007/CII_CHARTS07.pdf.
- vii. *Crime in India- Snapshots 2007*: <http://ncrb.nic.in/cii2007/cii-2007/Snapshots.pdf>.
- viii. Ibid.
- ix. *Crime in India 2007- Chapter 17*: <http://ncrb.nic.in/cii2007/cii-2007/CHAP17.pdf>.
- x. Ibid.
- xi. *Crime in India 2007- Chapter 16*: <http://ncrb.nic.in/cii2007/cii-2007/CHAP16.pdf>.
- xii. CHRI, 'Seven Steps to Police Reforms', www.humanrightsinitiative.org as on 25 August 2009.
- xiii. Rao, Raghvendra, "To insulate police from netas, Government to let Delhi show the way," *Indian Express*, 18 August 2009: <http://www.indianexpress.com/news/to-insulate-police-from-netas-govt-to-let-delhi-show-the-way/503353/> as on 28 August 2009.

National Means cum Merit Scholarship Scheme: Delhi's Experience

1. Introduction

'Universalisation of education' has been a high aimed objective of the Government of India right since the time of independence. Though the efforts have been inadequate and slow the government is taking steps in the right direction in order to make primary and secondary education available to all the children in the country. The nationwide '*Sarva Shiksha Abhiyan*' launched by the Government of India was a welcome step with regard to elementary education. Coupled with such programmes the government has also offered scholarship schemes for aiding the needy students so that they are able to complete their schooling. The National Merit-cum-Means Scholarship Scheme (NMMS Scheme) is one such programme that aims to reduce the dropout rates from classes IX to XII. This nationwide Scheme was announced by the former Finance Minister Mr. P Chidambaram in the *2007-08 Annual Budget*.

The Scheme not only aims at helping the students who are financially weak but also takes their merit into account. Only the students who are able to prove their mettle in a specially conducted examination earn the scholarship for the rest of the years in school.

Acknowledging the steps taken by the government to promote the potential talent in the country which could have been otherwise lying latent due to lack of finances, this chapter seeks to review this Scheme with respect to its concept, objectives, implementation, access and the success achieved so far. The state of Delhi is taken as a sample in order to analyse the implementation and success of the Scheme. In this regard the duties and responsibilities of each of the stakeholders are explored with a direct reference of what remains to be done. In the end, the chapter concludes by an analysis of the success of the Scheme in respect of two fundamental aspects: efficiency and effectiveness. Certain recommendations are proposed for enabling the Scheme to be a greater success in the coming years.

2. The NMMS Scheme

The NMMS Scheme was designed by the Ministry of Human Resource and Development (MHRD) to give away one lakh scholarships to students in class VIII all over the country.

a. Objective

The objective of the Scheme is to reduce the dropout rates from classes IX to XII. The Scheme seeks to encourage and support the students from the weaker sections of the society by giving them financial support so that they are not compelled to leave their education due to non-availability of finances. The merit criterion is introduced so that the talented and meritorious students are able to get the scholarship. The need criterion is fixed with respect to annual income of parents so that only the most deserving students get the money.

b. Scholarship

The government proposed to give 1 lakh scholarships to the meritorious students whose parental income is not more than Rs. 1.5 lakhs per annum. The students are given an amount of Rs. 6,000 per year or Rs. 500 per month under the Scheme which is deposited directly into the bank account opened in the name of the student. The money is provided on a quarterly basis for a period of four years from class IX to class XII. Students studying in government schools, local body schools or government-aided schools are eligible for this Scheme.

c. Quota for States and Districts

Each state or union territory has a fixed quota of scholarships which is decided on the basis of enrollment in class VII and VIII and on population of the children in the concerned age group. This quota is fixed by the MHRD for all states. For fixing the scholarship to states/UTs, $2/3^{\text{rd}}$ weightage is given to enrollment of students in classes VII and VIII and $1/3^{\text{rd}}$ weightage is given to population of children of relative age group for classes VII and VIII. The quota for Delhi was fixed at 1,576 scholarships.

The state governments then set a district-wise quota within the state on similar lines. There is also a quota set for students belonging to different categories. For Delhi, there is 15% reservation for the students belonging to the Scheduled Castes, 7.5% for the students from the Scheduled Tribes and 3% reservation is for the physically challenged students.

d. Examination

The state governments conduct the examination for the Scheme. For Delhi, it is done by the Directorate of Education (DoE), Science Branch. The National Talent Search (NTS) examination already being conducted in every state is used for this Scheme. Only for the first

exam conducted in August 2008 was there a separate exam. The students are tested on the basis of:

- i. Mental Ability Test (MAT) that consists of 90 multiple-choice questions testing verbal and non-verbal meta-cognitive abilities like reasoning and critical thinking. The questions in the test may be on analogy, classification, numerical series, pattern perception, hidden figures etc.
- ii. Scholastic Aptitude Test (SAT) which consists of 90 multiple-choice questions covering subjects namely science, social studies and mathematics as taught in classes VII and VIII. The examination is conducted on the basis of the guidelines received from the NCERT.

e. Declaration of Results

For selecting the students the following conditions may apply:

- i. The students must pass both the tests i.e. MAT and SAT with at least 40% marks in each. For the reserved category, this cut off is 32% marks.
- ii. The parental income of the students should not be more than Rs. 1.5 lakhs per annum from all sources.
- iii. At the time of selection the candidate must have scored at least 55% marks or equivalent grade in class VIII examination. There is a 5% relaxation for SC/ST.
- iv. The awardees should satisfy the eligibilities and the conditions mentioned in the Scheme.

f. General Eligibility Conditions

An awardee is eligible for the scholarship on the following conditions:

- i. The awardee takes up studies in approved courses.
- ii. The awardee maintains good conduct as certified by the Head of the college/institution and continues his/her studies as a regular student in government/local body/government-aided school.
- iii. The awardee does not absent himself/ herself without proper leave.
- iv. The awardee takes up studies on a whole-time basis.
- v. The awardee does not take up any job.
- vi. The awardee has a minimum of 55% marks or equivalent

grade in class VII examination for appearing for selection test for award of scholarship (relaxable by 5% for SC/ST).

- vii No claim for scholarship arrears will be entertained after the expiry of 12 months of the academic session for which one has applied for the claim. In case any awardee leaves his/her course of study within one month of registration/admission no scholarship shall be paid to him/her.
- viii In case an awardee is not able to appear at the annual examination due to serious illness, the awardee should send the medical certificate through the Head of the institution within three months of one's falling ill. The duration of illness should be clearly certified by a specialist, who should be a registered medical practitioner. The facility will be available to the awardee to continue the same course in which she is studying provided the Principal or the Head of the institution certifies that the overall performance of the awardee during the year is 50% or above.
- ix The awardee must join the next class/desired course within 3 months of the declaration of the result of the previous class/course.
- x Scholarship shall be deemed to be discontinued if a gap of one academic session ensues in studies at any time due to any reason.

Eligibility and Other Conditions for Starting and Continuing of Scholarship at Secondary and Higher Secondary Stage

- i. The awardees should get clear promotion from class VIII to class IX for being eligible for the scholarship.
- ii. For continuing the scholarship in classes X and XII the awardees should get clear promotion from class IX to class X and from class XI to class XII in the first attempt with 55% marks (relaxable by 5% for SC/ST).
- iii. The awardees must obtain a minimum of 60% marks in class X examination or equivalent examination (relaxable by 5% for SC/ST) for continuation of the scholarship at higher secondary stage.
- iv. In case an institution does not conduct an examination at the end of class IX and/or class XI, the scholarship for the second year will be continued on the submission of a certificate to this effect from the Head of the institution.

3. The Problems

a. Low Pass Percentage

The low pass percentage of students poses a larger question on the quality of education in government schools and the relevance of school examinations. It was admitted by the officers in the DoE that because of higher standards of education in public schools, the students from those schools were able to corner all the places in the National Talent Search Examination and hence NMMS Scheme was specifically designed only for the government schools to help the actual needy and meritorious students. But even in this exam only about 40% scholarships were given out because the students were unable to pass. This percentage dropped to 13.6% in the second exam. This poses a serious question as to why the students of government schools who score 80-90% marks in the X class board examinations are not able to get even 40% marks to pass the scholarship test. The sample paper obtained from the DoE shows that the paper consists of 90 multiple-choice questions of MAT and SAT each and minimum of 72 in total have to be answered correctly to pass the examination.

b. Lack of Awareness

A major problem observed among the students was lack of awareness of the NMMS Scheme. Even the students who have passed the examination did not know exactly how they are going to receive the money. They have opened the bank account but they do not know its purpose. The students do not know the details of the Scheme and the minimum percentage of marks they would have to get in class IX in order to avail the scholarship next year. Some of the students were not aware about the kind of exam before appearing for it. The DoE claims to have given an information brochure with the sample paper to every applicant. But the responses collected from the students reveal that no such information was provided. Whether it is because of carelessness on the part of the DoE or of the schools is not known. Since very few schools and students had applied for the Scheme, it can be attributed to inadequate publicity and awareness about the Scheme. Most of the teachers in government schools are not even aware of such a Scheme. Consequently there is lack of motivation in the students to work.

According to the figures shared by an officer in the DoE, Science Branch, out of the Rs. 35 lakhs sanctioned by the Delhi Government for this Scheme, Rs. 1.5 lakhs was spent on information and publicity. But the publicity done by the department, which was only through

the newspaper and the public circular on the department website, does not reflect that the money was well spent. No amount was spent on television advertising or on involving NGOs or voluntary groups in creating awareness.

c. Delay in Processes

There is a delay at every step in the work done by the DoE, Science Branch. Declaration of results takes more than six months and the actual transfer of money takes place almost a year after the exam. The results for the August 2008 exam were declared in December 2008 and those of the November 2008 exam were declared in June 2009. The Science Branch puts the blame on the resource centers of the DoE for the delay in data availability to set the district-wise quota. Not only the results, the final list with the bank account numbers of the students was sent to the bank only in May 2009 and hence the delay in the transferring the money. According to an officer in the MHRD the states are given timelines for each of the things but they do not adhere to them.

d. Student's Grievances

The students can only apply through the schools. According to an officer in the Science Branch, students can directly come to the branch to take the application form which is then verified and signed by the Principal. But according to the information brochure circulated by the branch the DoE does not entertain any individual applications.

Another problem observed was that the students who did not receive the money even six months after the declaration of results did not know whom to contact. They cannot personally correspond with the DoE or the nodal officer of the bank to question the delay. The schools are also not interested or sometimes they do not have the time to find out the status of money transfer. There is no timeframe given to the student or to the school within which the money would be credited to the student's account.

e. Bank Account

Bank account details could not be furnished immediately as the students did not have a bank account. It was difficult to open a bank account because of problems of guarantee, residence proof etc. Not all schools were cooperative enough to open the student's account. In some cases the account number submitted was found to be in somebody else's name. Also, because of clerical errors, there were problems in accessing the account. The problems in opening the bank accounts has already

been resolved to a great extent since from this year it has been made compulsory for all the schools to open the bank accounts of all the students in the beginning of the year.

f. No Monitoring and Impact Assessment

There is no monitoring done by the DoE to check how the student has been performing after receiving the scholarship. The Scheme document says that the student will not receive the scholarship if he leaves the school after a month. But there is no machinery in place by the DoE to monitor this. The attendance as well as the academic performance of the students is not monitored. There is also no impact assessment done by the DoE or by the MHRD to assess the success of the Scheme on its potential impact on the dropout rates, enrollment rate and annual results. In the absence of any impact assessment it is difficult to devise mechanisms to improvise the Scheme.

g. Computerization of Records

The DoE, Science Branch is highly understaffed and under-equipped. For this particular exam of NTS and NMMS, only five people are working in the Branch. The Nodal officer of the Delhi state was transferred in February 2009 and his post has been lying vacant since then. The interesting part is that the MHRD is unaware of this. Within the branch there are more than 60 posts which are lying vacant. All the records are not computerized. The Science Branch does not have its own website and hence many things which should be in the public domain are not there. It uses the website of DoE to put the public circulars and the results for the Scheme.

4. Recommendations

a. Examinations

The NTS examination used for NMMS is considered too tough for a Scheme whose prime objective is not 'talent search'. This is one of the reasons cited for low success rate of the students. Hence a reform in the examination system is required. These could be:

- i. Conducting a separate, relatively simpler exam, especially for the NMMS.
- ii. Decreasing the cut-off percentage for success in exams.
- iii. Selecting students on the basis of merit without taking into consideration the qualifying marks to exhaust scholarship quota.

- iv. If no change can be brought about in the examination system, provisions can be made for special coaching/training for the exam.

b. Information and Publicity

In conversation with the officer in-charge in the MHRD it was found that some of the smaller states like Goa, Mizoram and Arunachal Pradesh have been able to realize their full quota of scholarships. This has been made possible because of increased awareness among the students, parents and schools. The Scheme has been well-publicized by the print media, on television and on websites.

Hence it is required that greater emphasis is laid on spreading information about the Scheme. Greater publicity should be done by involving the television media. Posters/information brochures must be put up in every government school for information to the students and teachers. Officers from the Science Branch or people from the NGOs could go to the schools to spread awareness and motivating students for such kind of exams. Students should also be informed and educated about the process of managing their bank accounts.

c. Grievance Redressal

In the DoE, Science Branch, there must be a person responsible for entertaining the grievances of the students, parents and schools. The students must be given his contact number in case of any problems regarding examinations, results, delays in money transfer and the like. This person in co-ordination with the MHRD and the bank should redress the students' grievances by contacting the concerned person. There could also be online feedback/complaints form and online doubts resolving system for convenience of the students and schools. Through this suggestions can be invited from schools for better implementation of the Scheme.

In addition it would be a good idea to give a confirmation letter to the students who have passed the examination which will also be an instruction to the bank to open the account for the student. This government letter will also serve as a guarantee in the hands of the beneficiary showing that she is entitled to get this amount from the government.

d. Strengthening the Directorate of Education, Science Branch

As witnessed during the course of study and in conversation with the officers in the Science Branch it was found that there was a need to

strengthen the Science Branch and make it more responsible. Greater emphasis must be laid on increasing the qualified manpower and computerization of records. Hardly any staff in the Science Branch is adept to working on a computer. The Branch needs to be given greater responsibility as far the implementation of the Scheme is concerned and must be held responsible in case of any delays/lapses/problems. Right now it functions as a body only responsible for conducting the examinations and nothing more. It does not care to ensure that the money is delivered to the students or to find out the reasons for the delay. As mentioned earlier the Science Branch does not have a website of its own where the details of the organization, responsibilities of officials, information about its workings, budgets, expenditures, etc. can be seen. Hence the working is mostly non-transparent.

If the Science Branch is incapable of taking on this responsibility, creation of an independent body is highly recommended which will be completely responsible for the implementation of the Scheme in the state. The body must be transparent in its procedures and must be held responsible for any delays or problems in the implementation at any stage. The body should also be given responsibility to monitor and review the attendance and academic record of the beneficiary in order to assess the motivation provided by the Scheme, at least in the initial years.

e. Fixing the Timelines

It is a must that the MHRD gives fixed dates to the states for the issue of application forms, conducting examinations, declaration of results and transfer of money. All the dates except for the one decided for the transfer of money can be fixed by the implementing body. But all these dates must be made public before commencement of the Scheme for that academic year. These timelines will increase accountability of the DoE, Science Branch and also the bank to the students and schools who could then complain/question any delay beyond the fixed date to the grievance redresser. These timelines will also enable the MHRD to warn/penalize the state against non-efficiency in service delivery. The implementing agencies must be strictly advised to adhere to the timelines.

f. Incentivising Successful States and Schools

MHRD is advised to incentivise good performing states by way of rewards to the states where the entire quota of scholarship is realized and which have been able to adhere to the timelines. This system will encourage implementing bodies in the state to work more efficiently and diligently.

The same can be done by the DoE for the government schools in the state. The school from which the maximum numbers of students are able to qualify signifies better educational quality of the school and greater efficiency in carrying out their duties. Hence schools like these must be rewarded by the state government.

g. Impact Assessment

Any policy or scheme is successful only if it achieves the desired objectives. In the absence of any impact assessment of the schemes it is hard to identify how far the scheme has been successful in realizing its multiple goals. It is highly recommendable that there must be a provision for assessing the impact of the scheme, for example, the change in the drop-out rates and the change in the success rate in the Board examinations. These will be good indicators of motivation provided by the scheme. The impact assessment must be done every year in order to continuously improvise the scheme.

5. Conclusion

It will be not wrong say that the Scheme is an excellent one and has great potential to reduce the drop-out rates at the secondary level but only if it is implemented in a more professional way. First and the foremost, one needs to identify the baseline scenario, the problems with the existing implementation mechanism and most importantly problem of quality of school education. Serious reforms are needed to realize the desired outcomes. Quality of school education is a larger question which is not only relevant for this Scheme but is relevant to the education system as a whole. In this regard an impact assessment of each of such schemes is highly recommended. For better functioning of the system, fixing up of timelines is most important, and states must be strictly advised to stick to them. In addition, reforms in the examination system are a must in order to achieve the desired targets. The study has also brought to the forefront the inadequacy in performance of the implementing body that is the DoE, Science Branch. The MHRD and the DoE can shy away by saying that this is 'just a beginning, the first year of the Scheme'. But it should be realized that things will not improve even next year if no changes are brought about in the system. The review of the Scheme which is supposed to happen in 2010 must keep in mind the aforesaid recommendations and devise mechanisms to ensure better service delivery. The two critical criteria on which the Scheme was reviewed in this chapter (as mentioned in the beginning) were efficiency and effectiveness. For the first, it can be concluded that there is still long way to go for efficient system to be in

place, given the way work is done by the DoE and the schools. As for effectiveness nothing much can be deciphered as the beneficiaries have got the money only in June 2009 and more time is needed to evaluate their performance and behavioral changes. As mentioned earlier the very low pass percentage of the students is a matter of concern which raises questions on the education system in the state and if not taken care of, will reduce all chances for the success of this Scheme.

- Prepared by Mugdha Jain
(student of BA Hons Economics at St. Stephens College)

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Means-cum-merit scholarship far behind target

May 25, 2009 13:12 IST



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The centrally-sponsored National Means-cum-Merit scheme, which aims at providing scholarship to 100,000 school students annually, has failed to achieve the target in the first year of its implementation.

Only 33,000 students have so far benefited under the scheme, started last year.

The scheme envisages giving scholarship to 100,000 students whose parental income is less than Rs 1,50,000 per annum.

Students above class-IX are entitled for this scholarship and are selected through tests conducted by states and union territories with each having fixed number of seats for scholarships.

"We implemented the scheme in 2008-09 academic year. The government deposited a corpus of Rs 750 crore (Rs 7.5 billion) with State Bank of India [[Get Quote](#)], which has opened accounts in the name of the 33,000 eligible students," a senior HRD ministry official told PTI.

The SBI deposited Rs 9 crore (Rs 9 million) this year in the bank accounts of these

New scholarship scheme to arrest dropout rate

February 28, 2007 15:41 IST



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To arrest the high dropout rate, government proposes to introduce a new National Means-cum-Merit Scholarship Scheme which will encourage students to continue their education beyond class VIII.

Presenting the Union Budget for 2007-08 in the Lok Sabha on Wednesday, Finance Minister P Chidambaram [[Images](#)] said under the new scheme, eligible students studying in classes IX to XII would be given Rs 6,000 per year.

Besides, 100,000 scholarships would be awarded every year, he said.

To fund this programme, a corpus fund of Rs 750 crore (Rs 7.5 billion) would be created this year and a like amount would be added to the fund every year over the next three years, Chidambaram said.

He said a sum of Rs 750 crore would be placed with the State Bank of India [[Get Quote](#)] and the yield from the fund would be used for awarding the scholarship.

He said while the Sarva Shiksha Abhiyan improved the enrolment ratio in schools to 96 per cent, the drop out ratio continued to be high.

The government also proposed to increase the allocation for school education by about 35 per cent, he said.

What Ails & Heals Delhi's Healthcare?

1. Introduction

The Delhi Government's Ministry of Health and Family Welfare, headed by the Principal Secretary is responsible for the state's health services. This chapter attempts to study the structure and function of the Department and its policies regarding services like dispensaries, prevention of food adulteration, drug procurement, emergency services, mental health etc with particular focus on government hospitals. The constraints under which the system works and the planning and implementation-level lacunae have been identified. In the end, some possible solutions and recommendations have been presented to build a system providing quality healthcare that is accessible and affordable.

The Department of Health and Family Welfare of the Government of NCT of Delhi caters to health needs of nearly 1.70 crore population of Delhi and also has to share the burden of migratory population from neighboring states which constitute nearly 33% of total intake at major hospitals in Delhi.

However population pressure is one among many problems experienced by this sector. There are hurdles of lack of trained personnel, bureaucratic delays, corruption and improper implementation. There is also a multiplicity of agencies operating their healthcare outlets in different areas or for defined subset of populations in different areas like Delhi Government, MCD, NDMC, CGHS, DGHS, ESI and Army etc leading to some overlaps/duplications of services with wastage of efforts and resources on one hand and leading to deficient services on the other.

2. Some Programmes Related with Health Problems in Delhi

a. Tuberculosis

As per National Family Health Survey 2 (NFHS2), the prevalence of Tuberculosis (TB) in Delhi is 511 per 100,000 people. This is slightly less than national estimate of 544. A Special drive on control of tuberculosis under Revised National T.B. Control programme (RNTCP) has been launched in Delhi since 1993. *Delhi Tapedic Unmulan Samiti* has been formed under which there are fourteen district level TB control societies. The drugs are given free to the patient, as per DOTS (Directly

Observed Treatment Supervised) strategy through the DOTS centres near their homes. At present there are 20 chest clinics functioning under this programme. Under the chest clinics, 325 DOTS Centres and 120 microscopy centres are functioning. Apart from this, 57 NGOs and 23 Private Practitioners are also participating in RNTCP.

b. Polio

Delhi was the first state to start pulse polio immunization in 1994 for polio eradication. The number of polio cases has been significantly reduced ever since then. After initial good results, programme received a setback in 2002 when polio cases increased to 24 from three in the previous two years. However, the number again came down to three in 2003.

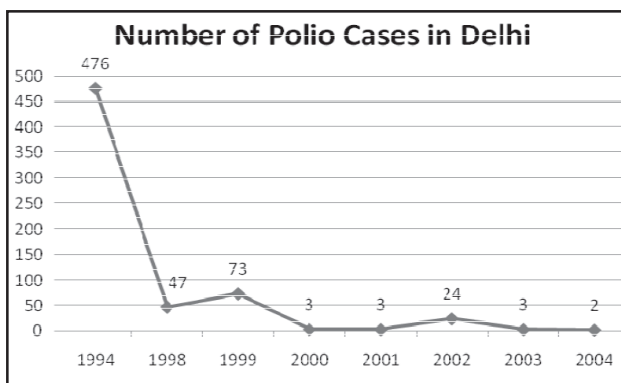


Figure 1: Polio Cases in Delhi (1994 to 2004)¹

c. Maternal and Child Health Programmes

To improve the maternal health, Delhi Government has launched special programme called *Stree Shakti Programme* and also conducts campaign under *Matri Suraksha Abhiyan*. The goal of these programmes is to reduce Maternal Mortality Rate (MMR) through provision of comprehensive healthcare to all mothers during antenatal, natal and postnatal period. As far as immunization of children is concerned, as per NFHS-33, 63.2% children received complete immunization (three doses each of Polio, DPT², BCG³ and Measles). This is slightly less than the figures of NFHS-2, which was 69.8%.

d. HIV/AIDS

Delhi falls under low Prevalence Stat for HIV/AIDS. However, 42,000 HIV positive cases are estimated till January 2006, a total of 2759 cases were reported till August 2006 will 322 deaths were reported till

January 2006. The data from antenatal clinic shows that the HIV infection is still within 1% in Delhi. Government of Delhi has launched a special drive for prevention of HIV transmission from an infected mother to the foetus.

- i. Fourteen Centres have been set-up under the Prevention of Parent to Child Transmission Programme along with antenatal check-ups clinics in various hospitals. Four more will shortly be opened. Another ten will be started at Maternal & Child Welfare Centre (MCW centre) of MCD. This way the programme can penetrate at the grass-root level.
- ii. 28 Voluntary Counseling & Testing Centre (VCTC) have been established.
- iii. Mobile Integrated Testing and Wellness Access (MITWA) is providing outreach services to slums & JJ Cluster through 13 mobile van and the package includes treatment of Sexually Transmitted Diseases (STD), free condom distribution and counseling and test for HIV.
- iv. There are 52 licensed blood banks out of which 8 are regional blood transfusion centres.
- v. 3 Community Care Centres
- vi. 6 Anti-Retroviral Therapy Centres
- vii. Tele-Counseling Services

3. Government Organisations and Departments Pertaining to Healthcare

a. The Department of Health and Family Welfare, GNCTD

The Department of Health & Family Welfare of Government of NCT of Delhi is headed by the Principal Secretary. He is the controlling authority for Directorate of Health Services, Department of Health & Family Welfare; all Hospitals under Government of NCT of Delhi; autonomous bodies under Government of NCT of Delhi like IHBAS, Delhi AIDS Society, CATS; Directorate of Food Adulteration; Drug Controller and other National Programmes. This department liaisons with all other local bodies viz. MCD, NDMC, Cantonment Board and other government and non-governmental health care organizations functioning in Delhi. The Principal Secretary coordinates for the Government of NCT of Delhi with the Ministry of Health & Family Welfare, Government of India. Directorate of Health Services is the nodal agency among the healthcare providers of Government of NCT

of Delhi in the matters of establishment of hospitals and dispensaries, implementation of various National and State programmes related to Medical and Public Health and for prevention, control and eradication of major diseases.

