



YOJANA

SEPTEMBER 2020

A DEVELOPMENT MONTHLY

₹ 22

ETHICS & INTEGRITY

FOCUS

Accountability in Government

Mamata Ghose

SPECIAL ARTICLES

Fighting Corruption

T.S. Krishna Murthy

Public Funding of Elections

R. Govindarajan

CURRENT AFFAIRS

National Education Policy

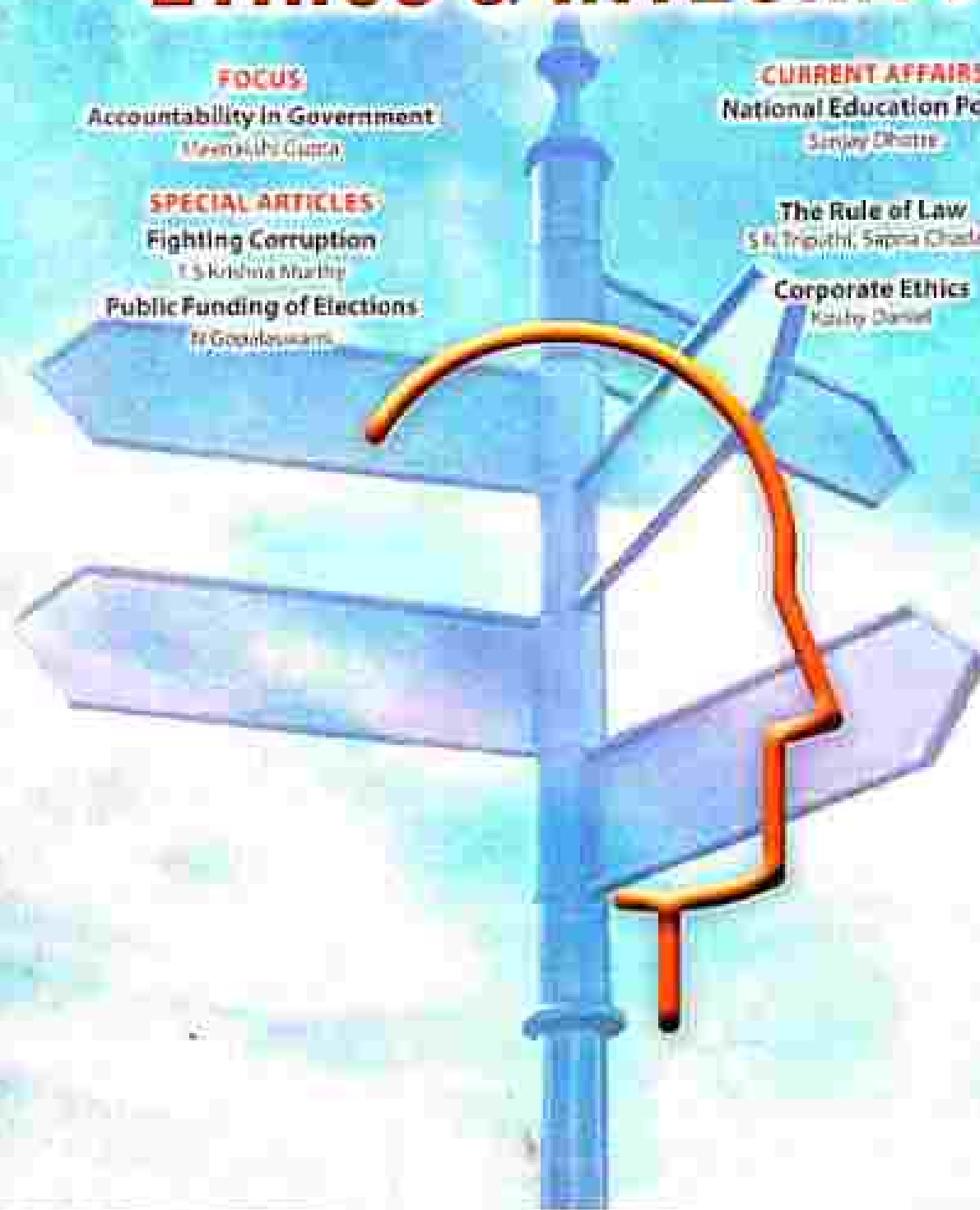
Sanjay Dhotre

The Rule of Law

S.R. Tripathi, Suresh Chandel

Corporate Ethics

Kaushy Daniel



PM's address to the Nation on the 74th Independence Day: Key Highlights



- Independence Day inspires new fervour, enthusiasm and optimism. And in times like now, it becomes even more imperative for us to be determined.
- India's freedom struggle inspired the entire world. The idea of expansionism left some countries undayed. Even in the midst of fierce wars, India did not allow its freedom movement to suffer.
- In this extraordinary time, Corona warriors have lived the creeds of 'Seva Paramo Dharma'. Our doctors, nurses, paramedical staff, ambulance personnel, safety karmacharis, police, fire, service personnel and many people are working round the clock continuously.
- Amid Covid pandemic, 130 crore Indians took the resolve to be self-reliant, and 'Atmanirbhar Bharat' is on the mind of India. This dream is turning into a pledge. Atmanirbhar Bharat has become a 'mantra' for the 130 crore Indians today.
- Today, the whole world is inter-connected and inter-dependent. It's time for India to play an important role in the global economy. For this, India has to become self-reliant. From agriculture, space to healthcare, India is taking several steps to build Atmanirbhar Bharat.
- Measures like, opening up the space sector will generate many new employment opportunities for youth and provide further avenues to enhance their skills and potential.
- Only a few months ago, we used to import N-95 masks, PPE kits, and ventilators from abroad. We not only made N-95 masks, PPE kits and ventilators during the pandemic, but were able to export these to all over the world.
- Apart from 'Make in India', we must also embrace the mantra of 'Make for World'. When Corona started, there was only one job for Corona Testing in our country. Today there are more than 1,400 jobs in the country.
- National Infrastructure pipeline project worth Rs 1.10 lakh crore will boost our overall infrastructure projects. About 7,000 projects of different sectors have also been identified. It will bring a new revolution in infrastructure sector.
- FDI inflow has broken all records. India witnessed 18% jump in FDI even during the Covid pandemic.
- Money is directly transferred to the Jan Dhan accounts of the poor in the country. APMI Act has been brought in for the benefit of farmers.
- One Nation-One Ration Card, One Nation - One Tax, Insolvency and Bankruptcy Code and Merger of Banks is the reality of the country today.
- Women empowerment- Navy and Air Force are taking women in combat, women are now leaders, and we abolished triple talaq, got sanitary pads to women for just 1 rupee.

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Let noble thoughts come to us from all sides
By Tagore

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Ethics and Integrity, A Talisman

"I will give you a talisman. Whenever you are in doubt, or when the self becomes too much with you, apply the following test. Recall the face of the poorest and the weakest man (woman) whom you may have seen, and ask yourself, If the step you contemplate is going to be of any use to him (her). Will he (she) gain anything by it? Will it restore him (her) to a control over his (her) own life and destiny? In other words, will it lead to swaraj (freedom) for the hungry and spiritually starving millions? Then you will find your doubts and your self arch away."

— Mahatma Gandhi • The Last Phase, Vol. II (1958), p.41

Truth, values, compassion and empathy are a few virtues that define one's character. Integrity is the consistent and uncompromising adherence to such strong moral and ethical principles, and values. The word integrity is derived from the Latin word 'integer' meaning 'whole', so without it no one is complete. One might possess exceptional abilities, skill-set or wealth, but if has compromised integrity, then every other quality is seen in doubt.

Whether it is professional or personal life, public or corporate, and, higher-ups or a humble daily wage, the good conduct and ethics are irrespective of what you are or who you are dealing with. This moral conviction of one's beliefs and values stay undiminished under all circumstances. As British writer CS Lewis has put it aptly, integrity is "doing the right thing even when no one is looking."

This judgement of right and wrong, what to do and what not to do, and how one is ought to act, form the ethics. They are the moral principles which govern an individual. Now, the question may occur that can they differ from one person to the other? What one perceives to be right may be wrong for the other. Here, comes the role of intent. If a decision went wrong, but was taken with good intent and mindfulness, it might still fall within the ambit of a moral behaviour—as one is human. But, any step taken to harm someone under compromised values and ill-intent, is certainly not an ethical conduct.

The moral compass of individuals may fall differently in a spectrum of value-system. They may judge situations differently, perceiving morality or the scope to be 'lesser morals' in given situations, and might remain inconsistent in their overall approach. It may sound subjective and prescriptive but well-attended ethical behaviour has no substitute. It decides for one's dependability and truthfulness. As they say, if you tell the truth, you do not have to remember anything.

When it comes to an organisation, be it public or private, bringing together different sets of people under the same ethical behaviour is even more important as each of them is the face of organisation. Work ethics of each individual along with the implementation of stringent code of conduct and citizens' charter, without any exceptions, govern the ethical work culture. If you trust a brand, you start trusting its products; alternatively if you find a quality product, you look forward to other products of the brand and trust is built in the overall brand. Same goes for organisations.

This edition of Yojana on an extremely relevant theme collects and recalls knowledge and wisdom possessed by great minds. It attempts to mirror, doubt, deliberate and analyse situations defining ethical conduct and integrity in various spheres of life. Yojana Team is hopeful that this edition would help you in the "when in doubt" situations of your life and guide you towards the righteous conduct.

Q



National Education Policy

Sanjay Dhotre

The new National Education Policy (NEP) 2020, released on 29 July 2020, is a historic and ambitious document. With an eye on the future, it speaks to all aspects of education during our times. This policy is in many ways radically different from all its predecessors, and it looks at our educational requirements in a new way.

Education has been seen as a core necessity of individuals, social groups, nations, and human society. The modern world views it as a basic human right. Since the formation of the Indian Republic, many landmark committees or commissions on education have unequivocally underscored the idea of education for all. Many crucial concerns of contemporary education find mention in earlier policy documents too. Yet, a study of previous reports and policies makes it amply clear that the educational journey of our country has been quite uneven, and many genuine aspirations have remained unrealised even after seven decades of independence.

It would be unfair to claim that our predecessors did not act upon these concerns with reasonable sincerity, at least at the planning level. Yet, in a vast, populous and diverse country of staggering socio-economic differentials, the execution of policy is always a challenge. This is clearly reflected in the recurrence of core educational concerns in reports or policy documents published since the early 1950s.