Structure of the Department

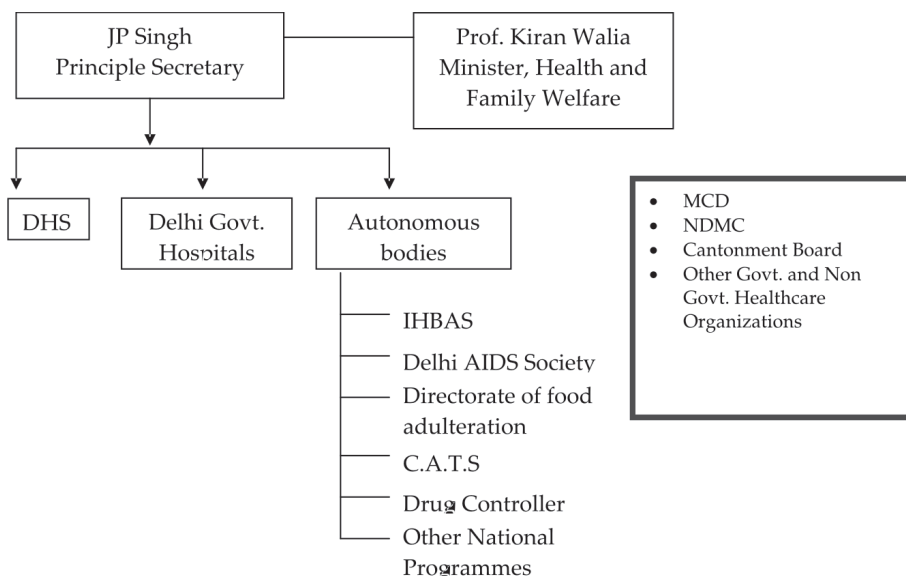


Figure 2: Structure of the Department of Health and Family Welfare, Govt. of Delhi

b. Directorate of Health Services (DHS)

Directorate of Health Services in the Department of Health and Family Welfare coordinates implementation of various National and State Health programmes and regulates the health services being provided by Registered Private Nursing Homes. The Department is headed by Principal Secretary who is assisted by one Special Secretary and two Additional Secretaries. DHS, a subordinate office headed by Director, has overall control over the Central Procurement Agency (CPA) and Central Store. CPA is assisted by Technical Committee (TC)^{iv}, Sample Evaluation Committee (SEC)^v and Special Purchase Committee (SPC)^{vi} for procurement of drugs and surgical items. An Equipment Procurement Cell (EPC) established in 1999, procures medical equipment costing more than Rs. 5 lakh. EPC is headed by an Additional Secretary who is assisted by three committees, namely Technical Advisory Committee^{vii}, Technical Evaluation Committee^{viii} and Purchase Committee⁶.

The DHS is the largest department under Department of Health and Family Welfare, Govt. of NCT of Delhi providing healthcare facilities at primary and secondary level to the citizens of Delhi through various types of health outlets, spread all over Delhi viz. dispensaries and Health Centres, School Health Clinics and Mobile Health Clinics. For better administration, Delhi is divided into 8 districts, each headed by one Chief District Medical Officer (CDMO) who is under administrative control of DHS and the CDMOs are responsible for monitoring the functioning of health centres/ dispensaries in their respective Districts.

However, in spite of the extensive nature of operations, the DHS suffers from some glaring inefficiencies. In an audit conducted by the Comptroller and Auditor General of India (CAG 2008), it was noted that DHS was not monitoring performance of CPA and the Central Store and there were stock-outs in hospitals and dispensaries.

No	Name of Dispensary	Name of non-functional equipment	Period of non-functionality (in months)
1.	Laxmi Nagar	Electronic microscope	3.5
2.	Vasundhara Enclave	Semi auto blood analyser	5
3.	Paschim Vihar	Urine analyser	60
		Hemoglobin-o-meter	48
		ESR analyser	1
4.	Sultanpuri	Glucometer theft*	4
5.	Mangolpuri	Urine analyser	7
6.	Sagarpur	ESR analyser and HB meter	13 and 4
7.	Dwarka Sector-12	Microscope	4
8.	Gulabi Bagh	Electrolyte analyser	12
9.	Seelampur	Microscope	13
10.	Dilshad garden	Electrical microscope	16
11.	Nabi Karim	Lipid analyser	2
12.	Madipur	All lab equipments	60**
13.	Tajpur	X ray machine and film processor	15***

Table 1: Non-functional Equipment in Dispensaries in Delhi (CAG Report 2007-08)¹

*** The dispensary lodged a FIR on account of theft of Glucometer**

**** Due to non-posting of lab technician**

***** Due to non-posting of radiographer**

Further, a select 12 essential drugs² which should normally be available in dispensaries were found to be out of stock from 2003-04 to 2007-08. In the absence of any fixed norms, maintenance of buffer stock was left to discretion of each dispensary; as a result 14 dispensaries

were adding quantity of 10 to 50% drugs while preparing their estimates for the next four months whereas in case of remaining 11 dispensaries no buffer stock was maintained.

c. Centralized Accident and Trauma Services (CATS)

In Delhi alone there has been a 132% increase in the number of cars in the past ten years and everyday around 1000 new cars join Delhi roads. Furthermore the national capital tops in road accidents in the metros, with pedestrians accounting for almost half the fatalities.

With the objective of providing first-aid and emergency services to the patient, quick and safe transportation of patient to the hospital, and liaise with other agencies such as Delhi Police, Delhi Fire Service for proper care of accident victims, the Centralized Accident and Trauma Services (CATS) was conceptualized in Delhi as a plan scheme in 1984 during the 6th Five Year Plan. Implemented under the aegis of All India Institute of Medical Sciences (AIIMS), the idea came into execution in 1991 with 14 ambulances and the subsequent establishment of CATS by the Delhi administration.

Originally running from four centres in West Delhi, the ambulances under CATS are now stationed in 21 strategic points throughout the NCT of Delhi. The ambulances are equipped with wireless equipment and other sophisticated first-aid equipments like collapsible stretcher-cum trolley, manual suction pump, medical anti-shock trousers, inflatable air-splints pneupacs³, oxygen cylinder, resuscitation bags, first-aid kits etc. The control room situated in a Trauma Centre at Metcalf Road is fitted with state-of-the-art wireless equipment along with 10 MTNL lines for emergency response. The ideal response time ranges from 10-20 minutes.

Delhi is the only metro to have launched this type of service, which is proving to be very beneficial particularly to the trauma victims.

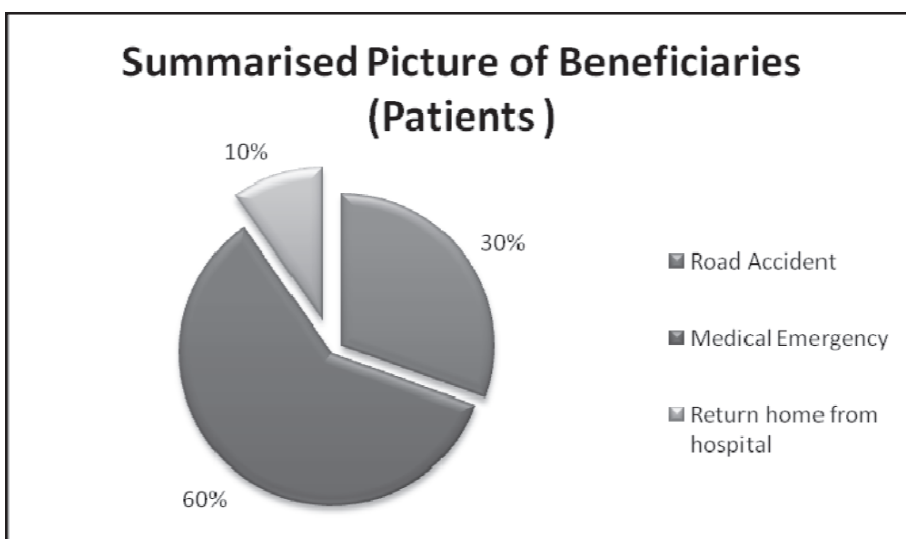


Figure 3: Beneficiaries of CATS^{xiii}

d. Institute of Human Behaviour and Allied Sciences (IHBAS)^{xiv}

It is an apex institution of psychiatry, neurology, and behavioural sciences having a multi-disciplinary approach consisting basically of three objectives:

- i. To provide tertiary level facilities in the field of psychiatry, neurology, neurosurgery and allied subjects, along with a mix of primary and secondary care through community outreach programmes.
- ii. To provide training to medical and paramedical personnel in the aforementioned fields.
- iii. To conduct advanced research on basic and complex issues related to psychiatry, neuro and behavioural sciences.

The Institute came into existence in 1993-94, after taking over the administration of Hospital for Mental Diseases. Growing from a modest size, the Institute has established itself as one of the largest and reputed centre for neuropsychiatric diseases in North India.

There has been a gradual increase in number of patients, 1.97 lakh outpatients were registered during 2005 which was 11.3% more than the previous year. This was accompanied by a reduction in waiting time (registration) of patients from 45 minutes to 30 minutes. In-patient and emergency services witnessed growth, with around 10,000 patients attending emergency services during the year. Apart from Out Patient Departments, special clinics are conducted in the

afternoon for patients who require special attention and comprehensive approach for different disorders.

The Institute has been consistently involved in community outreach programmes and weeklong mental health awareness campaigns. Dementia Awareness campaigns were organized during 2005. A large number of psychiatric disorders are managed at these community services. The common problems reported by the patients attending these services include depression, anxiety, obsessive compulsive disorders, other anxiety disorders, dissociative disorders, schizophrenia, bipolar illness, post-partum psychosis, dementia and substance abuse.

e. Health Insurance in Delhi

On 19 July 2008 Delhi Chief Minister Smt. Sheila Dikshit formally launched a government scheme to provide health insurance to people living below poverty line (BPL). The *Rashtriya Swasthya Bima Yojana* (RSBY)^{xv} was launched by distributing smart cards to BPL families that would enable them to avail free treatment in more than 80 private hospitals and private nursing homes. The chief minister said all the 28,000 BPL families holding ration cards in the city will get the smart card.

Apart from the treatment cost, the beneficiaries would be entitled for a transport allowance upto Rs. 100 for commuting to and from hospitals, with a maximum limit of Rs. 1,000 per annum. A family of five would be able to avail medical treatment upto a limit of Rs. 30,000 per annum.

As per the latest update on the RSBY scheme, 9 districts have been covered in Delhi with a total of 41,990 smart cards distributed.^{xvi} The following districts have been covered under the scheme in collaboration with the Oriental Insurance Company: Central district – 8 hospitals, East district – 11 hospitals, North district – 18 hospitals, South district – none, North-east district – none, South-west district – 3 hospitals, New Delhi district – none, North-west district – 20 hospitals and West district – 33 hospitals.

Hence it can be seen that the scheme has been implemented very well. As against a proposed coverage of 28,000 BPL families and 80 hospitals, the scheme has covered around 42,000 families and 93 hospitals all over Delhi. However, districts like south, north-east and New Delhi district remain completely uncovered by the scheme.

4. Recommendations

a. Create a trustworthy and interlinked system for providing healthcare^{xvii}

The NCT of Delhi has a 'healthy' network of healthcare centers; 31 hospitals including 3 hospitals under ISM&H (Indian System of Medicine and Homeopathy), 174 Allopathic dispensaries, 70 mobile van dispensaries, 433 School Health Clinics, 20 Ayurvedic dispensaries, 62 Homeopathic dispensaries and 8 Unani dispensaries^{xviii}. However, these centers are far from networked.

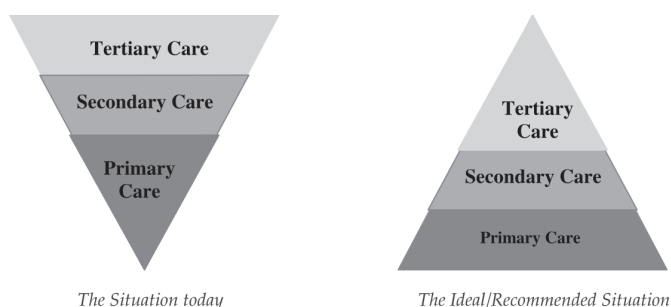


Figure 4: Reform in the Healthcare System

The following would be the features of a 'trustworthy and interlinked system':

- i. All primary care centers must be upgraded to a specified standard; they must be capable of assessing the need of the patient, stabilizing emergencies if any, and sending patients to secondary or tertiary centers only if needed. These units must be used as filters to restrict overcrowding at tertiary centers, but not by compromising on the quality of primary care. This would help in providing adequate care and attention to the primary needs, as well as in preventing overcrowding of secondary and tertiary centers with people who do not need those services.
- ii. Since the NCT of Delhi has a vast network of healthcare centers under the Delhi Government, DHS and MCD, one way to capitalize on these assets is to make the patient the responsibility of the system the moment he enters it. At the point of entry, the details of the patient, the illness/accident etc should be collected. If he/she must be shifted to another center, transport must be provided and transfer with all records must be done, with proper information flow from

the physician sending the patient to the one receiving him/her. This would create greater faith in the system and the patient would prefer going through it instead of approaching the big hospital directly.

b. Professional Management of Government-run Hospitals

Professional management of government hospitals is essential for better efficiency of services and duly qualified hospital administrators should be placed as head of institution and selection should be based on performance, efficiency, skill, dynamism, vision and ideas and not merely on length of service or seniority basis.^{xix} A step in this direction could be para/non-medical management working a) under the guidance and b) according to the requirements of the medical staff. This would help in the following ways:

- i. Reduce the burden on the doctors
- ii. Provide specialized administration in government hospitals and;
- iii. Bring in the attitude of ethical and competitive practice by the private hospital and nursing homes.

The introduction of professional management must only act as a facilitator for these members for the ultimate goal of good patient care. The management must take an active role in solving problems of drug procurement, quality of drugs, malpractices in procurement/distribution, cleanliness, equipment installation and maintenance, registration process for the patient, directions in the hospital, ambulances for transfer to/fro networked hospitals and dispensaries and checking on malpractices by class 4 employees who take bribes from patients.

c. Increased Health Insurance

Since healthcare is an essential expenditure, the market mechanism places unnecessary burden on those with lesser ability to pay. There is a more than three-fold difference between expenditure in a private and a public facility and even the public facilities are not as inexpensive as one would think.

Due to financial problems the poor are left with no other option but to go to government hospitals. The aim of this recommendation is to propose more exhaustive and inclusive implementation of the *Rashtriya Swasthya Bima Yojana* (RSBY) scheme in Delhi. As against the charge of Rs. 30 for BPL families, a higher fee can be charged from

those with higher incomes to provide them insurance cover. These people end up spending a lot in the process of traveling, buying medicines, paying for treatment etc and would not mind paying a fixed premium that would reduce this burden.

d. Overall Recommendations

- i. There is a need for higher proportion of public spending on health – it is merely 0.9% of GDP in India, which ranks at poor 171st position out of the 175 countries studied.^{xx} *Human Development Report 2004*.
- ii. We need to encourage development of high-class healthcare infrastructure in NCR towns as well as in the neighboring states of Delhi through incentives and/or soft loans to entrepreneurs ensuring comparable quality at competitive costs.
- iii. Health related topics should be included in school and college curricula.
- iv. Efforts need to be taken to control stray dogs and stray animals to minimize traffic hazards/accidents and to reduce the cost of superfluous use of Anti-Rabies Vaccine (ARV), besides indirect saving on man hours. Annually Rs. 3 to 5 crores are spent on ARV in government hospitals.
- v. Management Information System should be strengthened at all levels for tracking status of supplies, monitoring suppliers, monitoring installation of equipments within prescribed time schedule and for ensuring compliance with terms and conditions of agreements. A copy of full rate contract of all hospitals may be displayed on the department's website for ensuring economical procurement of drugs.

- Prepared by Gauri Gupta
(student of B.Com Hons at Lady Shri Ram College)

Endnotes

¹ Various reports of Ministry of Health & Family Welfare, Government of India

² Diptheria, Pertussis and Tetanus.

³ Bacillus Calmette-Guerin.

⁴ Responsible for evaluation of tenders and recommends acceptance/rejection of firms.

⁵ Responsible for examining samples as per specification of items mentioned in tender document.

⁶ Responsible for taking final decision of selection/rejection of firms.

- ⁷ Responsible for cost effectiveness of purchases and advice on maintenance /repairs of equipments.
- ⁸ Responsible for evaluation/acceptance/rejection of technical bids, demonstration of equipments.
- ⁹ Responsible for finalization of purchase proposals and justification for its recommendation for purchase.
- ¹⁰ Performance Audit, Department of Health and Family Welfare, *CAG Report 2007-08*
- ¹¹ Tab. Paracetamol (anti-pyretic), Syp. Paracetamol (essential anti-pyretic for children), Tab.Diclofenac Sodium (analgesic), Tab. Cetrizine (anti-allergic), Cap. Amoxycillin (anti-biotic), Syp. (antibiotic for children), Tab. Ferruos Sulphate and Folic acid (iron combination very essential for ante and post natal care), Tab. Enalapril (Antihypertensive), tab. Matformin (Insulin and Anti-diabetic), Ointment Clotrimazole (anti-fungal ointment for local application, Injection Tetanus Toxoid (immunological injection also essential in ANC), Soln. Salbutamol for nebuliser (anti- asthmatic).
- ¹² Respiratory ventilator designed for short- or long-term ventilation.
- ¹³ *Report of Evaluation study on CATS, February 2001. Evaluation unit, Planning Department, Government of Delhi*
- ¹⁴ IHBAS Annual Report 2005-06.
- ¹⁵ Under the Union Budget 2009-10, the Finance Minister has proposed an increase in budgetary allocation for the RSBY by 40% to 350 crore.
- ¹⁶ 12/07/09, Ministry of Labor and Employment, Government of India website.
- ¹⁷ Based on recommendations of ICHA (Indian Confederation of Healthcare Accreditation) as explained by Dr. Ashok Sanghal, CEO.
- ¹⁸ *Delhi Development Report*, Planning Commission, Government of India p. 278.
- ¹⁹ *Delhi Development Report*, Planning Commission, Government of India, p. 295.
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5-yr-old dies shuttling between hospitals in West Delhi

Sanjay Gandhi Hospital sends child to Sushruta Trauma Centre without first aid; out-of-order CT Scan leaves her dead at trauma centre; health minister says 'gross negligence'



Dilsha's mother awaits postmortem report.

TASHI TORWALA

SAHID RAFTQ & VIDYA KRISHNAN
NEW DELHI, MAY 20

INJURED in the dust storm that swept the city on Tuesday evening, a five-year-old girl fell victim to negligence and lack of infrastructure at two of West Delhi's hospitals.

With the CT Scan in the hospital out of order, Dilsha Kumar died at the Sushruta Trauma Centre.

According to her father Ashok Kumar, Dilsha had fallen from the roof in the dust storm on Tuesday evening. She was bleeding from her ears after sustaining a head injury, and Kumar rushed the child to the nearby Sanjay Gandhi Hospital. But the hospital, he said, referred him to Sushruta Trauma Centre, without even administering first aid.

"They saw her condition but still did not arrange for an ambulance," Kumar said.

At the trauma centre, the family was informed that the CT Scan was out of order.

"The ventilator was occupied and she reached in a bad condition," the duty doctor at the trauma centre said. "She had no pulse and was continuously vomiting. Sanjay Gandhi Hospital should have at least stabilised her before sending her to us."

Dilsha was declared dead within 10 minutes of reaching the trauma centre.

None of the six main hospitals in North-west Delhi and Outer Delhi have a CT Scan. The hospitals in these areas are Maharishi Valmiki, Raja Harishchandra (Narela), Ambedkar Hospital, Babu Jagjivan Ram, Sanjay Gandhi Hospital and Bhagwan Mahavir (Pitampura).

The only CT Scan in the area — at the Sushruta Trauma Centre — is out of order.

With a note saying "CT could not be done because the machine was out of order," the trauma centre sent Dilsha's body back to Sanjay Gandhi Hospital, where it now awaits postmortem. Though a case has been registered at Aman Vihar police station, SHO Rajeev Paughat said the autopsy would not be conducted. "When the family is not interested, we cannot force them to insist on a postmortem," SHO Paughat said.

"In any case, no one can be blamed for this incident — the girl fell from the roof due to a dust storm; if any investigation happens in this case it will have to be against the storm," he said jokingly. He added that the postmortem should be waived off.

Calling it "gross negligence," Health Minister Kiran Walla said, "I will look into the case in detail and ensure that responsibility is fixed. We want to put systems in place to ensure such incidents do not take place."

Bracing for swine flu, RML finds 255 oxygen cylinders missing

VIDYA KRISHNAN
NEW DELHI, JUNE 26

THE entire anaesthesia department at RML Hospital has come under the scanner after 255 oxygen cylinders went missing from the hospital recently, after it was declared a nodal centre for H1N1 influenza patients.

The hospital medical superintendent told *Navabre* that post-inquiry, the authorities are now "considering" filing an FIR. According to hospital authorities, the administration discovered the missing oxygen cylinders while readying the hospital for H1N1 influenza patients in April.

Care for H1N1 influenza patients includes the use of ventilators, which require oxygen cylinders. The hospital administration realised that Type-D cylinders used in ventilators were missing in bulk while putting the infrastructure in place, a senior RML official said.

"H1N1 influenza is a respiratory illness," the official said, "and this lapse was found while checking all aspects that might be required to treat H1N1 influenza patients."

RML Medical Superintendent Dr N K Chaturvedi formed a three-member committee to investigate the matter in April.

"The inquiry is over (though) a few areas need to be investigated (still)," Dr Chaturvedi said. "We are considering filing an FIR since the matter is serious and needs to be taken to its logical conclusion."

As per rules, hospitals storing oxygen cylinders require licence from the government. Insiders said the missing cylinders were re-sold to private nursing homes.

According to sources, the three-member committee has zeroed in on a few suspects after its internal inquiry.

They said senior doctors in the anaesthesia department, including the department head, have been questioned by the committee. Purchase and storage officers have also been questioned.

A staff technician in the room where the oxygen cylinders were stored, has already been suspended.

While putting the infrastructure in place, the hospital administration realised that Type-D cylinders used in ventilators were missing in bulk

Injured worker dies waiting for CT scan

TOI June 15
New Delhi: Kailash, a 28-year-old labourer at a construction site in Pitampura paid with his life after being transferred from one hospital to another due to the absence of CT scan machines. Kailash had fallen from the building's third floor and suffered a head injury. Along with internal bleeding, Kailash was having convulsions when he was brought to Ambedkar Hospital around 5pm on Saturday.

However, with no neurosurgeons available at Ambedkar Hospital all such patients are referred to nearby hospitals. Said Dr Amreshwar Narain, DMS, Ambedkar Hospital, "We don't have the facility for neurosurgery here. So, we refer the patients to other hospitals, the closest being RML and Sushruta Trauma Centre. We had information that the CT scan machines were not operational in Sushruta Trauma Centre on Saturday so we referred the patient to RML Hospital. An attending doctor accompanied the patient there."

However, at RML, too, the accompanying doctor was told that the CT scan machines were not functional. So Kailash was put on artificial respiration and then referred to Lok Nayak Hospital. Kailash's condition deteriorated considerably and by the time he reached L N Hospital around 9pm, he was declared brought dead. Said Dr A K Agarwal, dean and MS, Lok Nayak Hospital: "The patient was brought dead to our hospital."

Delhi health minister Kiran Walla visited Ambedkar Hospital on Sunday to take stock of the matter and ordered an inquiry. Despite repeated calls to the medical superintendent at RML, he was not reachable on Sunday. *788*

Department of Art and Culture and Department of Archaeology

1. Introduction

According to writer William Dalrymple, *'only Rome, Istanbul and Cairo can even begin to rival Delhi for the sheer volume and density of historic remains'*.

Delhi is a historical city whose remnants are spread right from Mehrauli to Shahjahanabad. The built heritage of Delhi is an irreplaceable and non-renewable cultural resource. Besides being part of life for many, it has educational, recreational and major tourism potential. It enhances Delhi's environment, giving it identity and character. It encompasses culture, lifestyles, design, materials, engineering and architecture. The heritage resources include symbols of successive civilizations and cities that came up over the millennia, historic buildings and complexes, historical gardens, water engineering structures and their catchments, the remains of fortified citadels, places for worship and for the deceased, historic cities and villages, unearthed heritage and their components.

Surveys conducted by the Archaeological Survey of India in 1911 identified 1321 historical monuments, sites and buildings. Out of these, 170 monuments have been declared as protected. In addition the Municipal Council of Delhi (MCD), New Delhi Municipal Council (NDMC) and State Archaeological Department have published lists of heritage buildings. In case of major monuments it is necessary that the surrounding area should be identified in the layout/detail plan, and should have building controls in relation to height, material and spread of the monuments.

It took 2,000 years of recorded history and more than 1,000 tombs and forts for Delhi to emerge as India's first possible 'World heritage city'.

The city-based Indian National Trust for Art and Cultural Heritage (INTACH) signed a MoU with the Delhi Government, so that urban development happens in sync with the Capital's architectural marvels.

The Archaeological Survey of India (ASI) protects only 174 monuments in the city. The rest (out of an approximately 1,200 monuments), which are taken care of by NDMC and MCD, are

gradually disappearing blame the hoodlums and general indifference. “We drive past them, take a shortcut through them, walk our dogs on their grounds,” says Ms. Rakhshanda Jalil, author of *Invisible City*. Mr. AGK Menon, INTACH Delhi chapter convener says “We will consult the government on the protection of legally unprotected monuments.”

2. Department of Art & Culture

This Department of Delhi Government includes the following:

- Delhi Archives
- Department of Archeology
- Art, Culture & Languages Department
- Sahitya Kala Parishad
- Hindi Academy
- Punjabi Academy
- Urdu Academy
- Sanskrit Academy
- Sindhi Academy
- Delhi Gazetteer Unit

The focus of this chapter is primarily on Department of Archeology with an emphasis on conservation of heritage monuments in Delhi bringing insights for same; in addition, the paper also attempts to bring out possible recommendations regarding effective functioning of public libraries and museums in Delhi.

3. Ministry of Arts and Culture

The government's medium term strategy framework, reflecting the mandate by the people focuses on three areas:

- The need to accelerate growth and promote an equitable economic development of the country and its people
- Stepping up efforts to achieve social cohesion and to nurture national identity, to realize the goals of non-racialism, non-sexism through a deepening and expansion of democracy;
- Installing robust mechanisms and systems to monitor and evaluate progress on all objectives, strategies and plans of government in relation to the above priorities

The strategies, plans and expenditure commitments of the Department of Arts and Culture proceed from this medium term framework and seek to align its budgetary patterns with it. This speaks directly to needs of the majority of the people.

4. Library and Museum

Constitutionally, the subject 'libraries' is the responsibility of the individual states in India. The hierarchy includes the national central library at the apex, followed by state central libraries, district libraries, block (subdistrict) libraries and panchayat (village) libraries.

The main problems facing libraries in the city are:

- The system of funds and grants both at central and state level.
- The non-uniformity of the maintenance and legislation aspect.
- Question of private and other regional libraries ensuring qualitative influx of resource material.
- The lack of modern technology in the library system.

a. Delhi Public Library

Delhi Public Library (DPL) was formed by the joint efforts of UNESCO and Government of India in 1951 followed by the full-fledged acquisition of the building in 1953. DPL was set up with the primary objective of sharing and devouring of knowledge. DPL has been a pioneer in providing the visually challenged with a huge collection of Braille books. Truly DPL has surpassed all other libraries by its valuable patronage for the visually challenged, the people from the lower strata of the society, the children and even the prisoners. DPL also has DELNET and computer facilities.