The last national education policy was created in 1986. During these 34 years, the world has changed in

unprecedented ways. Revolutionary literature in the world's political economy, fuelled by technological developments, have significantly contributed to the dismantling of the barriers of gender, class, caste, culture, geographical distance, and so forth. All this has created a strong sense of aspiration and hope among the people. Rapid economic developments after 1991, the year when India opened economically, have triggered a high demand for knowledge and specialised skills. During the two-and-a-half decades since economic liberalisation, no comprehensive national vision could be conceived to address the gross systemic inadequacies impeding the momentum of an aspirational and restless India.

This is the background in which our government, under the leadership of the Prime Minister has given priority to a broad-based and futuristic national education policy. The framing of this policy has been a mammoth exercise. Two committees undertook the task. Feedback from the grass-roots was meticulously collected and stakeholders widely consulted. The state governments were always a part of the loop. The policy document was vetted and sharpened several times before being sent to the cabinet for approval.

The new National Education Policy (NEP) 2020, released on 29 July 2020, is a historic and ambitious document. With an eye on the future, it speaks to all aspects of

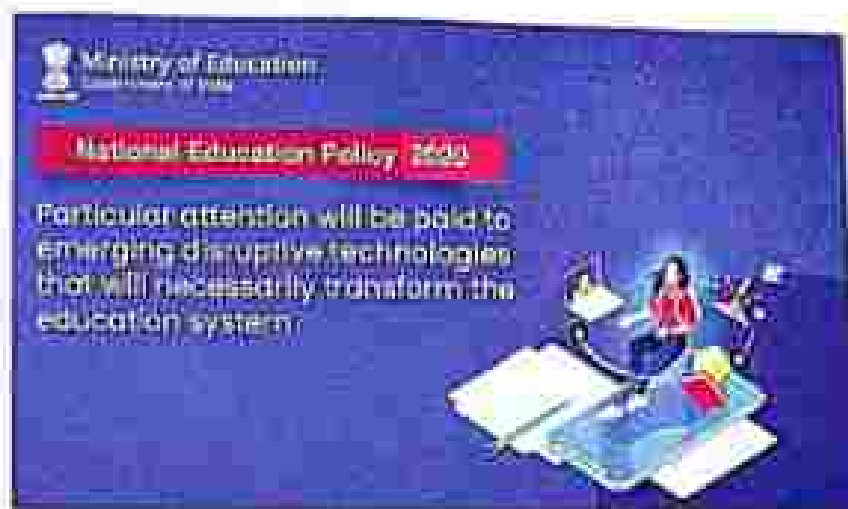


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education during our times. This policy is in many ways radically different from all its predecessors, and it looks at our educational requirements in a new way.

One of the essential as well as fundamental issues that had been left unaddressed until now is Early Childhood Care and Education (ECCE). The holistic development of any individual essentially starts with his or her nourishment and nurturing during the early years. The Policy says, 'over 85% of a child's cumulative brain development occurs prior to the age of 6, indicating the critical importance of appropriate care and stimulation of the brain in early years.' This idea is based on strong evidence produced by the latest researches in the field of neuroscience and brain development. The early years are the most crucial for the development of the brain. The later cognitive, intellectual and skill advancements are built on capacities unleashed during the crucial early-childhood years. Unfortunately, *crucial* of children are still deprived of quality early childhood care and education due to various socio-economic disadvantages their families face.

With this perspective in mind, the policymakers have reimagined pre-primary education and have envisaged to integrate this stage of a child's physical, mental and cognitive development with the extant formal schooling pattern. Hence, the 10+2 model is proposed to be replaced by a 5+3+3+4 model of ECCE and schooling. Allow me to explain



this important change at some length. ECCE shall take place from the ages of 3 to 6 in Anganwadis, Balvatikas and play-schools. This will be followed by Classes 1 and 2 in school. Together, the ECCE years and the first two years of schooling form the first five years of the new model. These five years constitute the *foundational* stage of education. This will be followed by Classes 3 to 5 (3 years), 6 to 8 (three years) and 9 to 12 (four years).

This restructuring of the whole span of schooling has been proposed keeping in mind the developmental needs and interests of learners at different stages of their physical, mental, emotional and psychological development. This proposed structure is in sync with the age stages or developmental stages of children. As the policy proposes, the overarching goal would be to ensure universal access to high quality ECCE across

the country. This will not only provide nutrition and care for healthy physical and mental growth but will also focus on developing cognitive, affective, psychomotor abilities and early literacy and numeracy. A National Curriculum and Pedagogical Framework for Early Childhood Care and Education (NCPE-ECCE) will be developed by the National Council of Educational Research and Training (NCERT). This will focus on several important aspects of ECCE including high quality ECCE teacher preparedness. The manner in which the Policy emphasises ECCE can be gauged from its plan to bring four crucial central ministries together for smooth integration of early childhood care and education into school education. These ministries are Human Resource Development (i.e. Ministry of Education), Women and Child Development (WCD), Health and Family Welfare (HFW), and Tribal Affairs. Once effectively implemented, as envisaged by the framers of NEP 2020, ECCE will be the biggest gamechanger in education.

With respect to school education, the makers of the policy have given special emphasis on learning to be holistic, experiential, integrative, and enjoyable. The Policy aims at 'real understanding and towards learning how to learn'. It is particularly anguished about the persistence of rote learning, something that the National Curriculum Framework of 2005 had tried to cure. Rote memorisation and mindless regurgitation is response to



Ministry of Education
Government of India

National Education Policy 2020

EQUITABLE AND INCLUSIVE EDUCATION

- Equal opportunities to Children With Special Needs (CWSN) or Divyang
- Separate strategies for focused attention on reducing the social category gaps in school education



National Education Policy 2020

Early Childhood Care and Education

To be introduced in Ashramshala in tribal-dominated areas and in all formats of alternative schooling in a phased manner



question that are neither analytical nor reflective is nothing but the storing of sterile and unconnected pieces of information in the mind. This is cognitively taxing and, more often than not, an exercise in futility. The proposed curricular and pedagogic approach underscores critical thinking and learning based on inquiry, discovery, discussion and analysis.

Furthermore, it does not recognise arbitrary distinctions between different curricular areas, and among curricular, co-curricular and extra-curricular areas. Art and sports-integrated education will be important strands in this cross-curricular pedagogic approach. Flexibility in course choices will be another curricular advantage for students. The thought behind this curricular overhaul is to create 'holistic and well-rounded individuals equipped with the key 21st century skills.' In a brilliantly written companion book, *The Fuzzy and the Techie*, Scott Hartley argues that technologists (the techies) do not drive innovation alone; it is the humanists and the social scientists (the fuzzies, perhaps coined pejoratively) who play as much of a role in creating successful business or policy ideas.

Despite a radical curricular and structural redrawing, the outcomes of the new policy cannot exceed the professional capacity and vision of the teachers. Teachers' capacity cannot be enhanced unless their pre- and in-service education, service conditions, and terms of recruitment and deployment do not receive renewed focus and uplift. The policy treats these

concerns in a detailed and sensitive manner. To attract outstanding students to the teaching profession, it proposes a large number of merit-based scholarships for pursuing quality 4-year integrated BEd. programmes, with special focus on rural areas. It is also proposed to strengthen Teacher Eligibility Tests (TETs) with respect to the assessment of several parameters: subject-content and pedagogy, classroom teaching, passion and motivation for the profession and proficiency of teaching in the local language. These tests will therefore include teaching demonstration and interview components.

In order 'to maximise the ability of teachers to do their jobs effectively,' the menace of excessive and arbitrary transfers will become a thing of the past and teachers will not be involved in assignments that have nothing to do with their work. Teachers' professional autonomy will be rational, and a comprehensive 'merit-based structure of tenure protection, and salary structure will be

developed.' The policy also envisages that teacher education will be gradually moved by 2030 to multidisciplinary colleges and universities. A new and comprehensive National Curriculum Framework for Teacher Education will be prepared by the National Council of Teacher Education by 2021, in consultation with the NCERT.

The makers of the policy have been in variance regarding higher education. A distinctive feature of higher education is that it produces knowledge reserves through which all education takes place, resources used by society to chart out its progress over time. The concerns of higher education are quite diverse and complex. In order to keep pace and be ahead of others, we need to focus more rigorously on the complex matrix of higher education.

The Committee working on the policy has accurately identified the role of higher education as 'promoting human as well as societal well-being and developing India as envisioned in its Constitution—a democratic, just, socially conscious, cultured and humane nation, upholding liberty, equality, fraternity, and justice for all.' According to the makers of this policy, some of the salient problems encumbering the higher education system in India are rigid separation of disciplines, limited teacher and institutional autonomy, lack of focus on quality and relevant research and poor institutional governance.

Recognising these and other problems impeding the effective

ADULT EDUCATION AND LIFELONG LEARNING

The curriculum framework for adult education will include at least 5 types of programmes:

- Foundational literacy and numeracy
- Critical life skills
- Vocational skills development
- Basic education
- Continuing education





functioning and progress of higher education institutions in the country, the policy envisages a 'comprehensive overhaul' of the system. It was naturally anticipated that revamping of curriculum, pedagogy, assessment, and educational administration would be recommended by the policy framers. It must be mentioned that the policy lays out a fairly radical reformation of the higher education structure. Multidisciplinarity, flexibility and autonomy are central to this reform. Through these key ingredients, freshness and vitality are accorded to this stage of education. The decision to do away with the administrative walls between different disciplines and the provision of freedom to exit and enter courses, as these will be credit-based and will only liberate learners. The policy grants them freedom to choose what to learn, how to learn and when to learn. Now, one can opt to study Sanskrit along with Mathematics or Music with Physics. The earlier segregation of streams, rather regimented, did not allow for any formal or institutional interface between the sciences, the social sciences and the humanities. This did not allow for a wholesome development of individuals. The Policy's proposal to integrate engineering courses, at institutions such as IIT, with the arts and the humanities in order to move towards holistic and multidisciplinary education, would surely enhance every thinking being. This is a holistic approach and should lead to the blossoming of various human capacities—intellectual, aesthetic,

social, physical, emotional and moral—in an integrated manner.

The principal thrust of the policy is to curb fragmentation of higher education through restructuring higher education institutions into large multidisciplinary universities, colleges and higher education institution (HEI) clusters or knowledge hubs. Though all such multidisciplinary universities are envisaged to carry out 'teaching, research, and community engagement', some would develop as teaching-intensive universities and some as research-intensive ones.

Research is at the foundation of knowledge creation and it plays a key role in sustaining and further uplifting any human society. Research, both in fundamental and applied disciplines is essential for progress, especially in today's fast-developing world. In order to create a robust ecosystem for high-quality research, the policy envisages the creation of a National Research Foundation (NRF). One of the salient thrusts of this Foundation would be to enable a culture of research to permeate through our institutions. The Foundation's main objectives will be to identify priority areas or themes for research and coordinate with different academic institutions and funding agencies in order to 'ensure synergy of purpose and avoid duplication of efforts.'