It has membership of over 45,000, with more than 1.5 million books available at the Central Library alone. DPL offers free membership to citizens of Delhi and provides mobile library services as well as a prison library service to Tihar Jail. The library has a special Braille section for the visually challenged. The DPL is being totally revamped; including a new look for the children's section. So visiting this library need no longer mean roaming through damp alleys of musty bookshelves. The DPL also offers its services to Residents' Welfare Associations across the city to set up their own libraries or have the mobile library van visit the area. The DPL already has branches in over 26 locations across Delhi along with 21 Residential Colony Libraries.

The DPL is not only the largest public library system in India; it is the busiest library in all of South East Asia. With so much history and a host of new offerings, Delhi Public Library is definitely worth a visit, if not its membership.

b. Recommendations

i. Library

- System of mobile library should be rapidly increased specially in the rural areas of Delhi. This already has been very successful in Chennai, Bangalore and Ludhiana.
- The concept of ATM Library should come in effect.
- How many of us know where Delhi Public Library is in South Delhi? [It's in Sarojini Nagar]. There is a need for mass awareness and youth outreach programmes.

ii. Museum

- There is a need for the Delhi Government to give grants to museums as it gives SPICMACAY to carry out concerts in nooks and corners of Delhi.
- The concept of 'traveling exhibitions' can take into prominence after carrying out detailed cost-benefit analysis.
- In India the voluminous artifacts and remains are in a bad state due to mismanagement and poor maintenance. So curators could be appointed with an attempt to classify between the 'most preserving remains' and the rest. Auction of the remains gives a probability to generate huge economic profit as there is a huge demand for Indian art across the world. This will also result in effective utilization of all the neglected, otherwise improperly depleting artifacts. This idea definitely has worked out in UK for Christi's auction, where Princess Diana's possessions were auctioned.
- Schools and colleges can play a major role in the maintenance of museums and various trips could be arranged periodically for greater awareness.
- It will be a very significant idea to have collaboration between Department of Education and Department of Art and Culture to jointly manage the development of library and museum in Delhi more effectively, particularly in terms of reach and preservation of quality.

5. Department of Archaeology

Activities:

- Protection & conservation of monuments
- Mass awareness programmes
- Departmental publications
- Strengthening of the department
- Grant-in-aid to RWAs / NGOs for upkeep and maintenance of monuments

In order to arouse consciousness among the children and citizens of Delhi about their rich cultural heritage, it is proposed that it undertakes awareness programmes including:

- Establishing Cultural Clubs in schools,
- Organization of exhibitions
- Launching mass awareness campaigns through the media appealing the citizens to safeguard the monuments from the vandalism and maintain them for posterity and;
- Ensuring maximum involvement of public including NGOs and Residential Welfare Associations in these activities.

6. Conservation - Who is Responsible for it?

The agencies concerned with the protection of Delhi's Built Heritage are ASI, Government of NCT of Delhi, State Archaeology Department, NDMC, MCD, Cantonment Board and DDA. With the aim of framing policies and strategies for conservation, appropriate action plans may be prepared by all the agencies that should include:

- a. Promotion of conservation of the civic and urban heritage,
- b. Architecturally significant historical landmarks, living monuments, memorials and historical gardens, riverfront, city wall, gates, bridges, vistas, public places, edicts and the ridge.
- c. Maintain close interaction and coordination between all these agencies keeping in view the following objectives and requirements:
 - i. Maintain and update a database.
 - ii. Develop organizational capacity for heritage management.
 - iii. Define all the applicable terms
 - iv. Listing of Heritage Buildings based on the following criteria:

- The age of the building
 - Its special value for architectural or cultural reasons or historical periods
 - Its relevance to history
 - Its association with a well-known character or event
 - Its value as part of a group of buildings
 - The uniqueness of the building or any object or structures fixed to the building or forming part of the land and comprised within the cartilage of the building.
- v. Prepare guidelines for development, redevelopment, additions, alterations, repairs, renovation and reuse of the heritage buildings.
- vi. Implementing programmes for education and awareness.

Heritage conservation is a social responsibility. It demands professionalism and huge investments. Realizing that many of the monuments in Delhi are withering away due to sheer neglect or bad management, the government is now relying on corporate entities.

The Conservation Society of Delhi (CSD) has taken up arms to preserve the rich heritage. Their activities are participatory in their approach and involve people from different walks of life such as students, local communities, professionals and the general public. Awareness building is one of CSD's major activities.

CSD's other objectives include organizing and conducting study courses, seminars, lectures and workshop demonstrations on subjects related to Delhi's heritage, involving children in conservation activities by holding special camps and workshops and assisting other agencies like the Archaeological Survey of India (ASI) and INTACH.

7. Analysis

In India there exist certain agencies, which are coming up and working with governmental agencies (like - Archaeological Survey of India) towards the noble cause of conserving the monuments. The agencies like INTACH have, however, the growing body of knowledge to be gleaned from their indigenous experience and international networking on the guidelines for conservation of our architectural and urban heritage. Also, the works of the National Research Laboratory for Conservation of Cultural Property (NRLCCP) at Lucknow, which has

started addressing itself to the problems of conservation, is important in this regard.

The shortcomings in the conservation of monuments are in reality, due to the lack of systems for the management, training and infrastructure. Another major problem that must be addressed is the lack of legislation as regards monuments which are not under the Archaeological Survey of India. Inadequate management coupled with rapid urbanization and the new development agenda makes heritage conservation excruciatingly difficult. Other threats to conservation include misinterpretation, encroachment and misuse of property. In this scenario the need of the hour is to conserve those aspects that contribute in making the historical places significant like promoting the heritage sites giving special tourist interest and value. These elements are all inter-related and have to be understood and interpreted holistically as they are a response to varying factors like topography, available resource and the local climate.

8. Conclusion

Conservation is an attitude that has been negated by modern city planning and as a result the conservation in India is at the crossroads. In India there is an oriented. The existing town and country planning Acts do have provisions for conferring special status to buildings and heritage areas. However, for many reasons (including political and social factors) this has never been enforced. In order to focus attention and action on heritage buildings, recent initiatives such as those by INTACH and various other environmental organizations that have pushed for a separate Heritage Acts/Regulations, would be helpful. However, this requires help from administrative and legislative quarters, as well as adequate support from the judiciary. Above all, it can provide the impetus and ideology for a conservation-oriented development policy, which seems to be the need of the hour.

- Concept of Authority Security Force should come into play for the better protection and security of the public property within the heritage area including prevention of encroachments and for removal thereof;
- Aid the officers of the Authority in the detection and investigation of any matter relating to leakage of revenue or any amount payable to the Authority;
- Carry out a survey of the Heritage Area and prepare reports on the surveys so carried out;

- Prepare development plan of the Heritage area and formulate schemes necessary for implementing the development plan;
- Secure and coordinate execution of the development plan, town planning schemes and the development of the Heritage Area in accordance with the said plan and schemes;
- Raise finance for any project or scheme for the development of the Heritage Area and extend assistance to the local authorities in the Region for the execution of such a project or scheme;
- Raise local, regional, national and international awareness about the significance of the Delhi Heritage Site;
- Promote and encourage proper research to understand the archaeological, historical and environmental values of the Delhi Heritage Site;

9. Recommendations

In the last decade or so an idea that “old and ancient buildings could be restored and reused” had gained prominence. One has to understand that in addition to the historical interest, cultural heritage buildings are valuable because they contribute to the economy by providing key attractions, in a context where tourism and leisure are major industries in the 3rd millennium. Henceforth it is not just a cultural requirement but also an economical and development demand which must be met by adequate public-private partnerships between the government, the corporate sector and civil society.

1. Protected monuments can be outsourced to private players. The private players will invest in the maintenance and upkeep of the monuments. In return they would be allowed to display a plaque near the monuments publicizing their involvement in the site.
2. The role of awareness programmes has to be prioritised. For example, through exhibitions and launching mass awareness campaigns in media. Furthermore, the concept of celebrating ‘heritage month’ or ‘heritage week’ wherein possible exhibitions could be held and more people can visit the heritage sites. There is a need for more programmes such as ‘saga of Shahzanabad’ through which an appeal was made to citizens to safeguard monuments from vandalism.
3. If we can have a marathon for ‘Green Earth’ why can't we have a similar kind of ‘Heritagethon’ for protecting the heritage sites? Just remembering the sites on Independence Day or Republic Day does not show our determination to protect them.

4. There should be strict punishment for those found exploiting the heritage sites. The punishment should include fine resulting in considerable revenue generation for the site.
5. Taking the cue from the 'Konark Dance Festival', if the Department of Archeology could organize musical concerts and cultural festivals, it could enable the generation of revenue contributing to effective maintenance of the premises.
6. The conversion of mere monument site to 'Heritage Tourist Hotel' could also have lot of scope for revenue generation. This would not only help in proper maintenance but also result in the popularity of the site.
7. After several success stories including Vijay Mallaya bringing back 'the sword of Tipu Sultan' and 'Gandhiji's memorabilia', if a scheme outlines a procedure to adopt a monument, maintain it and generate revenue, both the government and the private player would benefit from it and would improve the condition of the monument.
8. Significant historic places may require the preparation of a 'Brochure' which can help a visitor understand the significance of a place enriching her interest, enjoyment and appreciation of that place. The Brochure may include historical information about the asset or the use of a part of the building for heritage display.
9. Promotion is of vital importance for development of a monument as a tourist attraction and private sector can do this efficiently if given proper incentives, like share in revenue from tickets. Extensive marketing and advertising campaigns may also be undertaken in this regard.
10. For unprotected monuments framing a policy for protection against destruction, illegal construction and encroachment would be essential.
11. The shortage of supervisors, conservation staff and engineers needs to overcome along with the issue of labour crunch at ASI.
12. Issues such as lack of co-operation from MCD need to be looked into by concerned authorities. Accordingly the government should act only as a catalyst and not the owner. Its role should be that of a felicitator and not a '*karta*'.
13. Many NGOs are already working and government should identify such institutions and provide required assistance to them. RWAs should be also playing a prominent role in safeguarding monuments.

14. Going by the recommendations of a Nature Conservation Foundation member, several conservation works can be taken up simultaneously if bureaucratic hurdles are removed.
15. The Delhi Government should encourage students take up research studies on heritage conservation under the 'Directorate of Higher Education'.
16. Evidently, the Commonwealth Games 2010 will provide a great opportunity to promote the heritage sites in Delhi. A committee advising the same should work on this aspect as large number of foreign tourist would turn up and provide a great opportunity for revenue generation.

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Governance for Underserved



- ❖ Minorities in Delhi
- ❖ Off the Streets of Delhi: Justice for the City's Children
- ❖ Struggle for Survival & Dignity: Refugees in Delhi
- ❖ Education for Children with Special Needs
- ❖ Women's Safety in Delhi

Minorities in Delhi

1. Introduction

This chapter deals with the various religious minorities in Delhi, some of the major problems they face and how the government and various agencies cater to them. It focuses on the activities, organizational structure, and various organizational problems faced by the Delhi Minority Commission - the prime body that takes care of all minority groups in Delhi. The chapter also throws some light on the Prime Minister's new 15-point programme that was initiated in 2006 and how some of its important aspects are still not implemented in the capital city of the country. It gives a glimpse into the Ministry of Minority Affairs and the three main educational schemes which it initiates for the minorities all over the country and its implementation in Delhi.

The chapter then focuses on two main minority agencies - the Delhi Waqf Board and the Delhi State Haj Committee with an insight into their organisational structures and some of the major organisational problems in these agencies which have an adverse effect on the religious minorities especially the Muslims. The chapter ends with some basic recommendations for the Delhi Minority Commission, the apex body for the minorities in the capital, so that it can include more participation and be citizen-friendly.

A minority is a sociological group that does not constitute a politically dominant voting majority of the total population of a given society. A sociological minority is not necessarily a numerical minority — it may include any group that is subnormal with respect to a dominant group in terms of social status, education, employment, wealth and political power. To avoid confusion, some writers prefer the terms 'subordinate group' and 'dominant group' rather than 'minority' and 'majority', respectively. In socio-economics, the term 'minority' typically refers to a socially subordinated ethnic group (understood in terms of language, nationality, religion and/or culture). Other minority groups include people with disabilities, 'economic minorities' (working poor or unemployed), 'age minorities' (who are younger or older than a typical working age) and sexual minorities.

According to the Indian Government, Muslims, Christians, Sikhs, Buddhists and Jains are the religious minorities in our country. The

chapter focuses on the problems faced by the main three religious minorities in Delhi. Muslims, Sikhs, Christians, Buddhists and Zoroastrians (Parsis) have been notified as minority communities under Section 2(c) of the National Commission for Minorities Act, 1992. Minorities in the country are about 18.4% of the total population, of which Muslims are 13.4%; Christians are 2.3%; Sikhs are 1.9%, Buddhists are 0.8% and Parsis are 0.007%.

2. Various Religious Minorities

a. Muslims

Muslims constitute the second largest religious group in India and are thus the largest minority. Going through various researches and surveys its seen that education is one of the most lacking aspects in the Muslim community. It is because of this that even after so many years after independence the community has fallen behind in major fields in the country even though they constitute the second largest group in the population.

Major Problems

1. Muslims are behind other religious communities in the areas of literacy and education, industrial promotion and economic pursuits. They lack technical and vocational education as well as training in trades in demand.

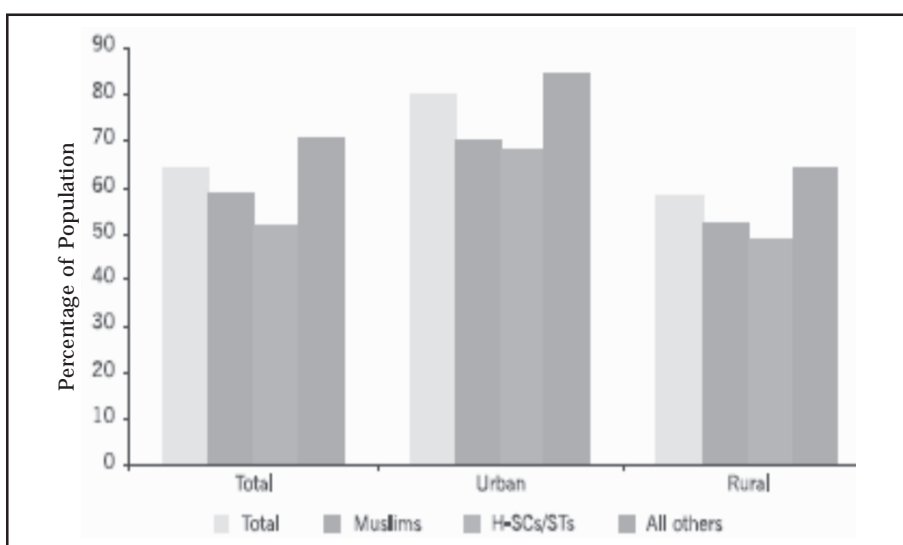


Figure 1: Religion-wise literacy figures in rural and urban areas

2. The village and districts having concentration of Muslim populations often lack markets for their products.
3. The Muslims in Delhi are not able to avail of the facilities of Wakf resources in the absence of proper management. Only 2.3% rate is been returned by the registered 4.9 lakh wakfs in India.
4. The work participation rate among Muslim women is found to be low affecting the quality of their life.

On surveying and on reviewing people's view these are some suggestions:

1. A district wise 'Muslim Minority Development Board' should be created with adequate representation of the Muslim community which should oversee the implementation of welfare projects aimed at improving the educational and economic status of Muslims like providing training for entrepreneurship, advancing interest-free loans for Muslims entrepreneurs, marketing of products of artisans, waving taxes for at least 5 years for new industries set up by Muslims, creating infrastructure like water, sewage system, electricity, dispensary, schools, roads, banks etc.
2. The Delhi Government with the help of the Delhi Minority Commission should identify key areas of development like education, industrial development and special projects should be formulated and implemented within a particular framework for the socio-economic development of the Muslim community.
3. Modernisation of madrasas should be carried out at a fast rate.

b. Christians

The Christians constitute about 2.3% of the total Indian population, in which 34% are urban residents. Christians have a higher literacy level (80%) as compared to other religious minorities and above national literacy rate of 65%. They are generally engaged in the service sector except in some states. Christians are more concerned about health and have better level of well-being. The Christians have the highest per capita income and per capita expenditure among the minorities. Unemployment among Christian community is also significantly lower than amongst Muslims and Sikhs. Though Christianity does not recognize a caste system, nonetheless caste system is practiced among Christians in large parts of the country.

Christians in Delhi are a very small section of minorities according to the survey done by the Indian Social Institute. These are the figures:

State/UT	Total population	Christian population	Proportion of Christians in the population	Sex ratio
Delhi	13,850,507	130,319	0.9%	1076

Major Problems

1. Christians being very less in number are neglected by both the state and the Delhi Minority Commission. But with the help of individual organizations associated with the churches the socio-economic conditions of the community are taken care of.
2. Due to the lack of institutional land in the city the Delhi Development Authority (DDA) is very strict in land allocation, and according to Rev Fr. Dominic Immanuel, the Catholic representative, the DDA should allocate land on the basis of need. According to him the Christian community comes in large numbers and have a tradition of congregational worship so the need for larger land is there. Although this issue has been raised a number of times in the DDA but yet no consideration has been shown.
3. Presently there are three main cemeteries in Delhi-one in Paharganj, another at Prithviraj road and the war cemetery near Dhaula Kuan. But the major problem is the lack of space in these cemeteries. Discussions are going on for the procurement of more lands for burials which is nearly impossible in Delhi due to lack of land in the city. One of the alternatives would be the installation of cell-like structure inside the cemeteries to accommodate more and more dead bodies within less space. This cell structure is working very well in many southern states especially in all parts of Kerala. Due to the lack of land in Delhi, this would be an apt solution to the existing problem of lack of burial grounds.
4. A major problem is also faced by the recognised minority institutions. Even though they are given the minority status, no rules and policy consideration has been given to them, and these institutions, especially schools, are considered same as other public schools.

c. Sikhs

Sikhism is a monotheistic faith which was founded in the 15th century in the region of Punjab, northwest of India. It is recognized as the youngest of world religions. The Sikh religion today has a following of over 20 million people worldwide and is ranked as the world's fifth largest religion.

Major Problems

1. One of the major problems faced by the Sikh community in Delhi is the declining sex ratio in the community. It is especially high in a particular section of the community called the jatedars.
2. Another major problem is rehabilitation of riot victims of 1984; the government has not yet made arrangements for the rehabilitation or compensation to the riot victims.

Some of the suggestions to support the girl child would be to implement the medical scheme in government hospitals and financial support for the girl child in primary and secondary level education.

3. The Delhi Minorities Commission (DMC)

Delhi Minorities Commission (DMC) was set up in 2000 by the Government of the National Capital Territory of Delhi (GNCTD) under the Delhi Minorities Commission Act, 1999 passed by the Delhi Legislative Assembly on 24 December 1999. The objective of the Act was to safeguard the rights and interest of minority communities in NCT of Delhi. The notified Minority Communities, as per the Act, are Muslims, Christians, Sikhs, Buddhists and Parsis. The Commission consists of a Chairman and two Members from the Minority Communities of Delhi nominated by the Government of NCT of Delhi. The DMC is administratively under the control of Home Department of the Delhi Government.

Constitution of the present Commission came into effect from 1 October 2003 with Prof. Abu Baker as Chairman, Rev. Valson Thampu and Mr. PS Bawa as Members representing Muslim, Christian and Sikh Communities respectively. Mr. Valson Thampu formed part of the previous Commission also as Member, with Mr. Zafar Ali Naqvi as Chairman and Mr. Navin Pal Singh Bhandari as Member from 20 May 2000 to 19 May 2003. Rev. Valson Thampu has since resigned w.e.f. 6 December 2004 and Shri Arnold James who was nominated as a part-time Member in place of Rev. Valson Thampu joined the Commission w.e.f. 18 March 2005.

a. Mission of DMC:

To safeguard the rights and interests, as provided in the Constitution of India, of religious minorities in the National Capital Territories of Delhi.

b. Functions of DMC

- To examine the working of the various safeguards provided in the Constitution of India or laws enacted by Parliament and the laws passed by the Legislative Assembly of Delhi for the protection of the minority communities and to make recommendations to ensure their effective implementation.
- To monitor the implementation of the policies and schemes of the government for the welfare of minority communities.
- To assess the representation of minority communities in the services of the government, semi-government bodies and government undertakings, Municipal Corporation of Delhi, Delhi Development Authority, New Delhi Municipal Council, other local authorities and in case of inadequate representation, to recommend remedial measures.
- To look into specific complaints regarding the deprivation of the rights and safeguards of the minority communities and to take up such matters with the appropriate authorities for necessary action.
- To conduct studies, research, and analysis in order to make recommendations to promote socio-economic upliftment of minority communities and to hold seminars, debates and discussions on the problems affecting the minority communities in Delhi.

c. Programme Welfare Activities

- The Commission can monitor the various welfare activities undertaken by the government department in respect of minority communities like maternal and child health under primary healthcare scheme undertaken by MCD, education, grant of minority status to the educational institutions run by the minority communities.
- Economic upliftment through income generation activities
- Grant of loans for self-employment to people of minority communities by Delhi Schedules Caste/Scheduled Tribe and Minorities Financial Development Corporation, Government of Delhi.

d. Research and Evaluation

The Commission conducts research studies and makes recommendations to the government. It monitors and evaluates the various schemes of the different government agencies for effective service delivery and filling up of gaps in implementation.

e. Seminars and Workshops

The Commission also envisages conducting workshops and seminars on issues pertaining to minorities.

f. Education and Awareness Creation on various issues

The Commission is responsible for education and awareness creation on issues pertaining to the welfare/interest of the minorities as the means of empowerment along with promotion of communal harmony through Quami Ekta Sessions throughout the Union Territory.

g. Various Schemes and Programmes

The Delhi Minority Commission has been computerized, a website has been created, a Citizen Charter has been prepared and also various communities' surveys have been conducted.

The Commission is empanelled with four mother NGOs and nine field NGOs in an effort to disseminate information about its mandate and its activities to the minority population.

The Commission organizes Jan Sunvais for the welfare of the minorities among the various localities in the capital. The Commission goes into these local minority communities to hear their grievances. Unfortunately, only 20 such Jan Sunvais have taken place in the past so many years. There has been no follow-up action after the Sunvais.

Another important initiative of the Delhi Minority Commission was 'the Delhi Minorities' Commission 'at your door step' on 17 June 2007. The first programme was held at Fateh Puri Masjid. Many such meetings were organized at various other localities.

The DMC also sanctioned grants to Delhi College of Vocational Training and Research, Allama Rafiq Trust and GDS Society, which are the empanelled organizations for imparting free of cost computer and other skill development training to the minority beneficiaries for their socio-economic empowerment thereby fulfilling the objectives of the 'Prime Minister's 15-point program for the welfare of minorities.

Survey of the number of madrasas present in Delhi and development of plans for their modernisation have been other important tasks taken up by the DMC.

It came to the author's notice that Delhi does not have a separate department for the minorities in the city. Although the Delhi Minority Commission is the body which takes care of it, it is well understood that the Delhi Minority Commission has very limited authority and is just a representative body of the minorities, and has to follow the central government Minority Affairs Ministry. Due to these reasons the Commission is not at all accountable to the general public and vice versa.

Another important work done by the Commission is that individual members who are the representative of different communities hold meetings and discussions with the various heads of their community, and bring out programmes and welfare activities for that particular community.

4. Ministry of Minority Affairs

a. Organisational Setup

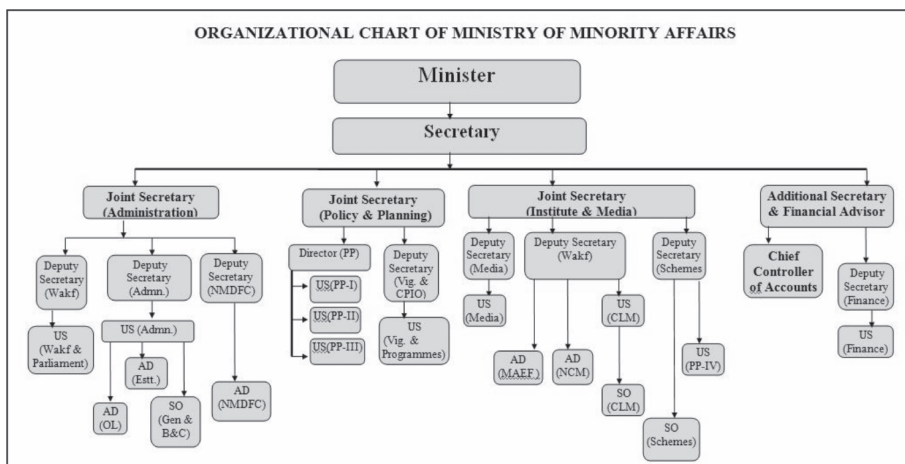


Figure 2: Organisational chart of the Ministry of Minority Affairs

The Ministry of Minority Affairs was created on 29 January 2006. The Ministry is the nodal agency of the Central Government for formulation of policies and programmes and overall co-ordination of all activities for the welfare of minorities.

b. Functions of the National Commission for Minorities

The main functions of the Commission are to evaluate the progress of the development of minorities, monitor the working of the safeguards provided in the Constitution and in laws enacted by the Central Government/State Governments for the protection of the interests of minorities and look into specific complaints regarding deprivation of rights of the minorities. It also initiates studies, research and analysis to be undertaken on the issues relating to the socio-economic and educational development of minorities and make recommendations for the effective implementation of the safeguards for the protection of the interests of minorities.

c. Composition of the National Commission for Minorities

The Commission consists of Chairman, Vice-Chairman and five Members to be nominated by the Central Government.

d. State Minorities Commissions

Thirteen state governments of Andhra Pradesh, Assam, Bihar, Chhattisgarh, Delhi, Jharkhand, Karnataka, Maharashtra, Madhya Pradesh, Rajasthan, Uttar Pradesh, Tamil Nadu and West Bengal have set up statutory State Minorities Commissions. The State Governments of Manipur and Uttarakhand have set up non-statutory Commissions. The Ministry has also requested the remaining State Governments/ Union Territory Administrations to set up such Commissions.