While looking at the sources of higher education and research, the policy framers have been sensitive to the needs of our vast population and the national

economy. Large-scale employment creation as well as the acquisition of higher knowledge is not merely for ever-expanding and ever-evolving economy (inspired workers and professionals with diverse and specialised skill sets). It is quite disconcerting to realise that despite Mahatma Gandhi's emphatic underscoring of vocational education, we have not been able to create any effective synchronisation of vocational education and 'mainstream' education. We have considered vocational education inferior and 'meant for students who are unable to cope with the latter.'

The policy aspires to dismantle this status hierarchy and aims to integrate vocational education with mainstream education. Starting with vocational exposure in the middle and secondary classes, 'quality vocational education will be integrated smoothly into higher education'. This will ensure that every individual learns at least one vocation and is able to develop a sense of the dignity of labour and respect for various vocations. This will also enable us to tap our demographic dividend and address skill-deficits of the economy. The policy envisages that the 'development of vocational capacities will go hand in hand with development of 'academic' or other capacities.'

Highlighting the equal importance of vocational education and higher learning, the American public intellectual and statesman, John W. Gardner had made a scintillating point in his book, *Excellence: Can We Do the Equal and Excellent Too?* 'The society which scorns excellence in plumbing as a humble activity and tolerates shoddiness in philosophy because it is an exalted activity will have neither good plumbing nor good philosophy; neither its pipes nor its theories will hold water.'

In conclusion, I would like to argue that the New Education Policy, 2020 appears to be truly visionary and comprehensive. Its success, however, lies in its effective implementation. The government will not leave any stone unturned in this national rebuilding project. Q

FRAMEWORK

FOCUS

Accountability in Government

Meenakshi Gupta

"Just as it is impossible to know when a fish moving in water is delinking it, so it is impossible to find out when government servants, in charge of undertakings, misappropriate money."
—Nandivra's Arthashastra

The recent emphasis on revolutionised democracy seeking increased accountability from the government has brought into focus its need and importance in Governance and governmental functioning. Accountability mechanisms in functioning of the State has been engaging attention of the civil society, academicians and lawmakers in general and international financial institutions and donors in particular. It is in this context that accountability institutions assume importance and form the core of any good governance mechanism helping in bridging the gap between the stakeholders and the decision makers. In order to appreciate the concept of accountability in governance, it is imperative that concept of accountability be discussed as the first step. The questions pertaining to who is accountable to whom and for what, are required to be addressed as discussed in section I of the paper. Section II examines the institutional mechanisms that exist in India to ensure accountability fixing responsibilities on concerned authorities while Section III is conclusion with a way forward.

Section I: Accountability

The accountability to the citizens is a fundamental principle of democratic governance. Accountability refers to the process as well as to those that make decision maker answerable to one for whom decisions are taken i.e. the decision maker and the beneficiary. It is not limited to accountability to voters or literally only as part of chain of command but also the stakeholders including citizens and

civil society. It may stem out of legal requirement or may be determined by moral and ethical framework of the organisation. Accountability has an answerability component to justify the action and an engagement component that is to take action in cases where act of omission or commission is established. It provides for remedial measures including punishment in case of deviation from norms. Accountability helps in improving



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public confidence in government performance. Strong accountability is not a process for everything as the governments today operate in a very complex environment with stakeholders consisting of different interest groups, competing demands on limited resources and complex legal requirements for example relating to environment. However, accountability mechanism certainly encourages responsible governance. It facilitates a feedback mechanism between the Government and its citizens.

There is external accountability that is between the Government and the citizens which is established through the elections. Internal accountability mechanisms refer to systems of checks and balances and oversight mechanisms. The framers of the Indian Constitution, while adhering to the principle of separation of powers between Legislature, Judiciary and Executive also provided for appropriate checks and balances for administrative objectivity and accountability.

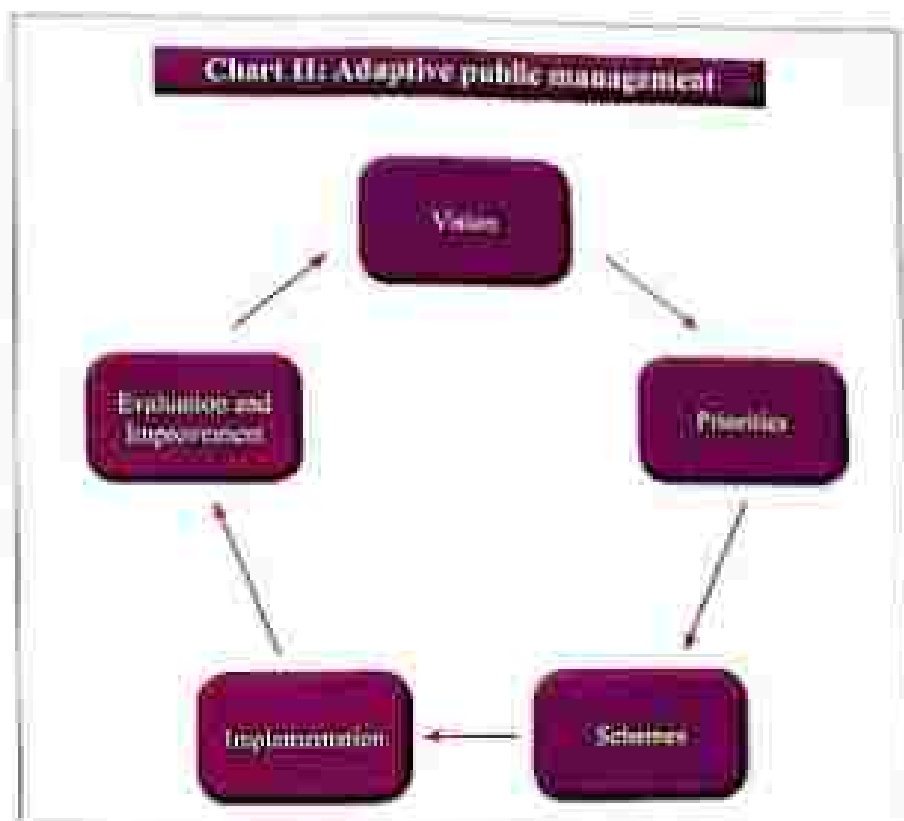
The accountability could be financial, administrative, legal or professional. The basic questions that are required to be addressed are:

1. Who is accountable to whom?
2. And for what?

As is evident from Chart I, there is an overarching framework governing the accountability consisting of legal and regulatory framework and systems and processes with democratic traditions and moral and ethical values being the guiding principles. The ultimate accountability is stakeholders, the citizens is to be ensured through a transparent, responsive and impartial administration which is subject to scrutiny by the oversight institutions.

Who is Accountable to Whom?

The concept of accountability is not new. Aristotle wrote, "Some officials handle large sums of money; it is therefore necessary to have other



officials to receive and examine the accounts."

First and foremost, stakeholder in any case would be the citizens. As the electorate, they have right to seek accountability of the elected representatives, what is referred to as external accountability. Internal accountability mechanisms refer to systems of checks and balances and incentives on one hand and oversight mechanisms coupled with expectations of the stakeholders to be met on the other.

The citizens are the tax payers. They have a right to know how the money paid by them has been expended by the Government. Was it used for appropriate purposes and efficiently? Did it benefit the target group? What were the outcomes? Did the government functionaries entrusted with the collection of taxes and implementing the schemes of the government follow the prescribed norms? So the accountability to the citizens is most critical in order to ensure sustenance of public trust and

confidence in the existing democratic systems.

The Chart II indicates accountability as an ongoing process. The stakeholders directly or indirectly participate in framing the vision and indicating the priorities. The schemes are framed and implemented by the government. The results of evaluation help in improving the system. At the same time, they empower the stakeholder to seek justification from the decision makers who in turn is obligated to provide necessary explanation. There are checks and balances and incentives in the system on one hand and expectations of the stakeholders to be met on the other.

Accountability For What?

Accountability is essentially an obligation to give an account of the actions taken or the decisions made by the person in authority to the stakeholders who are impacted by those decisions. While on one hand, it necessitates transparency in decision-making on the other it also presupposes that the accurate and reliable

information and data is maintained by the government agency and is available in public domain for public scrutiny. In absence of information and facts neither the grievance of the citizens could be appreciated nor could the responsibility be imposed for act of omission or commission.

The government functionaries are expected to take decisions within the administrative framework provided for the same in the form of General Financial Rules (GFR), Delegation of Financial Power Rules (DFPR), Manual of Purchase of Goods and Services etc. Therefore, any deviation would have to be seen by the oversight agencies with reference to this framework. However, in order for accountability mechanism to be really effective, it also needs to be ensured that the framework itself is robust. A weak administrative framework would lead to weak accountability mechanism.

The Right to Information Act, 2004 has introduced a huge element of transparency in the decision-making in the government as well as access to information. Similarly, digitisation of various services to the citizen has not only facilitated faster delivery of

Accountability refers to the process as well as norms that make decision maker answerable to ones for whom decisions are taken i.e. the decision maker and the beneficiary. It is not limited to accountability to seniors in hierarchy only as part of chain of command but also the stakeholders including citizens and civil society.

services but also provided a clear trail of transactions for any analysis by an oversight agency.

The Citizen's Charter also clearly spell out the responsibilities of various agencies of the government. By laying down the timelines for rendering the specific services they proactively make themselves accountable to the citizens. For example, the Citizen's Charter of the Central Board of Direct Taxes (CBDT) provides for *inter-alia* service delivery standards which include the specified timelines for issue of refunds or redressal of grievances. In the budget speech in

February 2020, the Finance Minister announced insertion of new section 119 A in the Income Tax Act namely, "Taxpayers' Charter". This would provide the much needed legal backing to Citizen's Charter in India as it would follow the model of governmental accountability in the form of a vision being strengthened through legal status to a priority area of service delivery. Following this new approach would help establish a precedent for Citizen's Charters in other governmental agencies thereby improving not only their credibility but also efficiencies for governmental functioning.