The Ministry of Minority Affairs under the central government does provide a number of schemes to all states and Union Territories of India. The Ministry has various educational schemes for minorities, which include:

- a. Pre-Matric Scholarship Scheme
- b. Post-Matric Scholarship Scheme
- c. Coaching Scheme (for technical and professional courses such as engineering, law, medical, management and information technology.)
- d. Merit-cum-Means Scholarship Scheme

5. Prime Minister's New 15-Point Programme

In May 1983, the then Prime Minister of India Indira Gandhi issued a 15-point Directive on welfare of minorities. The 15-point programme for minorities focused on priority areas such as:

- Need to tackle the situation arising out of communal riots and preventing further communal riots.

- Ensure adequate representation of minority communities in employment under state and central sectors.
- Ensure flow of benefits to the minority community under various developmental programmes such as maintenance and development of religious places, wakf properties and redressal of grievances of the minorities.
- To encourage the starting of coaching classes in minority educational institutions to train persons to compete successfully in these examinations.
- Acquisition of technical skills by minorities who are lagging behind.

It was interesting to note that this historic 15-point programme was carried out very well by all the states and by the central government.

In the nation's capital where the anti-Sikh communal riots broke out this 15-point programme played an important role in curbing violence and in making the citizens of India and Delhi understand that the minorities should be taken care of. That was the period when the importance and protection of the minorities were taken care of seriously and that has continued all through the years. In 2006 under the UPA government this point programme was reviewed and the new 'Prime Ministers 15-point programme' was published.

The following is included in the Prime Minister's new 15-point programme:

1. Equitable availability of Integrated Child Development Services
2. Improving access to school education
3. Greater resources for teaching Urdu
4. Modernizing madrasa education
5. Scholarships for meritorious students from minority communities
6. Improving educational infrastructure through the Maulana Azad Education Foundation
7. Self-employment and wage employment for the poor
8. Upgradation of skills through technical training
9. Enhanced credit support for economic activities
10. Recruitment to state and central services
11. Equitable share in rural housing scheme
12. Improvement in condition of slums inhabited by minority communities

13. Prevention of communal incidents
14. Prosecution for communal offences
15. Rehabilitation of victims of communal riots

6. Delhi Waqf Board

The concept of Waqf is rooted to the Quranic injunctions which deal with charity. Literally the 'Waqf' means endowment of moveable or immovable property dedicated to God by the Muslims for the welfare of needy and poor. The Waqif (settler) in his deed appoints Mutawalli (Manager) for the administration of the Waqf. The Waqif has the right either to appoint himself or any Muslim as Mutawalli. The Waqf Board is established in the state to supervise and maintain the Muslim properties like mosques, madrasas, tombs, graveyards and orphanages. It provides financial aid to widows, students and the destitute. It fights legal disputes for all Waqf properties and the rent received by renting out these properties is distributed to the needy and poor. The Board retains 33 percent of the rent received by renting out properties and rest goes in the maintenance of the property. It has the power to revise the rates accordingly. The Waqf Board also gives one percent of the rent collected to the Central Waqf Board as a part of the financial obligation towards the central authority.

a. Organizational Structure and Legislations

The Department of Waqf, Government of India is responsible for supervising three lakh Waqf (properties) in India. The apex body is the Central Wakf Council consisting of 20 members from a cross-section of eminent personalities that include representatives of Muslim organizations, Members of Parliament, chairpersons of Waqf Boards, former judges of Supreme Court and High Courts, Mutwallis, eminent scholars in Muslim Law and persons having experience in administration. Under this Council there are different State Waqf boards that work in different states.

A Chairman, assisted by seven honorary board Members, Chief Executive Office, Secretary and Assistant Secretary, heads the Delhi Wakf Board. There are other administrative staffs like superintendent, legal officers and clerks.

a. Major Challenges

1. Lack of proper management due to inadequate empowerment of State Wakf Board.
2. The Delhi Wakf Board is in charge of maintaining the various

Wakf properties in the capital and to incur money from these properties to provide aid for various purposes but the major problem seen is that due to negligence and mismanagement, the economic value, which is around Rs 6,000 crores of the Wakf properties in Delhi, is not tapped and only a mere 2% return is provided by these Wakf properties.

So if the proper management by the wakf members of all the properties is taken into account and if this huge economic value is tapped then major problem like lack of modernizations of madrasas can be solved.

7. Delhi State Haj Committee

Haj Committees were established in India to facilitate the process of going for Haj. The Haj Committee was first formed in Mumbai in 1927. The Port Haj Committees Act, 1932 was passed to establish Haj Committees in the principal ports of pilgrim traffic and assist the Muslim pilgrims to Hedjaz. It envisaged the constitution of Port Haj Committee, Calcutta and Port Haj Committee, Bombay. With increase in the number of pilgrims and embarkation points, it was felt to diversify the management of Haj and have appropriate representation from all parts of the country in the Haj Committee of India. Accordingly, Haj Committee Act, 2002 was passed. According to Section 4(ii) of the Act, the whole country has been divided into six zones. Zone 1 comprises National Capital Territory of Delhi, Rajasthan, Jammu & Kashmir, Punjab, Haryana, Himachal Pradesh and Union Territory of Chandigarh.

a. Organisational Structure

The Delhi Government set up the Delhi State Haj Committee (DSHC) in 1983. The Chapter III of the Haj Committee Act, 2002 states that the composition of the State Haj Committees is under the Central Haj Committee located in Mumbai. The Delhi Government is responsible for constituting the Delhi State Haj Committee. According to the Act the State Committee shall be a body corporate, having perpetual succession, to acquire, hold and dispose of property, both movable and immovable, to create a charitable trust or endowment, and to contract. The Committee should consist of 16 members who are nominated by the state government. This would include:

- Three Muslim Members of Parliament of the State, State Legislative Assembly and Legislative Council.
- Three members representing local bodies in the state.

- Three members having expertise in Muslim theology and law including one who shall be a Shia Muslim.

b. Various Problems Faced

- The Delhi State Haj Committee does not have a proper infrastructure and setup and therefore they act merely as a travel agent to the public.
- Even though the Central Haj Committee fixes the rate to go for Haj, illegally extra amount is taken from those who avail of the facility.
- According to the rules, the Haj Committee should provide the expense incurred by the people who go for Haj from their state to the exit point from the country, but many times this does not happen.
- Another shocking finding was the level of corruption in the Haj Committee. The workers there also accept the fact that corruption exists there.
- Yet another problem is the less number of seats for Haj from Delhi. Due to this problem the authorities charge more from the people going for Haj.

8. Findings

- There is very little awareness amongst the general public about the number and nature of schemes available for the minorities.
- The Delhi Minorities Commission only acts as a representative organization and has no right to act on its own. It acts only in line with the Ministry of Minority Affairs.
- Even though the Indian Constitution acknowledges Parsis and Buddhists as minority communities no representation of these groups is seen in the Delhi Minority Commission, unlike representation for Muslims, Sikhs and Christians.
- While interviewing a high official from the Commission, it came to the author's notice that their main focus is on the education of Muslims. This can lead to the development of one section at the expense of the other.

9. Recommendations

- One of the major recommendations from this study would be the inclusion of Buddhists, Parsis and the Jains in the Minority Commission.

- There should be equal treatment of all minorities in the DMC irrespective of their problems and their numbers.
- More authoritative responsibilities should be entrusted with the DMC to function better and fruitfully for the minorities in Delhi.
- Awareness of the DMC is lacking in the public of the capital. Therefore the Ministry of Minority Affairs and the DMC should carry out awareness programmes making people aware of their rights and schemes available for their welfare.
- The DMC library should be opened up for the general public.

- Prepared by Basil Poullose
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Minority Commission chairman awarded

Staff Reporter

NEW DELHI: Member of the Law Commission and former Chairman of Minority Commission Prof. Tahir Mahmood was presented the 7th Shah Waliullah Award here over the weekend for his contribution to legal studies in India.

Attorney General of India Ghulam E. Vahanvati presented him a cheque for Rs. 1 lakh while Deputy Chairman of the Rajya Sabha K. Rahman Khan presented a memento. The award also carries a citation. sThe award is given by the Delhi-based Institute of Objective Studies in recognition of scholarly contributions.



Minority welfare schemes being regularly monitored: Khurshid

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July 23rd, 2009

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NEW DELHI - Minority Affairs Minister Salman Khurshid Thursday told parliament his ministry has a mechanism to regularly monitor the progress in implementation of various development schemes for the minorities undertaken by the government.

"Review of progress of implementation of the schemes is done through periodic

review meetings and through the memorandum of understanding between the Ministry of Minority Affairs and the National Minorities Development and Finance Corporation," Khurshid said in the Lok Sabha.

He also said that monitoring implementation of the Prime Minister's 15-point Programme for the welfare of the minorities is done by the ministry every quarter and by committee of secretaries and by the cabinet every six months.

Regular monitoring of the implementation of welfare schemes include physical and financial progress, timeline and consideration of problems faced by the implementing agency, Khurshid added.

Off the Streets of Delhi: Justice for the City's Children

1. Introduction

'If we don't stand for children, we don't stand for much' - Marion Wright Edelman

There are 18 million children living, working and dying on the streets in India, the highest in the world. These children form the most neglected strata there is in our societal structure for children - unseen, unheard and ignored - most hidden away in plain sight, most too scared to shout to be heard above the din of a largely apathetic society, all too young to form a section of the vote-bank to matter to our politicians.

Who stops to help a child on the street? How many people are aware of what to do with children found on the streets - know that our legal system provides us the opportunity to take them to children homes? Our leaders do not care either- referring to Bachpan Bachao Andolan (NGO) chairperson Kailash Satyarthi's statement, 'Children are still out of our politicians radar' which is backed by a survey showing that about 80% of the candidates standing for this 15th Lok Sabha election did not have child welfare on their priority list.

Estimates claim that Delhi's streets house between 100,000 and 500,000 of these children. Their fragile future hangs even more precariously on the edge, now more than ever. With the Commonwealth Games around the corner the government has identified 18 'zero-tolerance zones' for beggars, a majority of who are children. Plans are submitted in the High Court but these children will be off the street soon one way or another - which way, will make all the difference. The difference in their future makes the issue relevant now and it is time for society to understand what the Delhi Government's efforts are for these children, time for our government to analyze how they well they are doing what they are supposed to be doing and whether what they are doing is enough.

Beyond the concept of moral responsibility, it is now, a time far overdue, that Delhi understands who these children are and more importantly, that the help they need is not counted as charity anymore, but legally, as their right.

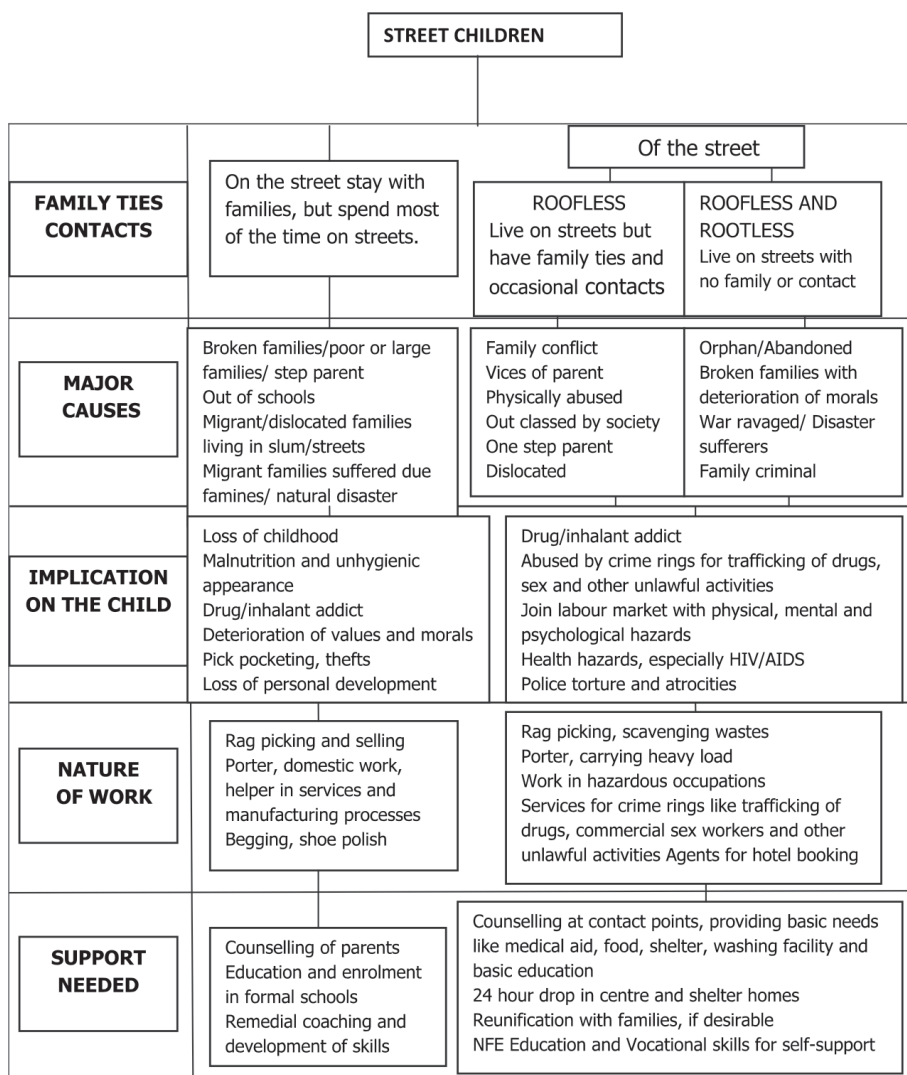


Figure 1: Classification of Street Children

2. National Policy

The national legislative framework in India for children in need of care and protection is derived from the Constitution and the international agreements to which India is a signatory.

a. Constitution

The Constitution has over two hundred articles that address the child, directly or indirectly.

The fundamental right that would make the state responsible for ensuring the care and protection of street children is not intended for children only there is the fundamental right to life and personal liberty, applying to all people, including children. Article 21 of the Constitution, the right to life and personal liberty, states 'No person shall be deprived of his life or personal liberty except according to procedure established by law.'

Article 15 of the Constitution is with regard to 'Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth' implying and agreeing with the text in article 14 about equality of people before the law.

Moreover clause (3) of Article 15 states that 'Nothing in this article shall prevent the State for making any special provision for women and children'; recognizing children as a category of people requiring special consideration in our laws. It allows for 'positive discrimination' of children allowing the government to make special laws for them.

Acts can be passed in Parliament with special reference to children, drawing relevance from Article 15, clause (3). The evolution of these Acts in India is discussed below.

b. Acts and Laws

The Children Act 1960 which was the first major Act in India dealing with street children was initially passed for Union Territories. It defined street children as 'neglected' children (including a child found without having any home or settled place of abode or any ostensible means of subsistence or is found destitute, whether he is an orphan or not). Although the Act seemed to be concentrated more towards delinquent children it set the precedent for instruction regarding care of neglected children. The Children Act of 1960 was as per the first perspective the government took for rehabilitating street children- through institutionalization; setting a precedent of sorts, for the perspective has not changed much in the last 50 years.

The National Policy on Children was formed in 1974. The Policy, recognizing that India was a signatory to the UN Declaration of the Rights of the Child 1959 lays emphasis on child welfare. The following points would apply to street children:

- To ensure equality of opportunity, special assistance shall be provided to all children belonging to the weaker sections of the society, such as children belonging to the Scheduled Castes and Scheduled Tribes and those belonging to the economically weaker sections, both in urban and rural areas.

- Children who are socially handicapped, who have become delinquent or have been forced to take to begging or are otherwise in distress, shall be provided facilities of education, training and rehabilitation and will be helped to become useful citizens.
- Children shall be protected against neglect, cruelty and exploitation.

The Policy directed the government to give priority to programs relating to 'maintenance, education and training of orphan and destitute children.' The document focused on child welfare, giving no insight on work to be done on protection of child rights as asked for in the Declaration of the Rights of the Child. Also, the Policy gave directions for formulation of laws in 'suitable time', thereby implying no timeframe for their formulation.

Even with a policy in place, India still lacked a central Act for uniform laws throughout the country for the rehabilitation of street children. A central Act could not be created as the subject fell in the state List of the Constitution. It was brought into the Union List and the Juvenile Justice Act, 1986 was passed by the Parliament.

In trying to be in accordance with the various agreements signed in the UN about children, particularly the UN Convention on the Rights of the Child, India replaced the Juvenile Justice Act, 1986 with the Juvenile Justice (Care and Protection of Children) Act in 2000.

The Act, which is applicable to the whole of India except the state of Jammu and Kashmir, includes street children in the category of 'children in need of care and protection.'

The Act lays down methods for rehabilitating street children which constitutes of sending them to children homes and shelter homes. It states that restoration of the child shall be the primary objective of the homes, implying that child should be restored to his/her parents or adopted parents as the case may be. The Act also has emphasizes the role of non-governmental organization (NGOs) in the process of care for street children.

Details of the implementation of the Act vary from state to state.

c. Implementation in Delhi

To give full effect to the provisions of the Act, Juvenile Justice (Care and Protection) Rules, 2007 have been framed by the Centre. Under

section 68 of the Act, every state government has been empowered to frame their own Rules, and until the same are framed by the state government, the Rules of 2007 would apply.

Delhi notified its own rules on 19 August 2002 under section 68 of the Act. The rules are called the Delhi Juvenile Justice Care and Protection Rules 2002. These rules are going to be revised and the Delhi Juvenile Justice Rules, 2009 are being prepared.

The duty of implementing the Juvenile Justice (Care and Protection of Children) Act in Delhi lies with the Department of Women and Child Development of the Delhi Government. It was formed on 14 November 2007 when the Department of Social Welfare was bifurcated into the Department of Social Welfare and the Department of Women and Child Development. The Delhi Government has divided Delhi into four districts to administer these rules. There are four Child Welfare Committees and four district-level officers in Delhi.

The Child Welfare Committees are quasi-judiciary bodies that have 'the final authority to dispose of cases for the care, protection, treatment, development and the rehabilitation of the children as well as to provide for their basic needs and protection of human rights.' The Committees comprise five members (at least one woman) who function as a bench of magistrates. The Committee members are not paid; ensuring that people passionate about children are a part of the committee.

Street children can be brought before the Committee by any police officer or the special juvenile police, any public servant, registered NGOs, a social worker or the child can appear herself.

An inquiry is ordered to determine the support system/parents of the child. The inquiry, by a social worker or a child welfare officer has to be completed within 4 months of the committee ordering it. If the child is found to have 'no family or ostensible support' the child is kept in a Children Home. During the period of inquiry however and for a year after if the child is found to have no family or support he/she may be kept in a temporary institution called a shelter home.

The district-level officers are responsible for inspection of the children and of the various homes to ensure they conform to the various standards mentioned in the Juvenile Justice Rules.

3. Street Children in Delhi: A Profile

A survey was conducted by P Agnihotri in 2001 with a sample of 402 children, an aspect of which was to determine a social profile of street children in Delhi. The sample consisted of children falling into the

following categories - 90.5% had run from their homes ('Runaways') and 9.5% were not 'Runaways'. Majority (90%) had been arrested for 'vagrancy', 5% for begging and 4% for petty thefts. (There was no differentiation between children in need of care and protection and children in conflict with the law under the Juvenile Justice Act in 2001). Some of the findings of the report were as follows:

- Age pattern: Major proportions of children were between 10 to 13 years (56%) and 6 to 9 years (23%). Agnihotri claimed a possible reason may be decreasing affection and increasing parental expectations with the onset of puberty between 10 to 12 years.¹¹
- Place of Origin: More than 4/5th of the children were from neighbouring states of Delhi. ¹¹
- Education Levels: 53% of the children were illiterate. 38.5% had dropped out from primary school.¹¹

Substance Abuse	Father	Mother
Smoking	65.5%	8.8%
Alcohol	43.6%	0.2%
Tobacco Chew	19.5%	2.3%
Other Drugs	10.8%	0.25%
None	25.0%	85.7%
Don't know	5.0%	5.2%

Table 1: Substance Abuse by Parents¹¹

Biological Father	Biological Mother	Step Father	Step Mother	Other relative	Total
54.7% (of the children living with father)	21.3%	9.3%	7.1%	14.2%	45.7%

Table 2: Physical Abuse by Family¹¹

- Occupation of Parents: 57.7% of fathers worked as unskilled/ semi-skilled labourers. In 54% cases, only father earned. In 12.8%, only the mother earned and in the rest, both contributed to the family income.¹¹

Both alive and living together	46.9%
Both alive but not living together	14.5%
Only father alive	13%
Only mother alive	17%
None alive	8.5%

Table 3: Living Status of Parents¹¹

4. Critique of the Act

The cause of the problems faced in the care and rehabilitation of street children can be divided into two broad headings:

- Shortcomings of the Juvenile Justice (Care and Protection of Children) Act
- Inadequate implementation of the Juvenile Justice Act in Delhi

There is no doubt that most problems with the rehabilitation of street children stem from the fact the Act is only partially implemented in the Children Homes in Delhi, with the implementation varying as per convenience. However the problem goes beyond that of under-implementation. Although the revised Juvenile Justice Act, which was again amended in 2006, has improved greatly upon the original Act of 1986, the Act still comes under fire from child-rights activists because of some fundamental problems in the legal framework itself.

a. Institutionalisation

The most criticism the revised Act gets is because of the principle of rehabilitation used - it has not changed since 1986 and its focus has remained on institutionalisation.

Harsh Mander in 'Vulnerable Children, Institutionalisation and the Law', attacked the basic logic behind sending a vulnerable child to an institution. He says, "It is absurd and heartless for children to be locked up only because they have no one to protect them. It is argued that this is done for the sake of the child: if the child was free in the community, the state would be unable to protect the child from abuse, and therefore she is locked up for her own good. This is as illogical as saying that when a woman is gang-raped, and the state is unable to arrest her tormenter, instead they lock her up for her own safety."

An interesting angle to institutionalization, as noted by ECHO - Centre for Juvenile Justice is that closed institutions impinge on the child's right to live freely. Therefore the use of Children Homes for rehabilitation of the child implies using deprivation of liberty not as a punishment but as a method for caring for the child.

When asked for her opinion on the Juvenile Justice Act, particularly with respect to the criticism it has faced about 'institutionalization', Ms Mamta Sahai (Chairperson, Child Welfare Committee in Mayur Vihar) supported the Act. She said, *'The Act does not promote institutionalization. Efforts are made for three months to restore the child to his/her parents.'* She added that if restoration was not possible and a children's home inevitable, a certain regime in a children's home was necessary for the development of the child. Children, if not put in a children's home would be back on the street in no time.

b. Ambiguously Defined Government-NGO Linkage

The second major flaw in the Act is that it does not give due importance to the role of voluntary organizations working in this sector. The Act sets a base for co-coordinating government and NGO efforts stating that: 'The state government may make rules to ensure effective linkages between various governmental, non-governmental, corporate and other community agencies for facilitating the rehabilitation and social reintegration of the child.' But it stops at that. The scope of this provision and the action required to be taken under it is not specified. There is no detail laying the kind and extent of co-ordination leaving a haphazard, ambiguous relationship between the only two players working on the issue.

Not to say that there is no linkage at all - the Delhi Government gives financial assistance to recognized NGO to run Children Homes. But getting NGO Homes recognized by the government is an issue in itself. Children Homes not recognized by the Juvenile Justice Act are illegal but NGOs claim recognition of Homes by the government impose upon them co-ordination with the government which involves lengthy bureaucratic procedures which are detrimental to the running of the Home. The Child Welfare Committee on the other hand claims that NGOs were 'stubborn' and had to learn to work within the ambit of the law. Besides this, there is no visible sharing of statistical information between both parties. Research seems to be conducted independently though recently, the Dil Se Campaign started in 2005 was collaboration between the NGO sector and the government.

5. Solutions

It is recognized that the Juvenile Justice (Care and Protection of Children) Act does benefit street children; that it is not basically flawed even though it has the problems discussed above.

a. Changes in the Children Homes

The possibility of implementing these reforms lies in the fact that the Act only lays down a minimum standard for the structure of Children Homes and their running, allowing the state governments to handle the running as they see fit. Some recommendations in this regard include:

- Meeting the minimum standard laid down by the Juvenile Justice (Care and Protection of Children Act), 2000
- Segregation of children of different ages in the Children Home
- Stress on Vocational Training
- Counselling
- Proper dining hall

b. A Solution to Institutionalization - Adoption of the SOS model

This is a view of an official of the SOS Children's Village on the Juvenile Justice (Care and Protection of Children) Act: 'The Juvenile Justice Policy of the Indian Government is not against children. It is the method of implementation of the policy that matters.'

In the SOS Children's Village it is the grouping of children into families that allows for personal attention for so many children. Each family has upto 10 children each. The children in the family are termed as brothers and sisters. Each family is looked after by a mother and an aunt. Each family contains both boys and girls up to the age of 14 years, after which they live in separate 'youth houses'. A child may leave the home at 18 if he/she likes, but will be supported by the home financially up to the age of 24 by which time he/she should have settled down.

The family is given a home of its own, with each home modelled just like a normal household-the home has a sitting area, bedrooms for the children, a fridge, a TV, a dining room etc. This home-like appearance is to counter to the child's perception of a Children Home being a jail. Personal attention and the treatment depend on the training received by the officials in the home. The aunt, who helps the mother, is actually a mother being trained to replace the current one when her term ends. The training centre in the campus also serves this purpose.

There is the CBSE affiliated Hermann Gmeiner School which caters to all children from in and outside the Village. The fact that it caters to children from outside as well allows for interaction of children with the outside world, reducing a critiqued aspect of institutionalization.

The education received by the children in the Faridabad Village, seemed of good standard with a class VII student being fluent in both Hindi and English. He also had an idea of the possibilities of subjects that could be taken up after school, a result of the importance given to career counselling in the Village, an official claimed.

It has been said that SOS is selective in the children it takes into the Village - the organization only accepts orphans without any form of support up to the age of 12 years. An official explained that vulnerable children with some form of support usually were not willing to come to the Village and that there had been instances of such children running away. Owing to this, the acceptance criteria were changed and vulnerable children with some form of support, along with their guardians are now put through a 'Family Strengthening Program' lasting 3 to 5 years in which the family is assisted financially and socially to enable them to take care of the child. Replying to the 12 year old limit, he said that children above 12 found it hard to adjust to the routine, environment and education provided in the Village.

c. Training and Sensitization of Personnel

During the author's visit to the Lajpat Nagar Children's Home it was observed that the officials lack the understanding of dealing with children. There is data available presently to record the kind of training programs that the officials are put through. It is clear that such programs need to be reviewed - their frequency may need to be increased or their effectiveness checked.

d. The Delhi Juvenile Justice Rules: Proposed Additions to the Current Draft to Clearly Define Government-NGO Linkage

It is imperative that the government and the NGOs work together as opposed to working separately on this issue. The current Rules do not define the scope of Government-NGO linkage. The minimum collaboration that should be present between both parties should be defined to allow for a definite collaboration between the two. The ambit of such a partnership could be explored.

e. Research Tie-up between DWCD and NGOs to Create Delhi-specific Research

Most NGOs are involved in on-field work and the government has not published sufficient statistics on its website. The linkage proposed in the new Delhi Juvenile Justice Rules may include details of tie-ups between the Department of Women and Child Development and NGOs to create Delhi-specific research.

f. NGOs Involvement in the Direct Running of Government-run Homes and Vice-versa

There should be posts sanctioned for officials/counsellors in the home who work with NGOs to allow for better tie-ups between the government and NGOs. There should be training program tie-ups with NGOs. SOS Children's Village in Faridabad holds training programs for its staff and was willing to involve the government in the program.

g. Citizen Awareness, Updating Information on the Department Website

The Department is not in compliance with Section 4 disclosure under the Right to Information Act, 2005. Its website is deficient in many ways in this respect. The Department should ensure full and complete compliance with Section 4 of the Act at the earliest in the true spirit of the law. Publishing this information would help generate awareness in the public and reduce the need for citizens to file RTI applications for routine information.

**- Prepared by Eshaan Puri
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Struggle for Survival & Dignity: Refugees in Delhi

1. Introduction

There are around one lakh refugees residing in India and close to 25,000 living in Delhi alone. Due to various human rights abuses, severe restrictions on basic freedoms and widespread poverty within the States of Afghanistan, Burma and Tibet, a large number of people of these countries have fled to neighbouring countries in quest for protection and survival. Some 9,000 Afghans; 4,200 Chin-Burmese and 6,000 Tibetans are currently living in uncertain conditions and are dependant on other agencies to protect them.

The chapter examines the lack of protection and adequate living conditions of Afghans, Chins and Tibetan refugees and asylum seekers in Delhi. Although the office of the United Nations High Commissioner for Refugees (UNHCR) is currently registering and recognizing refugees in Delhi, these refugees wait for long periods of time due to processing delays. Resettlement is unduly slow and opportunities are limited. Even though UNHCR supports several programmes to provide for and improve the welfare of these refugees, many of these programmes are limited, inadequate and ineffective to meet the needs of the community. The Tibetans on the other hand are being governed by the 'Tibetan Government in exile' which though has made a number of facilities provided to the community members, it still requires continued assistance from the Indian Government as they do not fall under the UNHCR's mandate. Therefore they are not the beneficiaries of the UNHCR's programmes which leads to furthering their plight. This chapter aims to find solutions to make the living conditions of the refugees worth living so that they not only get the basic requirements, but also manage to remove the tag of 'refugees' from their lives forever to lead a dignified and peaceful life.

2. Refugees in Delhi

The Afghans

There are 9,000 odd Afghan refugees in Delhi, ninety per cent of whom belong to Hindu or Sikh faiths that are religious minorities of Afghanistan and the rest ten per cent belong to Hazaras, Pasthun and other communities.

Chin-Burmese

There are around 500,000 ethnic Chin living in Burma's northwest Chin State and another 700,000 Chin living in other parts of Burma. Ninety per cent of Chin follow Christianity with most belonging to the American Baptist Church, in a predominantly Buddhist state.

Tibetans

It was in the year 1949 that China occupied the rich religious and cultural state of Tibet and since then it has continued to exercise dominion over the people through the presence of a large occupation force. Moreover, approximately 1.2 million Tibetans, about one sixth of the population, have died in Tibet since 1949 due to political persecution, imprisonment, torture and famine. It was in this context that His Holiness the Dalai Lama, Spiritual and Temporal Leader of the Tibetan people was forced to leave Tibet in 1959.

3. Protection of Refugees

Many governments uphold asylum as an indispensable instrument for the international protection of refugees and to demonstrate commitment to receiving and hosting refugees in cooperation with UNHCR. There are some governments, however, that have denied entry to asylum seekers, forcibly returned them to their countries of origin or restricted their entitlement to basic rights. This, therefore, has not only underscored the need of strengthening the institution of asylum but also has placed barriers in promoting innovative approaches to protection of refugees and the legitimate concerns of countries of asylum and origin.

a. Indian Government

The Indian Government has very often been at the centre stage of South Asian refugee management and has historically hosted refugees from within the region and from other Asian and African countries as well. India has preferred to deal with refugee issues bilaterally or even unilaterally.

International law broadly identifies and defines a refugee as a person who:

- is outside the country of his/her nationality,
- due to a well founded fear of persecution, and
- is unable or unwilling to return to it due to such fear.

Due to the absence of a refugee regime in India or in any of the South Asian countries, there is no legal process for identification of individual refugees. India is also not a signatory to the 1951 Refugee Convention Relating to the Status of Refugees or its 1967 Protocol. Even if it is at all considered from a political or humanitarian point of view, it lacks in technical application of established principles of international refugee law and instead results in the application of *ad hoc* measures for the admission and treatment of asylum seekers perceived to be refugees. The treatment of refugees falls under India's Registration of Foreigners Act of 1939, the Foreigners Act of 1946, and the Foreigners Order of 1948. None of these Acts distinguish between undocumented migrants and refugees. As a result India has no official procedural mechanism in place to protect refugees living within its borders. Rather, such grossly vital decisions are left in the hands of sometimes ill-informed, bureaucratic minds who have no knowledge of the humanitarian principles of refugee law and of the consequent responsibilities that lie with such decision making processes.

India is not a signatory to the 1951 Convention due to various reasons. An analysis of Indian experience with refugees clearly shows that the policy of refugee determination cannot be done on an individual basis. The Ministry of External Affairs rightly considers the Convention and the Protocol as "a partial regime for refugee protection drafted in a Euro-centric context".

The Constitution of India guarantees certain fundamental rights, which are applicable to non-citizens. These rights are the right to equality (Article 14), the right to life and personal liberty (Article 21) and the freedom to practice and propagate one's own religion (Article 25). Any violation of these rights can be remedied through recourse to the judiciary as the Supreme Court of India has held that refugees or asylum seeker cannot be discriminated against because of their non-citizen status. The National Human Rights Commission of India (NHRC) has functioned effectively as a watchdog for the protection of refugees. Indian refugee policy is further governed by certain administrative regulation. The standard of humane treatment set by these administrative regulations flowed from the ethos that persons displaced from their home need both protection and economic sustenance. The administrative experience of the Ministry/Department of Rehabilitation and the laws adjudicated at the time of Partition contributed towards a refugee policy for India.

In the past the Indian government has positively received refugees from Afghanistan, Burma and Tibet. In fact it criticised the Soviet

invasion and Taliban regime in Afghanistan and the actions of Burma's military regime.

However in the case of Afghans, the Indian government does not officially recognize them as refugees but has allowed the UNHCR to operate a programme for them. The refugees say they cannot work in India because they have no residence permits and no status as refugees - so it has become difficult for them to survive day-to-day.

In the case of Chin-Burmese refugees, the then External Affairs Minister, Mr. Narasimha Rao, in 1988, issued orders to protect refugees from Burma and the Indian government provided support to refugee camps established along the border. India's hospitality towards refugees from Burma quickly turned in the early 1990s as political and economic relations between the two countries took precedence. By 1995, the Indian government withdrew support to camps housing refugees from Burma and the Mizoram government issued orders to close the camps. Under today's policy, India bars UNHCR from conducting operations in Mizoram, where a substantial refugee population from Burma continues to exist. Despite its resistance to openly accepting refugees from Burma, India does allow UNHCR to maintain a presence in its capital city of Delhi. The Indian government also generally respects documentation issued by the UNHCR demonstrated by its policy of granting residential permits through the Ministry of Home Affairs to refugees from Burma who are recognized by UNHCR.

The Tibetans on the other hand have a better situation as compared to the former two. Though India does not recognize the Tibetan government in exile, it however, with the support of UNHCR and other foreign donor agencies, has been successful in establishing 44 settlements in India. However the Little Tibet, in north of Delhi, which is home to around 6,000 Tibetans and goes by several names, including Tibet Camp, Samye-Ling - after a famous monastery, Chang Town and Majnu ka Tila. But although Tibetans were settled in the area given by the Indian government, they never had legal title to the land. Till the month of June 2006, there were talks of getting back this land. However the Delhi government in July 2006 reassured the inhabitants of the refugee colony that the settlement would not be demolished and the government will protect the Tibetans and their rich peaceful culture. Though the Tibetans operate under the Central Tibetan Administration, the Indian government has the power to restrict movement inside India, limit employment opportunities, control opportunity to associate and retains the right to return refugees to the country they have fled from.

i. Residential Permit

Under the Foreigner Act of India, UNHCR-recognized refugees from Burma are permitted to apply for a residential permit, an important document that authorizes residency in Delhi as a foreigner. A residential permit is required for Afghan and Chin refugees to be eligible for certain services in Delhi. Residential permits are also required in order to receive an exit permit to leave the country.

To apply, a refugee applicant must provide certain documentation to the Foreigners Regional Registration Office (FRRO), including:

- A valid refugee certificate issued by the UNHCR demonstrating his/her refugee status;
- Documentation showing his/her residency in Delhi; and
- Verification of his/her residency by the local police.

The process of applying for a residential permit, however, is complicated by demands by the FRRO for a superfluity of documents in order to demonstrate residency in Delhi, including documentation from landlords and house owners. Due to the informal housing arrangements of refugees and asylum seekers in Delhi, landlords and house owners are often hesitant to provide proof of residency to refugees, fearing potential legal and tax consequences for housing foreigners. Starting in 2007 the FRRO also began requiring documents such as ration card, driver's license, voting card or utility bill to demonstrate residency in Delhi. For refugees, however, these documents are difficult to obtain and in some cases are only available to Indian citizens.

For verification of residency the local police also require excessive payments or bribes of upto Rs. 300. For a refugee earning an average income of less than Rs. 70 per day these payments are onerous. For those who are able to pay the fees demanded their cases are processed in one to two weeks but those who are unable to pay have their cases put on hold for upto four months. Although there is no law or policy legitimising this practice such abuse often goes unreported.

Although the process of receiving a residential permit should take no longer than two weeks, due to corrupt officials and the difficulties posed in obtaining the required documentation, the process for Afghan, Chin and Tibetan refugees can take upto four months. During this lag time refugees are at risk of severe consequences, including arrest by the police. Employers and house owners are also more hesitant to hire or rent to Afghan and Chin refugees without a residential permit.

Further adding to these obstacles the residential permit is only valid for six months, after which time it must be renewed. To renew the residential permit an applicant must make a special request to the Ministry of Home Affairs. After receiving permission to renew the permit, applicants must start all over again at the FRRO - providing documentation of residency in Delhi and obtaining verification of by the local police department. This is an exhausting process requiring time, energy, and money and causes many hardships for Afghan, Chin and Tibetan refugees with little expendable resources.

ii. Exit Permits

Once a refugee is accepted for resettlement to a third country, the Government of India requires the refugee to apply for an exit permit from the FRRO in accordance with the 1948 Foreigners Order. This exit permit is necessary before a refugee is allowed to leave the country. In order to apply for an exit permit an applicant must show a valid residential permit.

To obtain police clearance for an exit permit in a timely manner, the police again require payment of Rs. 500 per person. For those who are able to pay their cases are processed within one month; those who are unable to pay have their cases put on hold for two to three months. In some cases Afghans and Chin refugees who could not pay the money demanded by the police and did not receive an exit permit in a timely manner were unable to depart for resettlement on the scheduled date. UNHCR and concerned Embassy officials have had to intervene to ensure exit permit are issued to refugees in a timely manner.

UNHCR Operations

Although UNHCR has no formal status in India it is allowed to maintain a presence in Delhi and is responsible for registering, recognizing, and resettling refugees living in India. The largest communities served by UNHCR-Delhi are refugees from Burma and Afghanistan. In collaboration with several implementing partners, UNHCR also provides support for certain forms of humanitarian relief and community welfare service for UNHCR-recognized refugees.

Approximately 60,000 Afghans live in India, of who a mere 16,000 possess certificates issued by the UNHCR. They are not recognised as refugees by the Indian government. Relations between the local UNHCR mission and the Afghan refugees have turned very sour since the 1990s.

UNHCR first began recognizing refugees and asylum-seekers from Burma in 1989. Since then the number of new asylum-seekers from Burma living in Delhi has grown steadily. Delhi currently hosts some 4,500 refugees and asylum-seekers from Burma, of which the ethnic Chin community accounts for about 98 percent. Although the Chin were among the first wave of refugees coming from Burma in 1988, UNHCR did not begin granting refugee status to Chin until 1994. As of December 2008 the number of ethnic Chin in Delhi is 4,200. Of this number UNHCR has recognized some 1,930 (45 percent). Another 2,220 (53 percent) cases are pending and 50 have been rejected. Tibetans are not the beneficiaries of the UNHCR operations.

● **Registration**

Registration with UNHCR is the first step for asylum-seekers seeking protection from UNHCR. Upon approaching UNHCR, new arrivals are provided with a letter stating that her case is under consideration by UNHCR. UNHCR then provides the new registrant with an appointment date to fill out an application form. Once the application form is submitted, UNHCR schedules an appointment to conduct the Refugee Status Determination (RSD) interview during which the basis of a person's claim for refugee status is assessed.

The UNHCR registration is beleaguered by long delays at each step of the process. UNHCR Guidelines state that applications for refugee status should be processed in a timely and efficient manner and the waiting period should not exceed six months from the date of registration to the date of RSD interview. Chin asylum-seekers in Delhi, however, typically wait four to six months after registering with UNHCR just to fill out the application form. It then takes another 12 to 18 months for the RSD interview. On average, the total time between a new arrival first approaching UNHCR to UNHCR conducting the RSD interview is about 16 months to two years - 10 to 18 months longer than provided by UNHCR Guidelines.

Following the RSD interview, typically it is another year before a refugee receives the results of whether her claim for refugee status is approved or denied. During this lag time, asylum-seekers with cases pending before the UNHCR are without documents, without access to UNHCR-supported services and without financial support. Currently, some 2,000 Chin asylum-seekers, more than half the Chin population in Delhi, have cases pending before UNHCR. Tibetans are registered with the Central Tibetan Administration which is a working body in the 'Tibetan Government in exile' and not with the UNHCR.

● **Recognition**

After UNHCR approves a claim for refugee status, it issues a refugee certificate identifying that person as an UNHCR-recognized refugee. Refugee certificates are important identity documents and are required in order to access various UNHCR-supported services. Refugee certificates are valid for 18 months after which time they must be renewed.

● **Resettlement**

One of the criteria used for settlement is people who have been in India for a long time. There are people who have been in India for more than 10 or 12 or even 15 years.

There is a protection panel in the office which looks at the vulnerable cases across the spectrum, not per nationality. These cases are referred to another set of officers for resettlement, who try and match the case with the countries because countries have their own criteria. UNHCR's duty is to submit cases. If they submit a case to the US and it is rejected then UNHCR has to submit it to another embassy. Once the cases are submitted UNHCR calls the refugees for another interview. Once they are accepted it takes almost a year as there are lots of formalities that need to be completed before they leave, including obtaining an exit permit.

Anticipating a dignified life after facing lot of hardships, there are many Afghans who seek resettlement in other countries, including going back to Afghanistan. When the Hamid Karzai government came to power in 2002 in Afghanistan, close to 600 Afghans from India went back. Last year UNHCR could submit 1,000 cases but in previous years it was less than 500. There is a gap between the number of refugees and the possibility of resettlement. For many of the long stayers, New Zealand gave 200 slots for Afghans. The last batch left in May 2007. Apart from New Zealand, Afghans have been resettled in US, Canada, Sweden and Australia.

Due to the lack of local integration and realistic durable solutions in Delhi, resettlement is largely the only option for Chin refugees. In the resettlement process UNHCR-recognized refugees are referred for relocation to a third country. In 2008, 435 Chin refugees were resettled to receiving countries such as Australia, Norway, Canada, the United States, Sweden, and New Zealand. Although the doors of resettlement are now open for Chin refugees, the process remains very slow. Only a couple of hundred Chin refugees leave every year for a third country through the resettlement process. Many have been waiting for more than nine years for an opportunity to resettle.

Even after 50 years of staying in exile, Tibetans are waiting to go back to their own country, after China frees Tibet. Till then Tibetans have to just wait and struggle to get independence. Tibetans do not fall under UNHCR's mandate and they cannot procure any kind of help from it, and thus do not have prospects of resettlement with the assistance of UNHCR apart from going back to Tibet.

4. Recommendations

To the Government of India

- Accede to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol
- Develop a national law protecting the refugees. A legal framework should be developed to process matters in respect of determination of refugee status, protection from refoulement and treatment during stay of refugees
- Promote operations of UNHCR, also allowing it to carry out its full mandate in Mizoram
- Increase funding of UNHCR
- Minimise the number of documents necessary to demonstrate residency in Delhi
- Eliminate verification with police departments. Investigate and prosecute the corrupt local police departments and government officials
- Increase the validity of residence permit to 18 months
- Establish a process providing work permit and ensuring labour protections
- Provide concession or free access to refugee children in schools
- Increase awareness about refugees in local communities
- Hire more staff
- Pressurise the UN to make efforts to restore peace and order in such areas of conflict

To the UNHCR:

- Urge the government to follow the 1951 Convention and encourage the development of a domestic law
- Reduce prolonged delays in the registration and recognition process by increasing staff and resources

- While cases are pending with UNHCR, mechanisms to be developed ensuring protection
- Expand and promote the resettlement process along with increase in number of referrals
- Develop closer working relations and coordination with community-based refugee committees ensuring protection, information sharing and opportunities for work by increasing its presence in West Delhi, allotting more public hours and advance notices
- Ensure all refugees including those unrecognized by UNHCR to have access to basic amenities
- Review and reform eligibility requirements to obtain subsistence allowance
- Determine payments based on household needs and continuation till beneficiaries obtain adequate source of income
- Arrange for accommodations for most vulnerable women

To the UNHCR – Implementing Partners and other NGOs:

- Review and reform programmes to ensure objectives are met and gaps in services are filled. Consult with beneficiaries and community representatives to critique current activities and develop feasible solutions
- Pressurize the government and UNHCR to ensure protection and provision of adequate social services
- Assist the refugees with filling RSD applications
- Implement programmes to increase understanding among locals and decrease discrimination and exploitation

5. Conclusion

Though there are many refugees who have fled from their places of origin, only few have found some form of protection in India. Refuge in Delhi is hard to find. Therefore these refugees in Delhi face considerable hardships and difficulties. Indian government and UNHCR should make it a priority to protect the Afghan, Chin and Tibetan refugees. While recognition of UNHCR-recognized Chin and Afghan refugees is greatly appreciated, the Indian government must be sensitive and sensitise others about their situation in Delhi and ensure timely attainment of recognition, registration, residential permits and exit permits without unnecessary cost or delay or corruption.

Two to three years, which the average time it takes to receive UNHCR-recognition, is too long for refugees to wait for access to much-needed benefits and services. Considering the prolonged wait periods that Chin refugees and asylum-seekers experience before receiving protection from UNHCR and an opportunity to resettle to a third-country, it is necessary to develop and improve on current support structures to ensure a basic standard of living for all refugees in Delhi. These refugees must have access to necessary amenities, such as clean and potable water, food, electricity, and proper accommodations. Employment must be safe, stable, and properly paid. Those without or unable to secure an adequate source of income should be allowed to benefit from the subsistence support for as long as necessary. All refugees and asylum seekers including those not yet recognized by UNHCR should have access to affordable and quality medical facilities and educational institutions in Delhi. The resettlement programme must also be expanded and prioritised for Afghan and Chin refugees living in Delhi, particularly resettlement within large resettlement countries such as the United States without any discrimination based on culture, language or religion.

While UNHCR and UNHCR's implementing partners are accorded a large degree of responsibility to assist and provide for the basic needs of the Afghan and Chin communities, these programmes must be reviewed to reduce the gap between the reality and theory. As community-based projects are often more effective and efficient to provide services within a particular community, implementing partners should work in closer cooperation with them. Without adequate and timely protection mechanisms and proper community-support structures in place, the protection and assistance to these vulnerable sections of society would be hard to provide.

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Refugees at a cultural event



A lady teaching children of refugees

Education for Children with Special Needs

1. Introduction

This chapter discusses the different ways by which the Indian government can go about changing/reforming policies in order to help 'special needs' students. To give these individuals an equal opportunity education the current teaching methods must be the first to change. Since government programs as well as schools outnumber private organizations, change must first start at the politician's level so they can lead by example. Currently there are only a handful of private groups that are making some headway in special education. More specifically we should in some ways look beyond our borders for the answers pertaining to our most relevant questions about education. 'General' or 'basic' education standards are terrible in India in comparison to the rest of the world.

The majority of students in India that make it to the 5th grade have the ability only to write their name in Hindi and do basic math. Our neighbours in the north and east such as China as well as Japan, Korea, and the other Asian tigers have been doing a far better job in a mandatory schooling system; the same goes for our friends in Europe and the United States.

The best way to understand what problems need to be solved in the future is to address what issues exist currently. Out of the many ways to answer this question this chapter uses the method of comparing and contrasting the different views and approaches of the private schools, NGOs and government schools towards solving the issues of equal education opportunities for special education.

2. The Indian Experience

Learning disabilities exist all over the world. 'One in every five students...' goes the noted statistic by various American media sources, '...have some form of learning disability.'

This idea is also shared at home in India by a handful of individuals. One of these individuals, Mr. Arun Kapoor (ex-Principal, now senior staff member of the Vasant Valley School (VVS), as well as founder of The Pallavanjili School) describes his thoughts on 'special needs' in India and the innovations that are taking place within VVS during an interview.

Author: Mr. Kapoor, what is your view on special education in India and what steps has Vasant Valley taken to accommodate students with 'special needs'?

Mr. Kapoor: The way I look at and present the idea of special education to others in the schools that either do not know about it or have stigmas towards the phrase, is by saying that everyone has 'special needs' to some degree. We [at Vasant Valley School] try to help each of our students realize what they want to do as well as help them understand their potential and aim towards helping the student become the best they can be at what they are good at.

The school system here [in India] usually does not focus on the individual abilities of the student which to me is not the real meaning of teaching. Teaching to me is changing the method by which the teacher trains and therefore teaches the information on their agenda. The majority of schools are setup on the aggregate needs of the children. This means that their schooling system is based on administrative needs and not on the needs of child.

For example, 'All 15 year olds are grouped together – therefore everyone is going to understand the given information equally.' The idea that is presented to the teachers at Vasant Valley School as well as to the students and their parents is that everyone is different. Since everyone is different we all therefore have different needs. This is done by creating and using an Individualised Education Program (IEP). Even groups of students that have not been [officially] 'labeled' as having a learning disability – rather than saying they have 'special needs, we call them being differently-abled. The idea of different needs is sent through [the] teachers, then [the] students and then the parents. We then try to sell this idea to everyone. Every single student and teacher is differently-abled. Once teachers understand that they are all differently-abled (have different strengths and weaknesses...therefore there are some things we are better at and some things that we are not so good at) they understand that their students are the same.

However by doing this each teacher's workload grows to accommodate the specific needs of their students. Creating such ideas and turning them into policies during board meetings is important but not the most important thing for its students. By this I mean that a school can have a great policy but it is of no use if the teachers do not implement the ideas from it in the classroom. Since they [the teachers] are 'on the battle-field' every day, if you want to call it that, their actions are very important. But then again some teachers are better at teaching these plans to their students than others. This is one reason why we have [a] mentor[-ing system in school] .

Mentor positions are given to teachers within the school each of whom has a responsibility to 'look after' a small group of students. If students mention to their mentor that they are not getting adequate help in certain classes the mentor becomes an intermediary who can speak to those specific teachers on behalf of the students. A mentor may also suggest different ways for the student to solve their problem so as to teach an assisted form of self-advocacy – and ask for the student to come back if her problem persists.

I feel that a school has to be constantly on the lookout for new ways of thinking and teaching by using the best method of that time meanwhile constantly looking for something new. This is what I am implementing in Vasant Valley School and it is working great so far. Therefore when a school says that they have found 'the one and only' way or 'the best' way to teach their students they have already failed. This is because there is no one right answer in education.

The ideal solution involves mixing pieces of different plans in order to find out what works best. That is in a sense creating individual 'khichris' of different teaching plans to best educate each student. In addition after these plans are delivered, the teachers must go back over the plans to re-assess their approach towards each student. By doing this they see what portions (of their plan) did work and figure out what ideas to switch to for the parts that did not work. Teachers must also implement the idea that we all have different abilities – and not expect a 'super-delivery' of the teacher's plan, being implemented 24/7 which is impossible. We are all humans and we all also have our good and bad days.

Mr. Kapoor again is only one out of a handful of brilliant individuals who are currently changing the face of education in India.

After the 'official' interview with Mr. Kapoor, he discussed the different changes that are taking place within schools in India, what different 'leaders in education' from around the world have to say about special education and how their specific ideas defer from one another in dealing with/solving these questions. Amidst this conversation arose the name, 'The Pallavanjili School' (located in Gurgaon, Haryana) which is one of the few schools with breakthrough ideas on education. The Pallavanjili School was originally started in 2007 as an NGO created by Mr. Arun Kapoor (of The Vasant Valley School) but is planning on becoming a self-sustaining 'private school' within the near future.

At first glance the Pallavanjili School gave the impression of lavish use of space, a comfortable learning environment, warmth, and an

area suited to helping students with a variety of needs. Executed as per the ideas expressed in Mr. Kapoor's interview, Ms. Shaloo Sharma (Head of the Pallavanjili School) was happy to discuss all the various new ways of teaching the school has implemented. Ms. Sharma is also trained in the arts and implements her skills by teaching special needs children through drawing, painting and the creation of images. The interview with her went as follows:

Shaloo Sharma: The name of this School is called, 'The Pallavanjili School.' The name was created by the founder of the school Mr. Arun Kapoor. Similar to any other school within our field, we at this school are trying to work towards an environment with equal learning opportunities for all without any bias. To us equal learning opportunities means that we cater to students with a variety of different needs as well as to students without special needs. We have a very 'inclusive environment' within our school walls. We take in children as young as 6 months old upto those in the 8th grade. If we receive children that are younger then we do 'intervention' with them as well. In any one class of 15 students we may have five students without disabilities, five from under-privileged backgrounds and another five with learning disabilities. In each class the ratio is 8 students to 1 teacher. But for students in special needs we have the ratio of 3 students to 1 teacher in order to offer extra support for those students.