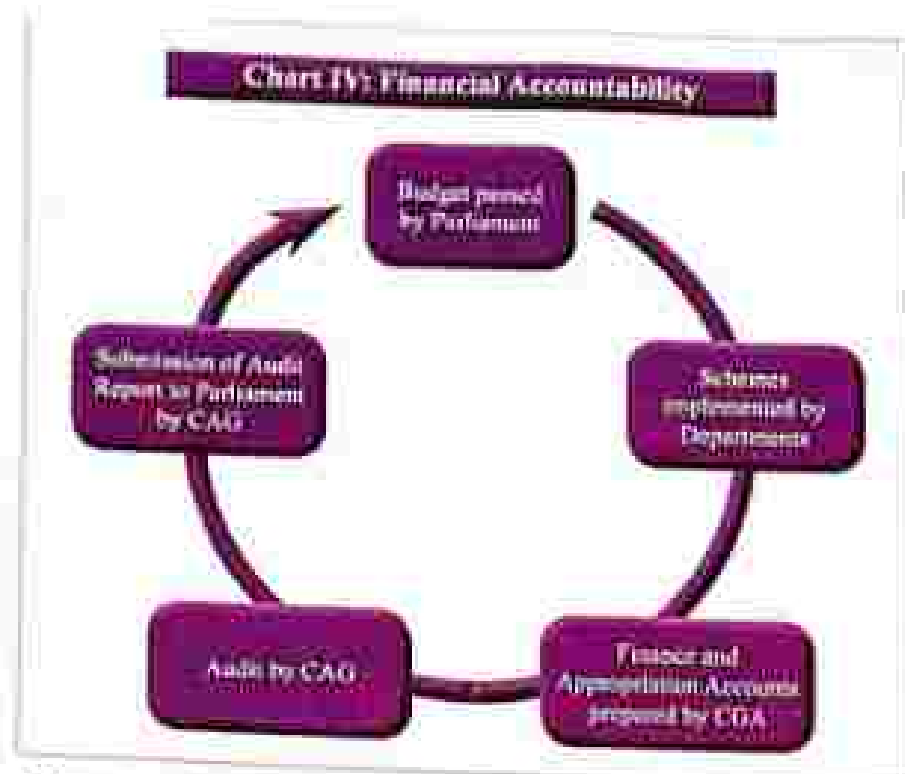
Section II: The Institutional Mechanisms

Existence of strong and independent accountability institutions is a necessary condition for good governance. These institutions can detect the violations and deviations from prescribed norms as well as the instances of poor administration. They can indicate the abuse of power and unconstitutional conduct. The institutional mechanisms in context of the Government to ensure accountability may emanate out of Constitutional provisions, Legislative Framework and administrative arrangements.

External accountability between the Government and the citizens is established through the elections. Internal accountability mechanisms refer to systems of checks and balances and oversight mechanisms. The framers of the Indian Constitution, while adhering to the principle of separation of powers between Legislature, Judiciary and Executive also provided for appropriate checks and balances for administrative objectivity and accountability. The institutions of horizontal accountability in Indian context include the institutions of Comptroller and Auditor General (CAG), the Election Commission, the Vigilance Commission, the Central

Chart III: Accountability Universe





Information Commission and the Ombudsman. In addition, there are a large number of Regulatory bodies including SEBI, TRAI, CERC, CPCB etc. While the institution of CAG and Election Commission derive their mandate from the Constitution, others draw their mandate from the respective Acts governing them.

Financial accountability is rather critical for overall functioning of the government. The budget is passed by the Parliament allocating specific sum of money to different ministries and departments to implement the schemes and projects. The Executive has full authority and freedom to formulate, design, and implement the schemes and projects for development and welfare of the citizens of the country. In order to ensure accountability of the executive to the legislature, the framers of the constitution created an independent oversight agency namely CAG of India as per Article 148 of the Constitution of India. Further, accounting for the expenditure incurred by the ministries and departments is done by the office of Controller General of Accounts (Ministry of Finance). The Finance

and Appropriation Accounts prepared by them are audited by the CAG of India who submits a report thereof to the Parliament in terms of Article 151 of the Constitution. This completes the financial accountability loop.

The role of CAG is not limited to financial audit of accounts. In addition, CAG of India conducts Compliance Audit and Performance Audit. The focus of Compliance Audit is on examination of rules, regulations, orders and instructions for their legality, adequacy, transparency, propriety, prudence and effectiveness. Performance audit is an independent assessment or examination of the extent to which an organisation, program or scheme operates economically, efficiently and effectively. Thus, the audit conducted by the CAG of India covers almost all aspects of accountability.

The CAG of India is an independent constitutional authority who is neither part of Executive, nor of the Legislature. Further, his independence is ensured through Constitutional and legislative provisions. Independence of the

authority entrusted with the task of oversight helps in efficient discharge of his functions as part of the accountability mechanism.

Section III: Conclusion and Way Forward

Accountability is a necessary condition for good governance though not necessarily a sufficient condition. It is governed by the principles of democratic traditions and moral and ethical values of the society as well as legal and regulatory and administrative framework. As mentioned above, it has two elements: *sanction*, *monitoring* and *enforcement*. The concept of accountability should not be limited to a fault finding perspective or blame game but should encompass the larger perspective of correcting and improving the systems. Of course, responsibilities must be fixed for violation of norms, deviation from processes etc., and acts of deliberate omission and commission should not go unnoticed and unpunished. However, the focus should be on identification of systemic errors/failures and suggesting improvements thereon. It also needs to be recognised that in a scenario of collective decision-making, it becomes a case of collective responsibility and accountability. The accountability mechanisms also need to keep pace with developments of modern government structures particularly in the era of digitalisation.

There is also a need to sensitise the functionaries towards their responsibilities and duties in context of the accountability framework. For better transparency, not only there should be a Citizen's Charter but also well-defined Standard Operating Procedures (SOPs) for performing a job. Element of discretion needs to be minimised for ensuring responsiveness, transparency, and accountability.

The views of the author are personal.