Although we currently only support pre-school through class 8 (8th grade) we are growing and will be adding a new class (grade) every year. Students will have the choice to either take their CBSC, ICSC or NIOS exams. Within our individual classes we do place children with different abilities in the same room. However they are separated into different groups. These different groups are decided by how they do in their 'competency' exam. Students with learning disabilities have an IEP, however, each student here has a unique academic plan which is similar to an IEP.

On a slightly different note our students from under-privileged backgrounds are treated exactly the same as any other student here. Under-privileged students are already 'paid for' and supported by a Foundation that gives them a grant. As for the need for the academic support staff, 'extra' teachers go into classes and give extra support to those students who need or ask for extra help.

Although not all the teachers within the school have the same educational degrees they do receive 'special teacher training' during the summer from Pallavanjili's 'teacher training program'. Our most important criterion for selecting teachers is that they should be

genuinely enthusiastic about helping children. And if they believe that it is going to workout then we are happy. The reason we go about choosing our teachers this way is because in the past we have had highly qualified teachers come in and do poorly at the job and we have had others who were not as highly qualified but could inspire the children to learn and study. But their pay is somewhat defined by their educational qualifications.

Similarly to any other school certain groups of students tend not to do as academically well as their peers. Here when students seem to be lagging or falling behind we try and help them by breaking down the information (of the study material) as much as possible. And if they are still lagging then we might give extra or more heavily weighted homework assignments to make up for what they are not being able to keep up with in class. Or if they are still having trouble keeping up we might ask them to drop a class or repeat a year if needed. Another facility our school offers is a 'Help Center.' This is an area where students meet-up with teachers in a 'working environment' that is different from that of a classroom. Here the teacher is able to work one-on-one with a student on any confusion there might be in the classroom or the teacher may clarify directions or provide help with general classwork as well as any homework that is due.

As far as other forms of schools that can be held accountable, government schools do not have qualified teachers but they do have government funding which we do not have. Plus being a government school they cannot turn any student away. However we are much more similar to the way private schools run their programs. Although it is pretty much the same plan we do not have specific special education programs as we do not want to make the children feel alienated or different. However students with learning disabilities who do require amenities such as extra time for exams do receive it.

A lot of people do not know of this school. We like to get word-of-mouth publicity and we do not advertise in the media. Besides there is no clear way to describe the school in an advertisement anyway. We are not a special education school but we are as well. We are a regular school but at the same time we do several things in our own way which is different from conventional norms.

As the interview was drawing to a close Ms. Sharma introduced the author to Ms. Sarabjit Narula (Head of Special Education at Pallavanjili). Ms. Narula was very co-operative in answering questions as well as describing some of the innovative methods the school uses to teach its students. The discussion with Ms. Narula was as below:

Ms. Narula: Students in the same class can receive extra support. If the student is totally lagging then they can stay back or have less free time during the day and spend part of it working with the teacher.

We receive 'regular' teachers but we update them through our teacher training program on several things such as desensitization, new methods of teaching and tell them about the 'buddy system'. In the buddy system two students help keep each other on track during the school day. They are in the same class and in the same groups within that class. Help and support received by students from their own peer group and friend's group helps a child learn and grow far more effectively than putting the onus on just the teacher. Nothing works better than a peer group. Positive peer groups help individuals know or realize their own boundaries.

This school helps students past the regular school environment as well. Pallavanjili School has 'The Young Adults Program' in which three days a week students who do not feel that they can or do not want to continue with school, go to training. There they learn to work in a non-school but work environment.

3. Accommodating children with Learning Disabilities (LDs)

It is commonly found in India (more so) than in the United States that there is a the lack of information about individuals with LD and the confusion between students with LD and those who are characterized as 'special needs' or M.R. (mental retardation) or Autism.

In the United States there is a Federal Special Education Law which is called the Individuals with Disabilities Education Act, or IDEA for short. This Act includes a clear definition of LDs. It states that "children with specific learning disabilities exhibit a disorder in one or more of the basic psychological processes involved in understanding or using spoken or written language. These may be manifested in writing, spelling or arithmetic. They include conditions that have been referred to as...Dyslexia..." This law demands that every school in every city in every state within the US must provide a 'free and appropriate' special education program(s) for all children with special needs.

There are three main types of LDs. The most commonly found is Dyslexia. Dyslexia is the academic word that describes reading disabilities. The second most commonly found disability is Dysgraphia. Dysgraphia is found when an individual has 'written language' or writing (spelling, confusing b's and d's, etc.) disabilities. The last most commonly found disability is Dyscalculia. Dyscalculia is found when an individual has math disabilities.

Many aspects of speaking, listening, reading, writing and arithmetic overlap and build on the same brain capabilities. It is not surprising that people can be diagnosed with more than one LD. Sometimes the media, the public, and even educators confuse Autism with learning disabilities. These are two separate disorders. According to the Autism Society of America autism is a developmental disability that typically appears during the first three years of life and affects a person's ability to communicate and interact with others. Autism is defined by a specific set of behaviors affecting individuals differently and to varying degrees.

As in India there are laws in place in the United States to help individuals with disabilities and such laws are prevalent in a variety of nations around the world. The forms of 'help' that are put in place for students with needs in education are called 'accommodations'. Accommodations are alterations in the way tasks are presented that allow children with LDs to complete the same assignments as other students. Accommodations do not alter the content of assignments or give students an unfair advantage or in the case of assessments, change what a test measures. However they do make it possible for students with a LD to show what they know without being impeded by their disability.

Once a child has been formally identified with a LD the child or parent may request accommodations for that child's specific needs. The United States' Individuals with Disabilities Education Act states that a child's IEP (Individualized Education Program) team which both parent and child are a part of, must decide which accommodations are appropriate for her. Any appropriate accommodations should be written into a student's IEP.

School assignments and tests completed with accommodations should be graded the same way as those completed without accommodations. After all accommodations are meant to 'level the playing field' by providing equal and ready access to the task at hand, not an advantage to the user.

4. Findings and Recommendations

It is a challenge to arrange a good fit in school for children with LDs. They must have an appropriate level of intellectual challenge with supports, and interventions to address their social and emotional immaturity. Placement in a gifted program may or may not be appropriate, depending on the nature of the program, the social environment of the classroom and the coping ability of the child. A

coherent plan for addressing the student's intellectual, social, and behavioral needs is nevertheless imperative.

Such laws, rules and policies are not currently in place in India. Realizing this flaw the Indian government should go ahead and incorporate a few of these ideas into their current policies on helping individuals with disabilities. As of now bright and gifted children are being cast aside unknowingly by our government and by the majority of our schools because they are unable to cope with the rigid system that is currently prevalent.

Let us not cast such individuals aside because they seem different or unable to learn in a conventional (British) manner. Instead let us create a situation where all children have a right to education and accommodations set in place when they needed. Our biggest issue within education is the severe contrast between low government standards for schooling, the high private school standards and fees, and the vast array of standards one may find when looking at NGO schools. Instead we should put together the best qualities of all three systems, provide a voucher system for individuals from under-privileged backgrounds and create a public-private school system wherein the government owns the buildings and continues with their current schemes and allows knowledgeable private bodies to 'run the show' for a while. This can be done till school policies are implemented and proper teacher training, including special education training, is part of the requirements before a potential teacher is able to receive a teaching certificate.

The Directorate of Education, Government of Delhi released excess grants of Rs. 1 crore to an aided-school named Gadodia Girls Sr. Secondary, Chandni Chowk from 1997-98 to 2003-04 even though student enrolment came down from 409 students in 1997 to just 10 students in March 2003. In view of the minuscule number of students and staff as of November 2004 it is evident that the grant could have been utilized elsewhere in support of educational activities and the students/staff of this school could have been shifted to another school. (Delhi Handbook 2006, pg.85).

Special Needs and Open Learning

As stated by the 'Perspectives in Special Needs' website: Dr. Neelam Sinha, NIOS, New Delhi spoke on 'Inclusive Education through Open Learning.' She noted that the widening gap in inequality in education is related to the problem of access. The lack of education is also due to the rigidity of our formal current system: education in terms of fixed

time, fixed curricula, fixed evaluation system and fixed learning pace. In order to meet the challenges it is necessary to look for alternative strategies and approaches, particularly to ensure not only access but also freedom, relevance, and quality.

Innovative educational leaders are now talking about more flexible and learner-friendly educational methods which automatically respond to individual learner needs. Open learning has emerged with a promise to make education a really effective tool for the process of democratization and social justice. It is particularly characterized by removal of restrictions, exclusions and privileges by the accreditation of students' previous experiences and by substantial changes in the traditional relationship between teacher and students. It offers unique educational opportunities free from the constraints of time and space as well as from a rigid curriculum.

In a changing environment of rapid technological advancement, open learning has to play a significant role not only to provide access but also to retain people with disabilities in the learning process to achieve success. Initiatives in these directions especially for catering to the needs of learners with disabilities need to be addressed with seriousness.

Education in Delhi needs a complete overhaul in terms of its framework, decision-making and political control. Education institutions as well as individuals with special needs have a much tougher time in India than they do in most developed countries. A radical suggestion, as mentioned earlier, would be for government and private organizations to come together to create a school that has the best qualities of each side. If a sudden change for all schools is not feasible then at least one such institution should be created to see if it is able to have some impact and to analyse if there is a possibility of its replication in future.

Introduction of choice, competition and entrepreneurship in this sector will do nothing but benefit anyone who is interested in seeing a brighter, more intellectual India in the future. Education vouchers can be given to under-privileged families to cover the cost of their children's education. Thereafter the parents of each child will have the ability to choose the school that best suits the needs of their child(ren).

**- Prepared by Rustam A Aiyar
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Hollywood Actress Paris Hilton who had learning disability in her childhood.



'Taare Zameen Par', Bollywood movie on the issue of Learning Disability

Women's Safety in Delhi

1. Introduction

According to the National Crime Records Bureau (NCRB), Delhi accounts for over 47% of rapes and abduction of women in urban India. Only 10% rapes get reported according to available data. NCRB data for 2003 reports that there were 15,847 rapes, of which two-thirds were of women between the ages of 18 and 30. More worryingly, 81% of the cases taken up by courts in 2003 are still awaiting justice and activists estimate that the annual conviction rate is as low as 5%. Clearly, despite a growing trend of migration to cities for education and work (according to NSS data for 1999-2000, urban to urban migration is 10.14% of the total migration by women), society at large is still not accustomed to women on their own or with men who are not their fathers, husbands or sons. A survey by Sahelee revealed that 95% women would rather not inform the police about an incident of sexual abuse; thus making a strong case for police reform. Legal reform is as important. There is a demand from women's organisations and the rather toothless National Commission for Women (NCW) that the rape law be amended to bring non-penetrative and non-vaginal assault into the category of sexual assault; to make every police officer and doctor who has conducted investigations in a haphazard manner accountable with stringent stipulations; and to change the Indian Penal Code language from rape to 'sexual assault'.

2. Crimes Against Women

Police records show high incidence of crimes against women in India. The NCRB reported in 1998 that the growth rate of crimes against women would be higher than the population growth rate by 2010. Earlier many cases were not registered with the police due to the social stigma attached to rape and molestation cases. Official statistics show that there has been a dramatic increase in the number of reported crimes against women. Crimes against women fall in the broad categories of rape, sexual harassment, dowry, child marriage, female infanticides and sex selective abortions, domestic violence, incest and trafficking.

3. Authorities Concerned

a. The Delhi State Commission for Women (DCW)

It has been setup under an Act of the Legislative Assembly of the National Capital Territory of Delhi, passed in 1994. The Delhi Act is based on the lines of the 1990 Act of Parliament under which the National Commission for Women was constituted. The geographical area of operation assigned to the State Commission is the National Capital Territory of Delhi which has a population of over 13 million.

The main objectives of the Commission are to ensure security, development and well-being of women in every sphere of national life— particularly to suggest and ensure implementation of steps against gender discrimination. The Commission is also to ensure that adequate provisions for women's advancement are included in all state policies, plans and programmes. The Commission is expected to review state laws and suggest new legislations and amendments to existing laws to meet the objectives of gender equity and advancement of women.

i. Security Programmes undertaken by Delhi Commission for Women

DCW believed that security of women in the Capital must be ensured and this meant physical security, domestic harmony and legal protection. The chief requirements laid down for the same were:

- Full co-operation and assistance from the police.
- Networking with NGOs and the community neighborhood groups.
- Legal assistance from the Commission through a consultant well-versed with the problems of women in Delhi and through legal-aid centers.

ii. Projects

Several projects were initiated in 2000 such as Self Help Groups (SHGs), Mahila Panchayats (MPs), Short-Stay Homes, Crisis Intervention Centres (CICs), Helpline and Sahyogin. Some of these like SHGs, MPs and Short-Stay Home are no longer in operation; while Sahyogini, Helpline and CICs are still under way. The Commission's role is that of a nodal agency for coordination with the police, NGOs etc.

- **Short-Stay Homes:** Women suffering from domestic violence and/ or evicted from their homes and thus rendered

shelterless are proposed to be looked after in half-way-homes/ short-stay-homes under project 'Sahelee' to be experimentally setup within the community and run and supervised by Mahila Panchayats.

- **Self-Help Groups:** Since the reconstitution of the Commission in January 2000, the Commission started projects with the aim of making women economically empowered. The Commission tied up with various NGOs working in different parts of Delhi for formation of Self-Help Groups. Its objectives were to sensitize women in the target area for the need of SHGs and its relevance to their process of empowerment, to create a group feeling, to enhance the confidence and capabilities of women, to develop collective decision-making, to encourage habit of saving among women, to facilitate the accumulation of their own capital resource base, and to motivate women taking up social responsibilities particularly related to women development. More than 16,000 women have been involved with SHGs since their formation.
- **Sahyogini:** Delhi Commission for Women is running a family counseling unit called 'Sahyogini'. This is a continuing facet of services to women given by the Commission. A panel of Members and Legal Advisers hold 'Sahyogini Sessions' where counseling is done for disputing parties. Many hearings are conducted before the Commission reaches a final solution for the affected women. It exercises the powers of a Civil Court to ensure compliance of its summons for witnesses and for evidence. Often disputes are settled and families are reconciled. Follow-up is also done periodically for the cases handled by the Commission.

iii. Powers of Delhi Commission for Women

As per provisions of the Act the Commission shall while investigating any matter referred to in the Act, have all the powers of a Civil Court trying suit and in particular, in respect of the following matters, namely:

- summoning and enforcing the attendance of any person from any part of India and examine him on oath;
- requiring the discovery and production of any document;
- receiving evidence on affidavits;
- requisitioning any public record or copy thereof from any court or office;

- issuing Commissions for the examination of witnesses and documents; and
- any other matter which may be prescribed.

DCW was formed to study ground-level realities of women, their difficulties and provide recommendation to the government for amendment of the law. However now it has started providing counseling and resolution for issues face by women.

If the matter requires relief from local police the same is sent to the concerned police station or Deputy Commissioner of Police or if it requires the relief through the court of law it is referred to DLSA (Delhi Legal Services Authority) for providing free legal-aid to the complainant for filling an appropriate court case. For filing a complaint a written complaint has to be given to the Commission. There is no fixed time to file a complaint after the incident but should be filed preferably as soon as the incident has taken place. The complaint can be lodged immediately after the incident or even in case of threat of the incident.

iv. Issues Solved by DCW Helpline

The issues include matrimonial discord, family adjustment problems, physical and mental harassment by husband and in-laws, harassment by neighbours or others, child custody, maintenance, divorce and desertion, rape, dowry death, physical abuse, legal advice and implication, and many miscellaneous problems of women.

The Commission after receipt of a complaint gets it registered, feeds it in the computer and a file is opened immediately. A receipt is given to the complainant and her file is marked to a Member. The complainant has to disclose her identity so that action can be on the complaint. The complainant has to give in writing her grievance so that the other party can be summoned and proper investigation done. Immediate action is taken on the complaint.

v. Rape Crisis Cell

Rape crisis cell is another programme started by the DCW in September 2005 to provide assistance to rape victims. This is free legal service cell exclusively for rape victims. A team of persons supervised by experienced lawyers provide legal services to the victims.

The services provided by the Rape Crisis Cell include:

- availability of advocates and coordinators to the victims/families round the clock.
- free legal services to the rape victims/their families from the time the complaint is lodged in the police station.
- help to the victims to lodge the complaint at the police station, recording the statement.
- assistance to the police in ensuring that relevant provisions of the law are applied in each case.
- sensitive handling of the case by the police.
- opposition to bail applications made by the accused and assistance to the prosecutor in the case.
- representation of the victims interest in the entire trial and if required at the appellate stage also.

The complaints from aggrieved women are received by the Coordinators handling the Helpline. A definite time frame could not be fixed for the process because the cases are registered after hearing them out. Once the complaints are registered, they are handed over to the Record Keepers by the Coordinators for placing them before the Members for hearing the parties concerned and resolving the issue, with legal assistance from the Counselors attached with each Member.

vi. Mahila Panchayat (MP)

Delhi Commission for Women has promoted the setting up of Mahila Panchayats. Mahila Panchayat is an innovative collective approach for community participation in dispute redressal. After need assessment and motivation community leaders are identified and these women are then motivated to volunteer as Mahila Panchayat Members. The 20 MP members are trained in legal issues, dispute redressal mechanism and laws relevant to crimes against women, and are given exposure to the existing legal position regarding property, maintenance, marriage, custody etc. They are also given training in counseling, FIR writing, pursuing with the police stations and in proceeding for legal recourse. The Mahila Panchayats itself act as a 'watch dog' and its members, after orientation and training, can handle delicate family disputes. They find solutions at the local level through the workers in the field itself. They link up with lawyers, and issues which cannot be resolved at the Mahila Panchayat level are either resolved by the lawyers or alternative course of action is determined in consultation with a lead NGO, lawyer and Delhi Commission for Women.

vii. Lok Adalats

The concept of Lok Adalats was conceived with the following objectives amongst others:

- To provide speedy justice to women.
- To generate awareness among the public regarding conciliatory mode of dispute settlement and legal sanctity of Lok Adalat.
- To encourage the public to settle their disputes outside the formal setup.
- To empower public especially women to participate in justice delivery system.

viii. Crisis Intervention Centres (CICs)

CICs are a scheme for providing support to victims of rape, domestic violence and torture. To professionally handle the investigation of rape cases of minor victims and to rehabilitate the needy ones amongst them, Delhi Commission for Women has motivated Delhi Police to expedite and expand the initiative of Rape Crisis Intervention Centres from 3 to 7 police districts of Delhi.

Main objectives of Crisis Intervention Centres are:

- To provide a support structure to the CICs of Police Department.
- To ensure transparency in the professional investigation, registration of FIR and medical examination.
- To reduce trauma and provide counseling help to the victim, family and the immediate attached community.
- To provide medical help where required, particularly for treatment of victim (sometimes this is very expensive and financial support is needed).
- To provide financial assistance to victim and her family for the duration of investigation.
- To help in the rehabilitation of the victim.
- To provide the services of a panel of doctors and lawyers in each district.
- To provide financial assistance through trusts and Rotary Clubs and to obtain additional assistance from other donors.
- To provide legal-aid where necessary.

b. National Commission for Women (NCW)

The National Commission for Women was setup as a statutory body in January 1992 under the National Commission for Women Act, 1990 (Act No. 20 of 1990) of Government of India to review the constitutional and legal safeguards for women; to recommend remedial legislative measures, to facilitate redressal of grievances and to advise the government on all policy matters affecting women.

i. Complaints and Counseling Unit

This cell is the 'Core' unit of the Commission and processes the complaints received orally or in writing or acted on suo moto under Section 10 of the NCW Act. The complaints received relate to domestic violence, harassment, dowry, torture, desertion, bigamy, rape, refusal to register FIR, cruelty by husband, desertation, gender discrimination and sexual harassment at work place. In 1999 the Commission received 4329 complaints related to the above types of crimes against women.

When complaints are being tackled by the Commission investigations by the police are expedited and monitored. Disaggregated data are made available to various state authorities to facilitate action. Family disputes are resolved or compromised through counseling. The complaints are analysed to understand the gaps in routine functioning of government in tackling violence against women and to suggest correctional measures. The complaints are also used as case studies for sensitisation programmes for the police, judiciary, prosecutors, forensic scientists, defence lawyers and other administrative functionaries.

ii. Networking

Women's movement in the country was brought to the forefront by the efforts of NGOs. The Commission interacts and networks with the NGOs and the State Commissions for ensuring gender equality and empowerment of women. The Commission also interacts with the media, social activists and academicians to suggest the ways of ensuring due representation of women in all spheres of life.

iii. Seminars, Workshops and Conferences

The Commission conducts seminars, workshops and conferences and sponsors such events by providing financial assistance to research organizations and NGOs. The important areas so far covered include violence against women, sexual exploitation of women at work place, educational health and employment aspects, women in agriculture

sector, women in Panchayati Raj, custodial justice and mental health institutions.

iv. Legal Amendments/Bills Proposed

Amendment to Acts:

- Criminal Procedure Code, 1973
- Indian Penal Code, 1860
- Indian Evidence Act, 1872
- Dowry Prohibition Act, 1961
- Commission of Sati (Prevention) Act, 1987
- Hindu Marriage Act, 1955
- Child Marriage Restraint Act, 1929
- Indecent Representation of Women (Prohibition) Act, 1986
- Immoral Traffic (Prevention) Act, 1956 (for elimination of child prostitution and devising a comprehensive package for rehabilitation)
- Medial Termination of Pregnancy Act, 1971
- Family Courts Act, 1984
- Foreign Marriage Act, 1969
- Guardians and Wards Act, 1890
- Indian Succession Act, 1925
- Representation of the People Act, 1951

Bills:

- The Marriage Bill, 1994
- The Domestic Violence to Women (Prevention) bill, 1994
- The Orphan & Destitute Children (Adoption) Bill, 1994
- The Criminal Laws (Amendment) Bill, 1994 (with reference to child rape)
- The Criminal Laws (Amendment) Ordinance, 1996
- The Prevention of Barbarous and Beastly cruelty against Women Bill, 1995
- The Constitution 81st Amendment Bill, 1996

4. Recommendations

a. Making Delhi Safe for Women

i. Police

- Training for police to deal sensitively and appropriately in cases of violence and violations of women's right to safety.
- Recruitment and placement of women police officers in each police station.
- Collaboration with women's NGOs for helpdesk in police stations.
- Increase in the number of PCR vans and police personnel.
- Collaboration between senior officials and women's organisations to monitor and address violence against women. Women's organisations could be invited to regular monthly review meetings taken by Police Commissioner.
- Review of the functioning of the Crimes Against Women Cell to ensure that it responds appropriately to women's needs.

ii. Services for Women facing Violence

- Increase the number and improve the quality of available services including helplines, medical facilities, legal-aid units, shelter homes and counseling centres.
- Enforce existing government guidelines on prevention and redressal of sexual harassment at the workplace.
- Disseminate information on government commitment to women's safety and available services.
- Training for women in self-defence.

iii. Infrastructure

- Improve urban infrastructure – lighting, signage, pavements, parks.
- Signage in all public places giving details of helpline numbers and persons to be contacted in case of harassment.
- Provision of clean and well-lighted toilets in all public areas.
- Ensure adequate infrastructure in resettlement colonies, in particular, affordable and clean toilets and drinking water points.

- Provide night-shelters for homeless women.
- Ensure services for mentally-ill women and women with disabilities.
- Sensitisation of bus drivers and conductors, and signage on buses.

iv. Community Action

- Strengthen community-level women's organisations.
- Gender sensitisation for Residents' Welfare Associations to enable them to respond to cases of domestic violence in their areas.
- Collaboration between Residents' Welfare Associations and women's organisations.

v. Media

- Sensitization of media persons to issues of women's rights.
- Formulation of a code of ethics in reporting cases of violence.
- Public campaigns on women's safety.
- Dissemination of information on available infrastructure and services.

Finally conduct participatory 'safety audits' of various areas in Delhi including residential areas, shopping centres, government buildings, educational institutions and cinema complexes. The audits are a means to identify 'unsafe' factors in the area as well as to sensitise participants (who include members of the local community and clients/users of services) to the issue of women's safety.

5. Conclusion

It is high time the government got an institutional mechanism in place to take care of the rehabilitation of women and girl victims of crimes that are mostly sexual in nature. Recent amendments to laws and various Supreme Court rulings have undoubtedly strengthened the mechanism for investigation and prosecution resulting in an increase in the number of women (even though minuscule) coming forward to report cases of rape. But there is no institutionalised system for their rehabilitation. This prohibits women, in the first place, from approaching the state for help when they become victims of such crimes

because, for one, they are not sure of the response they will get, and secondly, they fear the aftermath with an uncertain future ahead of them and no support whatsoever coming their way. Over 70% of the victims become 'untraceable' after they take the first step of getting a First Information Report (FIR) registered.

The biggest problem with eve-teasing and molestation is that victims seldom report incidents so the perpetrators of these crimes are rarely prosecuted. This leads to a belief amongst them that no action will take place against them and so they continue to sexually harass women.

Another problem is that amongst those who witness such incidences there is a reluctance to rescue the victim or become involved in any way. This attitude of turning a blind eye to any problem one doesn't consider one's own, further compounds the victim's dilemma about speaking up as she can never be sure if anyone will come to her aid or she'll be left alone to tackle with the unpleasant, and perhaps even dangerous, molester.

- Prepared by Chitra Mishra
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CITY

Noida cops now say DU student was gangraped

Laith Kumar | 700

Noida: Rape has been confirmed in the case of the 20-year-old Delhi University student who was abducted by a car-borne trio on January 4 and later abandoned in Ghaziabad.

The girl's vaginal swab report has confirmed the presence of dead sperm. Moreover, the abductors have also confessed to the gangrape.

But according to the Noida police officers, the girl is petrified after the experience. "She has refused to testify that she was raped at all. However, we have now registered a case of rape," said senior superintendent of police, Navin Arora.

After the Delhi police nabbed one Amit, who spoke up about the gangrape incident, the Noida police arrested another three of his associates, Rakesh, Kanak and Kapil. The last three, apart from Amit, had allegedly raped the woman after abducting her.

A police officer said that Amit and the "trio" later arrested, had been driving around Noida in a heavily drunken state when they decided to abduct the student. After three hours, they

dumped her at Bhopura in Ghaziabad. There a team of the Sector 56 police station, who had been pursuing the culprits, found the girl in a dishevelled state.

Police also revealed that Amit was in fact leader of a gang of 11 dreaded criminals. While the Noida police have now arrested eight, two are absconding, and one is in jail.


From the four later arrested by the police — Rohit, Pappi, Amit and Vijay police seized Rs 1.43 lakh, seven country-made pistols and several looted mobile phones.

Police claimed that the

four had recently looted Rs 8 lakh from a contractor in Greater Noida, after shooting him dead. They had also shot and injured two persons, in the industrial area in Greater Noida, and robbed them of Rs 2 lakh. They had also murdered a transporter in Dadri.

Police said the four had also looted a Santro car, a Zen Estee car and an Alto car in three strikes in Noida. They are also accused of shooting a petrol pump attendant in Greater Noida, after robbing him of Rs 1 lakh, besides a double-barrelled gun.

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70-yr-old woman robbed, murdered in south Delhi

TIMES NEWS NETWORK

New Delhi: Two days after police commissioner Y S Dadwal announced a special drive to protect the city's senior citizens, a 70-year-old woman was found murdered in a flat near Garhi in East of Kailash area of south Delhi on Sunday evening. Victim Basanti lived alone while her four sons and husband stayed in different flats in the same area.

According to the police, the victim's decomposed body was discovered by her son. The room was locked from outside. The house had been ransacked and valuables including cash and jewellery were missing, said police.

Joint commissioner of police (southern range) Ajay Kashyap said: "Entry to the flat appeared friendly as there

was no sign of struggle at the entry gate. The body was decomposed and the nature of injuries can be ascertained

Neelabh



only after the postmortem." Police said while Basanti lived alone, and it was not clear whether she was en-

rolled with the Delhi Police's senior citizen's cell. One of her neighbours, Praveen Sachdeva, while speaking to Times city said, "She had been staying in the area for past several years. We last saw Basanti on Friday night."

Sachdeva added that it was her son Harish who discovered the body. "When Harish came to the house, he found it locked. The police was informed and the door broken open. She lived in the Janta Flats in Garhi area," he said. The police said she could have died two days ago and motive appeared to be robbery.

The victim had been associated with a political party and was socially active in the area. Her sons were yet to ascertain the amount of cash and valuables stolen.

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Revenue & Finance



- ❖ Delhi's VAT Department: Mixed Results & Lessons for GST
- ❖ Microfinance in Delhi: An Illusion

Delhi's VAT Department: Mixed Results and Lessons for GST

1. Introduction

The Value Added Tax (VAT) system is a system of indirect taxation that replaced the previous sales tax regime in India. Like its predecessor, VAT is implemented at the state level and applies to all goods traded within the state. The Delhi Value Added Tax Act was passed in 2004 and there were follow-up Rules in 2005. The new consumption tax system was finally put in force from 1 April 2005 in Delhi, along with 20 other states. Delhi VAT Act replaces the old Delhi Sales Tax Act, Delhi Sales Tax on Works Contract Act, Delhi Sales Tax on Right to use goods Act and Delhi Sales Tax on entry of motor vehicles. The Department of Trade and Taxes is the state department in charge of all matters related to VAT administration.

In Delhi, up till 2005, there was a system of sales tax whereby, depending on the nature of the goods it was either a first point or last point tax or some combination of both. VAT is a multi-point tax collected at each stage of trade of goods. It allows for set-off of tax paid previously when the goods were purchased against the tax charged when the goods are sold. As such the tax that is charged is only on the *value added* by the trader, i.e. the mark-up by the trader.

Value Added Tax is applicable to the trade/transfer of goods within state; it is not applied on services. The tax charged on the transaction will equal the tax rate multiplied by the value of taxable sales. Output Tax is the tax charged on sale of goods, collected as part of the sale price from the customer. Input Tax is the tax paid to the supplier for the input goods, i.e. the part of the cost price which went toward taxes charged. Now, the Net Tax is the output tax collected minus the input tax paid. In case the input tax exceeds output tax, the trader will be entitled to a tax refund.

There is an in-built incentive in the system for taxpayers to comply with authorities in order to claim their input credit. Several problems of the earlier sales tax regime, such as cascading, under-invoicing, multiplicity of taxes and inter-state tax variations, were sought to be eliminated by the introduction of VAT.

About 135 countries worldwide have introduced this ad-valorem system for collecting consumption taxes, and India was amongst the last few to introduce it.¹ It is well established in Europe and several Latin American countries. In India, unlike other countries, VAT is under the administration of the state government. While this goes against the basic premise of VAT systems (that it should be federally administered so as to remove multiplicity of taxes, authorities, unify markets, etc.), in India this is not constitutionally feasible for states fear that it would reduce their autonomy and revenue share.² Also note that Delhi VAT is only applicable for transactions carried out within the state. The Central Sales Tax Act, 1956 continues to be in place for inter-state transactions. While the administration of Central State Tax is carried out by the state department, the Centre government has the power to decide rules and policies pertaining to it.

VAT/sales tax has historically been the largest contributor to state governments' revenue receipts. It is estimated that VAT will be 73.61% of Delhi's total own-tax revenue for the year 2009-10.³ Out of total revenue receipts, that is including non-tax and tax revenue, VAT collections account for 62%. A cursory analysis of revenue figures below would show that revenue from sales tax/VAT has grown consistently over the last 10 years. It was feared that with the introduction of VAT revenues might actually go down because traders would shy away from the fixed costs of filing regular returns and due to rationalization of the numerous type of taxes and tax rates.⁴ Yet, when it was introduced in 2005-06, revenue jumped by 25%. As shown in Table 1, comparing the growth rate of sales tax/VAT before and after the introduction, the pre-VAT five-year period had an average growth of 11.02% whereas the corresponding post-VAT period clocked an average growth of 14.19%. While economic growth should be regarded as the main driver behind any growth in tax receipts, it seems that VAT could only have served to maintain or add to this increase. Even in 2008-09, when growth of tax revenue reduced to only 3.38% due to the economic meltdown. With stamp paper collection and luxury tax falling by 40% and 7.3% respectively, VAT collection growth rate declined marginally from 12.8% to 10.3%.⁵ This is important because it indicates that in spite of growth being hit, VAT revenues have held up. The tax to GDSP (Gross Domestic State Product) ratio is another indicator of improved tax collection and this has gone up from an average of 7.53% in the 3 years preceding VAT to 8.25% in the 3 years since it.⁶ Delhi's tax to GDSP ratio has also stayed consistently above the national average.

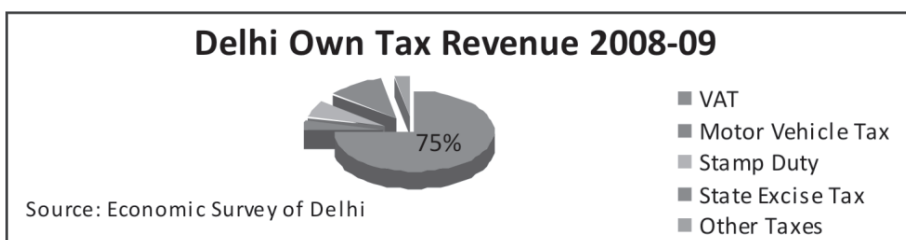


Figure 1: Share of different taxes in total tax revenue for the year 2008-09

Year	Sales Tax/ VAT receipts (Rs. Crores)	Growth year-on-year (%)
2000-01	3388.9	9.5%
2001-02	3712.8	9.56%
2002-03	3848.4	4.62%
2003-04	4435.7	14.19%
2004-05	5200.9	17.23%
2005-06	6500.7	24.99%
2006-07	7365.8	13.31%
2007-08	8310.5	12.83%
2008-09	9152	10.31%
2009-10	10000	9.5%
5 year Average growth pre-VAT (2000-01 to 2004-05) = 11.02%		
5 year Average growth post-VAT (2005-06 to 2009-10) = 14.19%		

Table 1: Sales Tax/VAT receipts and year-on-year growth¹

In the future, the Central government is working on a comprehensive Goods and Services Tax (GST) to replace the VAT system in all states. It is hoped that GST will be introduced in the Union Budget for fiscal year 2010-11. VAT was aimed at laying a suitable groundwork for this more comprehensive indirect taxation regime. Therefore, lessons learned from the implementation of VAT are important to consider when formulating legislation and rules for the new GST administration. When VAT was launched, it served as an opportunity to modernize the IT infrastructure and simplify procedures. Similarly, the introduction of GST should be seen as an opportunity to revamp administrative functioning. The shortcomings of the administration, which could not be successfully eliminated with the introduction of VAT, as well as the new problems that cropped up with VAT, should both be addressed for a successful GST regime.

2. Tax is Tax: Even VAT cannot be Perfect

While it may seem that VAT eliminates the desire for dealers to sell goods to a customer without an invoice, do not be misled. First, if the dealer purchases inputs from a supplier who is not registered or goods

are purchased without an invoice, it does not make sense for him to charge tax on his output, because it would only increase price of product without any benefit to him because he cannot claim input credit.

Secondly, suppose a situation where the dealer has purchased goods with a legal invoice, entitling him to input credit. Now assume that his profit is greater than input tax paid. If the dealer's customer is unwilling to pay him the extra tax amount, then it still makes sense for the dealer to make a sale. He will still receive a new profit equal to his original profit minus input tax paid (that could have been claimed with invoice). This decision will depend on the dealer and the amount of mark-up and costs that go into running his business.

Also, remember that under-invoicing not only saves VAT, but also saves Income Tax. So the incentive to sell goods without a receipt is difficult to remove even with a more efficient and taxpayer-friendly indirect tax system.

3. Delhi Department of Trade and Taxes

In Delhi, the Department of Trade and Taxes is in-charge of VAT administration. Located in IP Estate, adjacent to the Income Tax Office and Police headquarters, this Department is also known as the Delhi Sales Tax Department or the Delhi VAT Department. It is overseen by Joint Secretary (Taxes and Expenditure), Finance Department, who reports to the Finance Minister of Delhi. Unlike other states, where VAT Departments have several branches spread throughout the state, Delhi has only one office where all the employees sit. Some main functions it performs are issuance and collection of forms, assessment, audit, enforcement, returns, registration, appeals, online facilities and tax policy.

The Delhi region is carved up into 10 zones, and each zone is further divided into wards. There are a total of 106 wards. Each ward is taken care of by assigned VAT officers (VATOs).

Scrutiny

The self-assessment nature of VAT was instituted in order to compensate for the large number of dealers who would be brought under the tax net. The Department now is supposed to just focus on a small percentage of dealers for audit. Large taxpayers, who provide a bulk of tax revenue, are given priority in selecting audit.

The Appeals process is shown in the chart below:

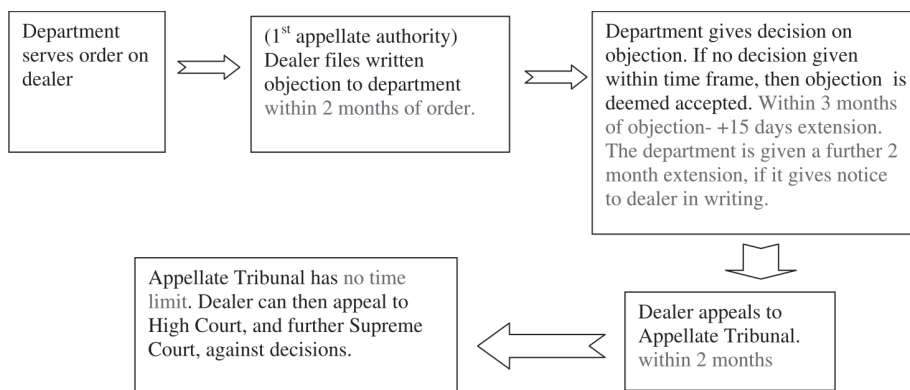


Figure 1: The appeals process in the Department of Trade and Taxes

Making appeals time-bound under the first appellate authority has been a major reform. This has made the grievance redressal mechanism for taxpayers much faster and more approachable. The Appellate Tribunal does not have a time limit, but since the cases there are to be decided by experienced judges it is appropriate to not put an external time constraint on them. For this there could be some sort of time frame that the tribunal can set for itself when it first hears a particular case. Currently traders waste time waiting for hearings and in finding out status of appeal application. The appeal process could be further streamlined better by introducing online service for checking status of appeal and appeal application, date, timing of hearing, and other details.

The CAG reports from 2005-06 till 2007-08 do not shed good light on the Department. In 2005-06 there was underassessment/short payment/loss of revenue and other irregularities totalling 320.01 crores in 1,303 cases. In 2007-08, the losses shot up to a shocking Rs. 973.50 crore in 778 cases. That was more than 10% of the total tax collected during the year. A major portion of this (Rs.782 crores out of 973.5 crores) was due to poor performance appraisal of exemption of Central Sales Tax on account of branch transfer/consignment sale. When branch transfer of stock is made across borders, it is exempt from Central Sales Tax. However many dealers got away without paying the CST by fraudulently using this exemption clause. So while it does seem that loss as a percentage of revenue has generally reduced with VAT, the Department's carelessness with one type of evasion can lead to loss of substantial revenue.

Arrears continue to be a problem; it is reflective of the revenue collection efforts of the Department. Yet, as one can see, the Department's performance in this regard is improving. Arrears have been going down since the launch year of VAT, and arrears as a percentage of revenue collected has gone down substantially. Yet the amount of arrears outstanding is large and if a strong push was made to recover them, they could be used to fund a number of social service projects and investments.

4. Departmental Issues

Some key issues that will be looked at are manpower shortage, training and functional versus geographical classification.

Manpower Shortage

The most difficult problem facing the Department is shortage of staff. This problem has prevented them from carrying out a number of their responsibilities efficiently. Work and cases pile up. Senior officers are kept busy with day-to-day operations rather than being able to spend time on continuous structural reforms of the organization. This is a dangerous situation to persist, for a tax authority in particular, because delays lead to loss of revenue to the exchequer. An overburdened staff may mean that a lot of potential revenue is just left uncollected, since officers do not have enough time on their hands.

Scrutiny is one key function that is adversely affected by the lack of officers. Only 5-10% of registered traders are scrutinized, even though the appropriate number was to be 10-20%. Officers are stretched when time comes for scrutiny, not able to cover all the dealers they would like to. Scrutiny is arguably the most important function with respect to recovering taxes and deterring other traders. A weak scrutiny process, caused due to inadequate number of officers, contributes both directly and indirectly to revenue loss.

There is a shortage of staff at the VATO and AVATO (Asst. VAT officer) levels. Many traders and accountants have complained that there are some wards with fewer officers than needed. Consequently, work gets delayed, amendments are not carried out and assessments remain pending. In addition information that needs to be fed in by the VATO may remain incomplete. The only solution for this is to hire more officials, because work at the VATO level may not be prudent to outsource.

Finally the record-keeping staff also needs to be increased and made more efficient. One way to fix this is outsource the routine work

related to file keeping to an outside contractor. To avoid problems as seen with the data-feeders, performance standards must be explicitly mentioned in the contract, as well as penalisation for not adhering to them. The Department officials made in-charge of overseeing and reviewing the work of outside contractor must give regular performance reports. The reports should be checked so that feedback from traders, tax consultants and others who come to the Department regularly concur with the review.

No Dedicated Revenue Cadre

Officers appointed to the Delhi Department of Trade and Taxes come from the general pool of IAS officers, not from any dedicated revenue cadre. In other states as well as at the Centre, there is a dedicated revenue cadre of officers from where they may be sent to the state's sales tax/VAT Department or the Central Income Tax/Excise/Customs departments. In Delhi as in other states, the Commissioner is appointed from the general IAS, while the deputy/joint commissioners are from *Dainik* Services. At this level, the officials are well-educated and well-trained to carry out functions. But rest of the officers are from administrative services, not from revenue. Consequently they are untrained about working in tax administration. Posting to the VAT Department is sometimes seen as a lucrative option, undermining merit capabilities as a qualification for transfer into VAT.

While civil servants are usually well educated and capable to migrate from one executive function to the next, VAT requires specific knowledge of accounting, law and procedures. Officers must be able to understand the causes and objectives of tasks that they perform, instead of just following prescribed instructions. This can be a problem when the officer is hesitant to use his own understanding to make decisions, because his knowledge is vague about the issue. In day-to-day operation of a tax administration, where a variety of issues and cases crop up regularly, each with its own unique aspects, those officers are needed who can logically tackle issues keeping in mind the rationale behind rules, not just the exact text of them. Moreover, it is only when the officer is highly knowledgeable about his subject matter that he can recommend modifications/changes in procedure to adapt them to new circumstances. As such, training is a necessary condition for effective responses to constructive criticism and feedback from taxpayers.

Delhi's VAT Department is in urgent need for a dedicated revenue cadre. The Public Accounts Committee (PAC) of the Delhi Assembly headed by Congress MLA SC Vats had recommended this way back

in October 2005.¹ Action has still not been taken in spite of the numerous problems faced by the Department due to this situation. The lower and mid-level officials require some more permanency in case they are expected to become knowledgeable about the job.

The Department can also solve this issue by instituting a more rigorous and thorough training programme. The training programme should be designed so that it is extensive and includes follow-up sessions, with a focus on explaining the rationale and reason behind rules, procedures and the law. An effort should be made to ensure that the officers will be confident at the end of training to use their own understanding of laws/rules to make judgments. Moreover a robust training programme would have positive fall-out effect on several other issues discussed till now.

Functional Versus Geographical Classification

One structural reform suggestion for tax administration is to classify itself along functional lines instead of geographical lines. Currently, the officers in Delhi VAT are assigned to wards in particular zones.² There is some degree of division of responsibilities based on function but this is only to an extent and for only very specific wings like audit, internal administration, etc. In general, VATOs working in a particular ward take care of most issues related tax for dealers registered under their area.

The recommendation for functional classification is mainly for two reasons. First, functional classification improves specialization. The officers in charge of a particular task can be chosen from the respective fields that they are experts in. Second, geographical classification encourages the VATOs to hold wide discretionary power and develop a relationship with the dealer, which encourages harassment and corruption. In functional classification, different officers will be responsible for separate tasks, so the power of each officer declines.

Though this seems like an excellent reform suggestion in general, there are reasons why it may not be fruitful as expected. Firstly, in Delhi there is only one head office where everyone is located. The culture of corruption is a problem in general and cannot be simply broken by making them perform specific duties. As mentioned before, this requires an attitudinal shift, both among tax authorities and taxpayers. Also, even with functional classification, there is no reason why there will be less corruption when dealing with officers within a particular functional division. Secondly, and more crucially, functional

classification will greatly increase the time and cost of dealing with department for dealers, since they will have to approach different sub-authorities for different issues. It is easier, faster and cheaper to deal with one officer, who will be able to look at the dealer's tax problems in a holistic manner.

Instead of functional classification, the Department should merely focus on better training of VATOs in general. They should not compromise much on either breadth or depth of knowledge when it comes to law, accounting concepts, rules and procedures. In any case, some functional classification has already been done for certain specific tasks. Further classification can be encouraged, though the Department should be given flexibility to decide for itself the pace of such reform.

Voices of Traders

For any government Department, the active participation of citizens in functioning and reform discussions is necessary for good governance. In this regard, the Department hires external consultants to give tax policy advice and regularly organizes forums to discuss problems and concerns of dealers, tax advocates and accountants. The senior officers are approachable and amenable to suggestions. The Department has also set up a VAT Advisory Committee consisting of over 250 traders across Delhi.

However, for tax, the participation of citizens in discussions with government officials is a tricky issue. Traders are scared to openly criticize the Department for fear of being hounded by Department officials later. Every single trader spoken with strictly requested to keep his name confidential. While the VAT Advisory Committee does serve as a good forum, tangible response can only be given to written complaints. Consequently, a lot of potentially constructive feedback that traders could provide remains unheard. This is detrimental to the Department because traders have several useful suggestions regarding small rules and procedures that would reduce costs in the long run for the Department itself. Additionally, the input of dealers is a must for effective monitoring of performance of low-level office staff in charge of filing and data feeding. It is only when such feedback is collected that the Department can come to terms and make amends to eliminate sub-standard work by its staff.

The issue of traders' participation still remains a tricky issue, because it is ill advised for the Department to act on general verbal complaints by dealers. Instead, the Department should summarize grievances/suggestions put forth at the various forums it organizes. It

should have periodic review of any suggestions to do with rules/procedures that have come up in that period - either in writing from traders, during forums or from various VATOs themselves. Recording and responding to advice from the people it serves and deals with is a policy that would greatly improve the Department's performance.

5. Computerization

When VAT was introduced, the Department seized the opportunity to undertake modern computerization of its systems and infrastructure. Computerization and upgradation of IT systems is still in its nascent stage. CMC Limited and HCL Technologies are carrying out the software and hardware work respectively. Currently the Department is in a transition period.³³ It is supposed to be completed in the next 3-6 months.

Therefore the issues related to computerization should be judged with patience.

Online Facilities for Taxpayers

The Department has made many services available online for the dealers. Online payments are now accepted through authorized banks. The dealer can file e-returns now. There are a number of other web-based facilities available to the dealer such as online availability of application status for forms and registration, finding out TIN, etc. Mobile-SMS based application and information services have also been implemented for dealers. The websites are well maintained and have ample information for taxpayers. The introduction of this vast array of web-based facilities for dealers has surely made their job of paying taxes and filing returns significantly easier.

Many traders are annoyed that in spite of having e-returns, they still have to submit manual documentation to the Department. This results in duplication and defeats the purpose of having an online facility. However requiring only e-returns cannot be allowed unless a foolproof system for digital signatures is available. The Department is aware of this and is in process of obtaining hardware for the same.

Training of Department Staff

While the Department has made commendable strides in computerization since the launch of VAT, there is a serious problem regarding lack of proper computer-trained officers. Many officers are not adept at using computers and may delegate computer work to younger officers. CMC, which is in charge of computer software

solutions for the Department, has had to install biometric devices for officers who were not able to learn how to use a mouse. This is a severe hassle because now a lot of departmental work is computer-based. As a result, the existence of computer-illiterate officers can lead to several delays and errors.

- Prepared by Rahul Garg
(student of Swarthmore College, USA.)

Endnotes

- ¹ Presentation on www.tinxsys.com
- ² Chanchal Kumar Sharma, 2005, as quoted in OECD, 2008, 112-13
- ³ Budget Estimate from Annual Financial Statement
- ⁴ This same fear can be seen in state administrations during their current deliberations with the Central government over GST policy.
- ⁵ *Economic Survey of Delhi 2008-09*, pg. 41
- ⁶ *Economic Survey of Delhi 2008-09*, pg. 44
- ⁷ Economic Surveys of Delhi- 2004-05 and 2008-09
- ⁸ *The Hindu: Business Line. A dedicated cadre for VAT Department sought*. New Delhi, October 04, 2005
- ⁹ Apart from KDU ward, which looks after large dealers.
- ¹⁰ It is supposed to be completed in the next 3-6 months.

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VAT white paper

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2.	Quarter Ending 30-09-07	05-09-2008
3.	Quarter Ending 31-12-07	30-09-2008
4.	Quarter Ending 31-03-08	20-12-2008

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Microfinance in Delhi: An Illusion

1. Introduction

Microfinance is defined as the provision of thrift (savings), credit and other financial services to the rural, semi-urban and the urban poor to enable them to create productivity out of the given resources to develop their sustainable livelihood.

The microfinance revolution started with the recognition that poor people needed access to loans and that they could use these funds productively. It has also changed the perception that poor people are not credit-worthy. Records have shown that, instead, they are a good risk, with higher repayment rates than the conventional borrowers. It has been observed that the recovery rate in this sector has been as high as 99.5%.

As per census 2001, about 0.5 to 0.6 million people migrate to Delhi every year from the rural areas in search of better a living and about 1.5 million Delhi poor live below the poverty line.

Microfinance has been able to reach only 10% of the Delhi poor i.e. out of a total of 90 lakhs plus Delhi poor only 9 lakhs have been touched. There has been a huge problem of exclusion. Many of the Delhi slums are untouched with people living in degraded conditions. There can be multiple reasons for it but the vital being the poor support extended by the Delhi Government, unlike the governments in the southern states where micro finance has been a huge success story. Other problems involved are that of high interest capital, less amount of the loan disbursed, the problem of multiple loans, multipurpose borrowings by the poor etc.

2. Models of Microfinance

a. SHG-Bank Linkage Model

Launched by NABARD, under this model the self-help groups (SHGs) are directly financed by the banks viz. commercial banks, regional rural banks, and co-operative banks.

SHGs are groups of 10 to 20 people preferably with the same economic background. These groups may be registered or unregistered.

The loan is given to the group as a whole, which is then further lent to the members within the group. The group members are also liable to save and deposit money with bank under the group's name and the deposited money is later used for internal lending making them self-sufficient. Once the SHG has accumulated savings for about 3 to 4 months, the members may be allowed to avail loans against their savings for emergency consumption and supplementary income generating needs.

b. MFI-Bank Linkage Model

This model covers financing of microfinance institutions (MFIs) by the banks for further lending to the SHGs and other small borrowers.

c. Joint Liability Model

This is a comparatively newer model. These are small groups of about 5 members and many such groups come together at the centre level. Thus as many as 25-30 members are catered to at a time. The meeting is held fortnightly where the money is lent and recovered from the people. The group is also not liable to save unlike the SHGs. The group members here are held liable for each other and thus the liability acts as collateral.

d. Lending to the Individual by Banks or MFIs

In this model the MFIs or the banks give loan to the individuals who are then themselves responsible for the repayment of the loans. This is similar to the conventional methods used by banks to make loans.

Total Number of Groups	716
Number of Members (Approx.)	16000
	Rupees
Total Saving	40,63,926.00
Loan given	26,48,375.00
Total recovery	10,01,844.00
Interest received	82,848.00
Default	11
Bank Account opened	282

Table 1: SHG bank model in Delhi

3. Agents of Microfinance

Informal institutions that take microfinance services as their main activity are called microfinance institutions (MFIs). MFIs are mainly in the private sector.

Microfinance services providers include the apex bodies such as NABARD (National Bank for Agricultural and Rural Development) and SIDBI (Small Industries Development Bank of India).

NABARD is expected to re-finance the rural portfolio of the banks and cooperatives. The other role that NABARD performs is to manage the Rural Infrastructure Development Fund (RIDF). In case the banks are unable to achieve the priority sector lending targets for agriculture, the banks are expected to deposit the shortfall with NABARD under the RIDF. This fund is used by NABARD to fund rural infrastructure projects. While the banks falling short of their targets have been depositing the amounts with NABARD, NABARD has not deployed these funds effectively. NABARD has disbursed only around Rs.13,000 crores out of the total corpus Rs. 23,000 crores available under various phases of RIDF. Therefore the amount that should have rightfully reached the rural economy has not reached them, either directly or indirectly.

NABARD also plays an important role in the facilitation of the SHG-bank linkage programme through their priority sector lending.

At the retail level we have commercial banks, regional rural banks, co-operative banks etc playing a major role.

4. Working of Microfinance Institutions

Microfinance institutions in India can be broadly divided into the following categories:

a. NGO MFIs (Registered Under Societies Registration Act, 1860 or Similar Provincial Acts)

There are approximately 500 NGOs (non-governmental organisations) that have undertaken the task of financial intermediation. Majority of these NGOs are registered as Trust or Society. Many NGOs have also helped SHGs to organize themselves into federations and these federations are registered as trusts or societies. Many of these federations are performing non-financial and financial functions like social and capacity-building activities, facilitate training of SHGs, undertaking internal audit, promoting new groups and some of these federations are engaged in financial intermediation. The NGO MFIs

vary significantly in their size, philosophy and approach. Therefore these NGOs are structurally not the right type of institutions for undertaking financial intermediation activities, as the bye-laws of these institutions are generally restrictive in allowing any commercial operations. These organizations by their charter are non-profit organizations and as a result face several problems in borrowing funds from higher financial institutions. The NGO MFIs, which are large in number, are still outside the purview of any financial regulation.

b. Non-Profit Companies as MFIs (Registered Under Indian Trust Act, 1882 and Section 25 of the Companies Act, 1956)

Many NGOs felt that combining financial intermediation with their core competency activity of social intermediation is not the right path. It was felt that a financial institution including a company setup was better for the purpose of banking. Further, if MFIs are to demonstrate that banking with the poor is indeed profitable and sustainable, it has to function as a distinct institution so that cross-subsidization can be avoided. On account of these factors, NGO MFIs are of late setting up a separate non-profit companies for their microfinance operations. There are around 10 non-profit MFIs operating in the country today.

c. Mutual Benefit MFIs

Several state governments have enacted the Mutually Aided Co-operative Societies (MACS) Act for enabling promotion of self-reliant and vibrant co-operative societies based on thrift and self-help. MACS enjoy the advantages of operational freedom and virtually no interference from government because of the provision in the Act that societies under the Act cannot accept share capital or loan from the state government. Many of the SHG federations, promoted by NGOs and development agencies of the state government have been registered as MACS. Reserve Bank of India, even though it may be providing financial service to its members, does not regulate MACS. There are approximately 250 MACS in the country today providing microfinance services to the poor.

d. For Profit MFIs (Registered Under the Indian Companies Act, 1956 and Reserve Bank of India Act, 1934)

Non-banking financial companies (NBFC) are companies registered under Companies Act, 1956 and regulated by Reserve Bank of India. Earlier, NBFCs were not regulated by RBI but in 1997 it was made obligatory for NBFCs to apply to RBI for a certificate of registration

and for this certificate NBFCs were to have minimum net owned funds of Rs. 25 lakhs and this amount has been gradually increased. RBI introduced a new regulatory framework for those NBFCs who want to accept public deposits. All the NBFCs accepting public deposits are subjected to capital adequacy requirements and prudential norms. Only about 6 MFIs in the country are registered as NBFCs.

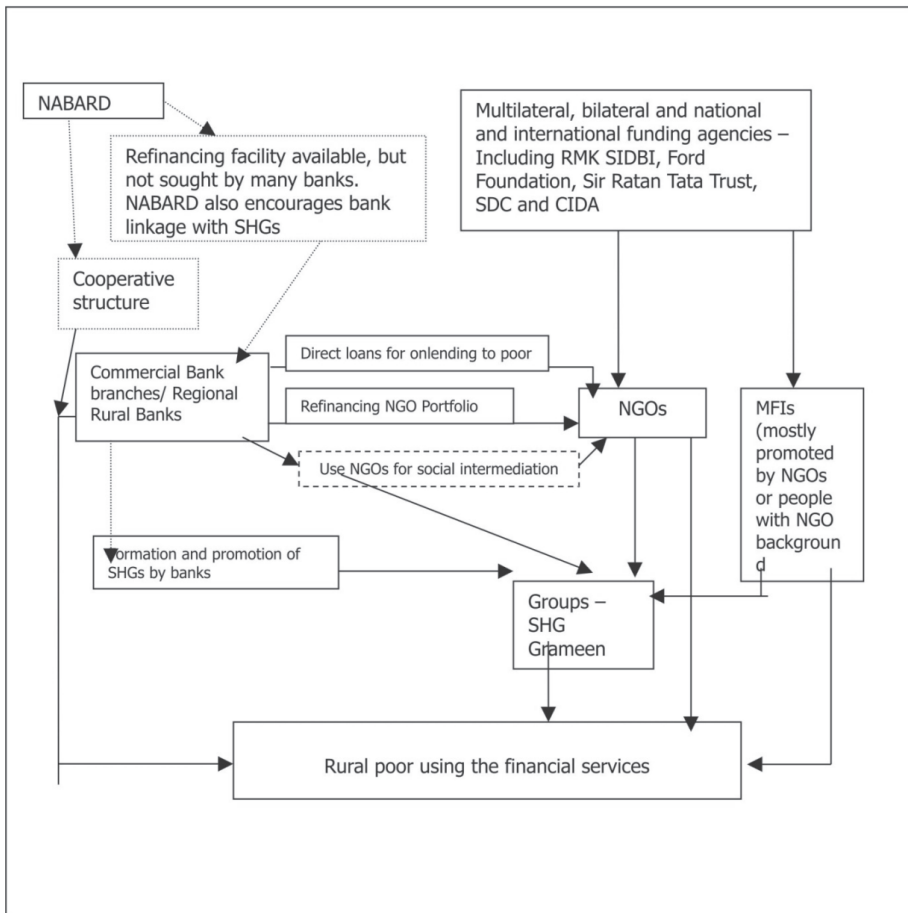


Figure 1: Major players in the microfinance market and their linkages

5. Performance of Microfinance Sector in Delhi

The scenario of microfinance in urban areas in India particularly in Delhi has been poor. Comparing to the large size of poor population in Delhi that needs finances, the availability of capital is low. This is because of the late advent of these institutions here as compared to that in other states particularly in the south. The microfinance activities in Delhi began to start from mid 1990s. This was when the MFIs began

to realise the opportunity for large profits by catering to the urban population. Also the number of MFIs in Delhi is insufficient.

Active MFI players in Delhi as per the last NABARD report include Aajeevika Trust, AIAMED, All India Women's Conference, Asian Society for Entrepreneurship and Development, PRADHAN, DEEPALAYA, Project Concern International India, Society for Promotion of Youth and Masses and SEWA Bharat all of which are registered as societies; CARE India and INDICARE trust which are registered as trusts, Lok Capital Ltd., Satin Creditcare Network Limited, Ujjivan Finance Service Pvt. Ltd and SKS Microfinance Private Ltd which are registered as NBFCs and BASIX which is registered as a section 25 company.

a. Interest Rates

People from different strata of the Indian society are treated differently even in this segment. While the big corporate houses get loans at an interest rate of about 10-14%, those from the marginalised sections get a loan of few thousand rupees at a rate of 30-35%. In a way a poor person has to pay a price for coming out of poverty. One of the reasons for such high interest rates by the MFIs is to incorporate the high administration and transaction costs. Samit Ghosh, CEO Ujjivan, explained this in Dare magazine, "this is because the microfinance is a low margin high volume business. One person is required for processing any loan worth either a few thousand or a few crores. For distributing a loan of Rs. 1 crore in values of Rs. 10,000 each, an MFI, for instance, will need 1000 persons which will push up administration cost. Contrast this to a commercial bank where a single person can distribute loans worth a few lakhs to a several crores."

The breakup of interest rates is as follows:

- Loan cost by the banks is about 11-12%
- Cost of delivery and transaction is about 12-13%
- Added risk of about 1-2%

Hence the overall rate of interest charged by the MFIs becomes as high as 25-28%. However this rate can be reduced by carefully managing the transaction costs. But since MFIs are by far on their own, they are less concerned about reducing the overall costs as these can be incorporated and presented as the higher interest rates charged by them. Hence in certain manner the MFIs make huge profits in the name of priority lending.

b. Multiple Loans

The massive growth of the microfinance sector has led to multiple financing by banks and multiple loans by the clients. This will pose a high risk to the financial institutions. There are two facets to it again.

Since the loans disbursed by the banks are small, the clients, if in need of more money, approach multiple banks to fulfil their credit needs. But they acquire such loans without looking at their ability to repay. Secondly sometimes in order to pay back the loan of one bank people approach another bank for loans and thus ultimately fall into the debt trap. Since the banks do not have unique identity of clients it becomes a challenge to regulate multiple loans. Most MFIs are not regulated and collection of credit information from them may be very difficult.

Another problem from the supplier side is the easy spread of rumours amongst the poor. For example, a person from Nirmaan Bharti, an important MFI working in urban cities, shared that the rumour spreads very easily in context of the bankruptcy of an MFI. Thus people become callous and don't come forward to pay their dues. Thus the process of extracting money from them becomes difficult and costly.

6. Efforts by the Government of Delhi to Support Economically Weaker Groups

a. Department of Women & Child Development

- i. It is planned that there will be generally 10-15 women members in a SHG. Such groups will be assisted in formation through Integrated Child Development Scheme (ICDS) networking and from among beneficiaries of various government programmes like Gender Resource Centres, Stree Shakti Camps, ICDS and other community development schemes. So in order to cover 12 lakh women, there will be 80,000 women self-help groups at the rate of 15 women members in each group. The scheme aims to cover such 80,000 groups over a period of 5 years. Hence in the first year the target will be to assist 16,000 groups or say indirectly 2,40,000 women beneficiaries. The SHGs will be encouraged to undertake community-based training-cum-productive activities in order to create of pool of resources and to supplement their income through profitable activities.

- ii. The Scheme provides for intervention at two stages. The state government will provide a one-time grant to each registered SHG with an initial incentive of Rs. 5,000 towards formation and establishing a group as seed money. This amount will be helpful in procuring some contingencies, in completing modalities/formalities and for requirements of seed money. There will be an initial investment of Rs. 800 lakhs. After the formation of the groups the state government will provide an equal matching grant towards the net savings of such groups as per the norms. It has been estimated that the amount of net savings of such a group will come to Rs. 20,000 annually. The state government's share will be matching equal share of Rs. 20,000 annually. Thus there will be a liability of Rs. 3,200 lakhs spread over a period of one year. There will be a net expenditure of Rs. 40 crores in the first year.
- iii. The Scheme will be implemented through 10 District Offices of the Social Welfare Department. Each district will be thus liable for promoting and assisting 1600 women SHGs. In order to ensure effective implementation of the Scheme, there will be requirements for additional staff and logistics/contingencies at the level of each district as well as at the Department's headquarters. Currently Delhi has about 1800 SHGs in the state while the potential is as huge as 80,000 SHGs.

b. Samajik Suvidha Sangam (SSS)

The Government of Delhi is committed to improving the quality of life of its citizens especially the most vulnerable and disadvantaged sections of the society. For this it has initiated Mission Convergence called Samajik Suvidha Sangam in August 2008 to converge various welfare entitlement schemes and services with the objective of making entitlements reach the poor through a single window system in a hassle free manner. Samajik Suvidha Sangam will be the interface between departments, District Collector's office, Nodal Agencies and NGOs.

i. Objective

The mandate of the Mission is to bring together to a common platform the plethora of schemes to eliminate duplications, error records and strengthen the implementation mechanism by use of IT enabled system, rationalize administration, and incorporate partnerships with civil society organisations for more effective delivery.

ii. Departments

Under the Mission Convergence programme, nine government departments have been involved with their current entitlement schemes. Each participating department has a nodal officer, who is accountable to the department for programme implementation. At the district level, Deputy Commissioner (DC) has been designated as the district in-charge to guide the mission. At the community level the local NGOs have been involved for implementation. The Deputy Commissioner through the help of Mission Convergence provides required secretariat, monitoring and other incidental assistance for smooth implementation of the project. DC will issue necessary instructions to all converging departments through the principal secretaries of the converging participating departments. The participating departments are Health & Family Welfare, Education, Women & Child Development, Social Welfare, Food and Supplies, Labour Welfare, Urban Development, Revenue Department (Divisional Commissioner), SC/ST/OBC/Min Welfare and Information Technology.

iii. Functioning

Samajik Suvidha Kendra would function as a single window service for implementation of 42 different schemes of the above stated nine departments involving an outlay of Rs. 6.5 billion per year.. Under this scheme about 7.5 million low-income group people in the Delhi will get multipurpose cards to avail themselves of various government schemes. The SSS card will be like an all-in-one card. Earlier the poor had to carry several cards for different services but now they will just have to present this card.

7. Recommendations

The basic problem with the government schemes is that they have no accountability in terms of the number of people they have served or in terms of the benefits one has received. This gives rise to the problem of duplication i.e. some people enjoying double benefits whereas many don't receive any support. The Delhi Government should extend financial help through SHGs to implement programmes more effectively. This will help to decentralise implementation of government programmes. For example the scheme for health security or pension to the old can be distributed through the SHGs which will help in creating accountability in the system.

The government must tackle the problem of exclusion by creating a forum in which all the major players in the MFI sector can update the government in terms of the volume of credit disbursed, the areas in Delhi they are catering to or to voice certain problems they face that can be rectified with the help of the government. The government should provide different incentives to the MFIs so that their participation will increase. Incentives can be like the MFI disbursing highest capital to the SHGs or the poor can be given benefits in the form of raised equity share.

Another policy can be to have a card issued by the central information cell to all the beneficiaries seeking financial help from the banks. The central information cell can be a part of the Delhi finance department where all the information of a person seeking financial help from any bank can be recorded in terms of the amount of loan, her background, area of residence, economic status, date of repayment etc. If a person goes to bank 'X' she shall be issued a card from that bank and thus if she wishes to take her second instalment she is required to produce the same card before the bank. This will help to keep a track record of the person in terms of her credit worthiness. This creditor's information is to be maintained electronically and every bank should have access to it.

As we are focusing on disseminating the government schemes through the SHGs they should be unique in identity. One person should not be made a part of two or more groups else the accountability will be diminished. If a person has a unique identity in an SHG group, he shall be issued a card on availing finance from the MFI or the bank and this information should be available to all. This will not only make the system efficient but will also instil a sense of competition amongst the MFIs to cater to as many people as possible. This will also rectify the problem of risk involvement of the MFIs in terms of unstable population.

It is also very necessary that a person has minimal financial literacy required. Even if he is not able to calculate the actual interest rates, he should be made aware of the different schemes of savings available in the banks or the accessibility of different banks in the vicinity. This awareness can be extended through the MFIs as they are more decentralised than any other organisation.

Also minimal or zero savings bank accounts should be initiated for all the poor individuals and not only for the SHGs. The government can play a major role in this. This step would not only create a safe window for them but also help them to multiply their money. The

government can probably come up with their scheme of providing subsidized loans to the banks from nationalized banks if they open up a particular number of accounts in a month .

All in all the government should keep an eye on the MFIs and facilitate their working.

- Prepared by Swati Agarwal
(student of BA Hons Economics at Jesus and Mary College,
Delhi)

Endnotes

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A Community Development Officer with one of the Women Self Help Groups

How micro-finance institutions beat nationalized banks

S A Aliyar Sunday, July 26, 2009

In his Budget speech, the FM hailed bank nationalization as visionary and revolutionary. Yet, nationalized banks have, by and large, not reached the poor. However, micro-finance is now reaching people whom nationalized banks could not.

Households getting micro-credit now outnumber poor households. Outstanding micro-finance loans total 80 million. Some borrowers have multiple loans, so net beneficiaries may total 60 million households. This is more than the 55 million poor households, and more than a quarter of India's 220 million households.

Of course, many poor households are still left out, while non-poor households have got loans. MFIs have yet to reach or saturate large areas in India. But they are spreading fast across most states.

I am a co-promoter of three MFIs: Arohan in Kolkata, Sonata in Allahabad and MIMOZA in Dehra Dun. Within 39 months of existence, Arohan has reached 100,000 poor. The three MFIs together have 2,50,000 borrowers, and within three years should reach one million people. In another three years they may reach one million each. I am astounded that small ventures can scale up so fast.

When launched, these MFIs expected to lose money for four years. But they broke even after two years, because loan defaults were below 0.5% against the expected 2%.

Once, MFIs started with loans of Rs 3,000 in the first year, going up to Rs 4,000 in the second year, and so on. But now some MFIs start with Rs 10,000, go up to Rs 15,000 in the next year, and so on. They charge around 30% interest. This looks usurious. Moneylenders lend at 50% or more, seize the land of defaulters and make their labourers. MFIs, by contrast, rely on group lending for repayment. If one member of a joint lending group defaults, the others cannot get credit, so they put social pressure on the defaulter to pay up.

Credit card companies charge an annual fee plus interest at around 30%. MFIs, by contrast, give small, unsecured loans, and their interest rates are higher. In both cases, the interest rate reflects the high cost of handling very small loans. Some advocates claim that micro-loans convert poor women into entrepreneurs and greatly reduce poverty. Alas, that's a gross exaggeration. Loans of Rs 5,000 at 30% interest cannot do that.

Micro-finance most cost-effective, efficient way of reducing poverty'

21 Apr 2009, 0337 hrs IST, KG Narendranath , ET Bureau

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Sam Daley-Harris, Micro-credit Summit Campaign founder

Washington-based Micro-credit Summit Campaign strives to coordinate amongst and give directional inputs to the micro-finance institutions and self-help groups across the world. Micro-credit to the poor is becoming less and less donor-driven. A large part of the micro-finance resources now comes from the savings of self-help groups. Sam Daley-Harris spoke to ET about the usefulness of micro-credit and also the criticism of it in an interview. Excerpts:

How successful has micro-finance been as an anti-poverty formula?

There has been a spectacular growth in the number of micro-finance institutions (MFIs) and their providing succour to the poor in the last few years. In 1997, there were an estimated 618 MFIs, which reached 13.4 million people including 7.6 million of 'the poorest' with current loans. As opposed to this, 2007 saw 3,552 MFIs reaching 154 million people, including 106 million of the poorest.

The growth in the number of the poorest people to get micro credit was therefore 1,300% during the period. Obviously, micro-finance played a major role in reducing poverty although I don't want to claim that micro-finance alone can always reduce poverty. MFIs should find cost-effective ways to measure social progress in order to create a sense of accountability and performance standards. Just as any credible MFI would track its financial health, it should also track the social progress of its clients if poverty reduction is one of its stated objectives.

What matters more is how micro-finance impacts the lives of the poor?

True. The number of clients reached is important, but poverty reduction doubtless matters more.

About Centre for Civil Society

Social Change through Public Policy

Established on 15 August 1997, the Centre for Civil Society (CCS) is an independent, non-profit public policy think tank devoted to improving the quality of life for all citizens of India by reviving and reinvigorating civil society. Through its award winning programs, CCS is a resource for innovative community and market based ideas for critical public policy issues facing India today, particularly in the areas of education, livelihood, governance and environment. By bringing these ideas to current and future leaders, CCS is advancing opportunity and prosperity for all Indians.

IMPROVING ACCESS TO QUALITY EDUCATION

40 % of Indians are illiterate, government schools are failing India's children. CCS focuses on improving quality and access to education especially for the poor. By working with policy makers, education experts and grass root level activists, our School Choice Campaign is focused on removing entry barriers and encouraging edupreneurs, making for-profit schools and colleges legal and expanding choice and competition through education vouchers.

Website: www.schoolchoice.in

REMOVING BARRIERS TO LIVELIHOOD

After the 1991 liberalization, the poor do not seem to have gained as much as the rich. For them, it has been all LPQ (Licenses, Permits and Quotas) and little LPG (Liberalization, Privatization and Globalization). Street entrepreneurs (hawkers, cycle rickshaw pullers, small shop owners and many others) still suffer under the weight of regulations, restrictions and harassment by government, and lack basic economic freedom in the areas of their livelihood. Through publications, campaigns and innovative outreach programs including JEEVIKA (annual Asia Livelihood Documentary Festival) CCS campaigns for review, revision and removal of restrictive regulations that condemn street entrepreneurs and other entry level professionals to lifelong illegality and poverty.

Website: www.jeevika.org

REDUCING WASTE, FRAUD & ABUSE IN PUBLIC GOVERNANCE

Many communities in India do not have access to basic services like water, electricity and transport. The government is neither transparent nor accountable to citizens for its performance. CCS is improving the efficiency and effectiveness of government programs and building an informed citizenry. Through public policy meets, dialogues and publications, CCS promotes the principles and practices of 'New Public Management' for decentralized governance. Its Citizen Handbooks provide previously undocumented information on government's budgets, management and program delivery in various states.

DEVELOPING NEW LEADERS WITH NEW IDEAS

Since its inception, CCS has challenged conventional wisdom and prodded young minds to look deeper into root causes of India's problems and understand the impact of public policy on citizens through its *I, Society & Public Policy* seminars and research internships. Armed with a critical mind, many of its graduates in colleges and leadership positions are contributing towards improving the state of governance in India and are spreading the message of liberty.

AZADI.ME: BRINGING THE BEST OF LIBERAL THINKING TO HINDIBHASIS

On the 62nd anniversary of India's Independence, CCS launched AZADI.ME, India's first Liberal Portal in Hindi as a medium to communicate with policy makers and the Hindi media. Three broad categories provide extensive information and interactive avenues to connect the reader: Classics (literary works of some of the best known liberal thinkers and writers from around the world) Commentary (news, views and reviews of current issues) and Public Policy (analysis of legislations, campaigns and ideas for innovative and sustainable policy solutions.)

Website: www.azadi.me



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About Partners

Sir Ratan Tata Trust (SRTT)

Sir Ratan Tata Trust is one of the oldest philanthropic institutions in India. SRTT's Youth and Civil Society Initiative recognises the potential role of young people as agents of change. The non-profit sector's response to engage young people constructively, with issues of the underprivileged and marginalised has been sporadic and scattered. There is need for well-designed, inter-linked focused spaces to sensitise youth to the underprivileged, and encourage youth action in development.

The Trust supports:

- Educational programmes for young people aimed at their development into active citizens
- Approaches that combine livelihood and development concerns of young people, together with providing opportunities for social action
- Efforts towards mainstreaming youth development as an approach to overall community development

For this, it encourages organisations, particularly those working in themes of interest to the Trust, to integrate youth development into their programmes. This requires exploring the current spaces for youth development, and helping organisations develop a vision for their programmes, while factoring in the feedback from their staff and youth.

The Strategic Resource Group supports this initiative, besides providing technical support to partners. Commutiny-Youth Collective has been started as a think tank to work towards developing creative resources, including working with the media, and influencing policy and a second-level leadership development program called Commutiny.

Website: www.srtt.org

Friedrich-Naumann-Stiftung für die Freiheit

The Friedrich-Naumann-Stiftung für die Freiheit is the foundation for liberal politics. It was founded in 1958 by, amongst others, Theodor Heuss, the first German Federal President after World War II. The Foundation currently works in some sixty different countries around the world – to promote ideas on liberty and strategies for freedom. Our instruments are civic education, political consultancy and political dialogue.

The Friedrich-Naumann-Stiftung für die Freiheit lends its expertise for endeavours to consolidate and strengthen freedom, democracy, market economy and the rule of law. As the only liberal organization of its kind world-wide, the Foundation facilitates to lay the groundwork for a future in freedom that bears responsibility for the coming generations.

The Foundation encourages global exchange of ideas through workshops and seminars at the International Academy of Leadership (IAF) and visiting programmes in Germany on various subjects.

Within South Asia, with its strong tradition of tolerance and love for freedom, with its growing middle classes which increasingly assert themselves, and with its liberalizing economies, the Foundation works with numerous partner organizations to strengthen the structures of democracy, good governance, the rule of law, and the economic preconditions for social development and a life in dignity.

Websites: www.freiheit.org, www.southasia.fnst.org

Times Foundation

Times Foundation is a development house set up by the *Times of India Group* to promote equitable, inclusive and sustainable development, facilitating affirmative interventions for self-development, education, health, women's empowerment, environment and disaster management. Times Foundation acts as a catalyst primarily through information dissemination, issue-based mobilization and fund-raising. Times Foundation is a point of convergence for government agencies, NGOs, the corporate sector and individuals to bring issues to the fore, heighten awareness, encourage dialogue and deliberation to synergise initiatives for inclusive and equitable socio-economic development.

The interventions of the Foundation include advocacy and analysis, information dissemination and awareness generation, partnership building, promoting social initiatives among corporate houses and civil society, capacity building, fundraising in the focus areas of health, education, livelihood generation, relief and rehabilitation for marginalised groups like women, street and homeless children, the unemployed, the differently abled persons.

The core verticals in the areas of intervention are Public Private Partnerships, Public Policy Advocacy, Corporate Social Responsibility, Capacity Building and Information Dissemination.

Times Foundation is a strategic organisation, working on a macro canvas - connecting, highlighting, facilitating - creating effective bridges among stakeholders to ensure clarity of purpose and focused action. Times Foundation's role encompasses facilitating and networking and effectively connecting with all stakeholders in its pursuit of an inclusive society where people and their concerns are mainstreamed and effectively addressed.

Website: www.timesfoundation.indiatimes.com

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"It's wonderful to see the youth participate in such programs. Let me know what you are looking forward to in the next couple of years because that will be of great help to me. Encouragement is what I get when I know there are people interested and thinking about better governance because we really need to see people say that Delhi's governance is better than the best. It's your aspirations we need to fulfill, not our own."

- **Sheila Dikshit**, Honourable Chief Minister of Delhi

At a special meeting with the CCS interns, 18 May 2009

"It is steps like this *Delhi Citizen Handbook* which can make a difference to governance in our country."

- **Gurcharan Das**, Author, *The Difficulty of Being Good* and *India Unbound*

"The internship at CCS was the most well spent months of my life. The sessions were stimulating; the field visits - a reality check and my peers - probably the best brains of India. A truly enriching experience!"

- **Kritika Narula**, Sri Ram College of Commerce, New Delhi

"Its impossible to imagine that one could learn experience worth years in merely two months. And if CCS internship could make this impossible thing happen, it speaks volumes of what it is to be like a proud CCS intern!"

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