□

PUBLIC SERVICE

SPECIAL ARTICLE

Fighting Corruption

T S Krishna Murthy

Corruption is undoubtedly an evil which destroys any society. Very often, lack of knowledge of work, inefficiency, negligence of duty, favoritism, caste and community feeling, poor recruitment system, culture etc., contributes to corruption thriving at all places. The need to implement bold and urgent measures to fight corruption is too obvious to be ignored. Public expenditure of enormous proportions in emerging democracies to fight poverty, illiteracy, poor public health and lack of infrastructure provides a grand opportunity for both politicians and civil servants to indulge in corruption.

“India is a rich country which has managed to keep its people poor”, stated Nani Palkhivala, the famous public spirited and distinguished lawyer in Mumbai. It is ironical and unfortunate that his statement seems to hold good even today notwithstanding many achievements in India's economic front. The main reason for this sad state of affairs is our inability to remove poverty altogether and tackle corruption effectively.

Corruption in India is rampant because of various reasons. In a developing democracy such as ours, the scope for corruption is immense because of tremendous developmental activities of the government. A touchstone

of any government is the quality of its performance reflected in the various decisions taken by its institutions and individuals manning the institutions. In order to ensure right and good governance, it is necessary for the government to be open, accountable, accessible, transparent, sensitive, fair and pro-active. A government that is not fair, sensitive and transparent is bound to be prone to corruption. Unfortunately, our track record in India in ensuring such corruption-free governance cannot be said to be satisfactory.

According to the fourth report of the Second Administrative Reforms Commission on “Ethics in Governance”, “corruption is an important manifestation



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of the failure of the ethics and values system in society". It would therefore imply that unless proper values are nurtured and encouraged nothing much can be done to improve the conduct of human beings in public administration. Corruption is commonly defined as misuse of public office for private gains. It can be either political or administrative. In this article we can confine ourselves to corruption in civil service, although political corruption is the starting point of all corruption in any democracy.

Public expenditure of enormous proportions in emerging democracies to fight poverty, illiteracy, poor public health and lack of infrastructure provides a grand opportunity for hord politicians and civil servants to indulge in corruption.

The failure of executive machinery in ensuring good quality public administration is mainly because of a feudal approach and excessive governmentalisation of public activities. This state of affairs was summarised by Edward Luce in his book "Inspire of the Gods" (Pages 100 to 101).

"From the imperial corridors of New Delhi's highest ministry to the sleepiest rural magistrate's court, India's government offices and courtrooms share a number of instantly recognizable characteristics. These are the trademarks of a state that is never absent from your life, except when you actually need it. If you were to assess India's economic situation by walking through its corridors of power, it would be impossible to guess the country was undergoing a software revolution. Instead of computers, you have armies of men shuffling

*paper. Instead of vacuum cleaners, you have laser-
cane sweepers carefully milking the dust beneath
your feet. As a substitute for a specific appointment,
you are told: "Just come." Yes, but at what time? Don't
worry. Just come." In place of waiting rooms, you have
queues of supplicants spilling over into the corridors
and the courtyards outside, each hoping to catch a
moment with the YIP whose mere word or signature
can put an end to a hundred sleepless nights and a
thousand worried phone calls. Instead of services –
craft or otherwise – you have mirrors."*

* *In Spite Of The Gods, Edward Luce, Little Brown, 2006*

The second factor contributing to corruption thriving in the country is the over-centralised administrative system both at the Center and the States. The main reason for this archaic and outdated administrative system is partly due to legacy of the colonial rule and also due to inadequate leadership in assessing new administrative system. There is, therefore, an urgent need to review and simplify the laws and the rules so as to decentralise decision-making with proper monitoring checks and balances.

A touchstone of any government is the quality of its performance reflected in the various decisions taken by its institutions and individuals manning the institutions. In order to ensure right and good governance, it is necessary for the government to be open, accountable, accessible, transparent, sensitive, fair and pro-active.



The public anger against ineptitude in the delivery of public services gets accentuated when government is insensitive to public grievances. This is more so when there is a failure in tackling problems arising out of natural disasters. We have seen similar pattern in many developing countries in Asia, Latin America, Africa and Europe and Middle East. The widespread public protest against lack of performance in public administration also contributes to violence and hatred between the people and the government. Although we have enough laws to deal with corruption, there are many areas we ought to take preventive steps so as to ensure that the scope for corruption is minimised. One important step could be to decentralise powers – financial and administrative – in favour of local self-government so that people are not forced to go from pillar to post for redressal of grievances. The distribution of powers should start from State Government level to district and village government levels. This was intended to be achieved by the Panchayat Raj programme but was not achieved due to failure in implementing the scheme. It is worthwhile to refer to the success stories in Saurashtra where the local self-government was able to raise funds locally for meeting developmental activities within the district. Also, a Panchayat in Coimbatore District (Tamil Nadu) was able to raise funds by generating wind energy to meet the needs of the village and to distribute the surplus for others.

Reducing the manpower in government offices by outsourcing important public services with adequate checks and effective monitoring, will no doubt go a long way to improve the quality of delivery of public services. The surplus officials as a result of this measure will have

to be absorbed within the government system either as technicians and without any retrenchment so as to take care of human problems arising out of such measures.

The working of the government both at the Centre and the State needs to be made time-bound by ensuring that every public grievance received should be dealt with within a time frame of say one month. When there is a non-compliance of this time-bound norm, the senior officials will have to be made accountable so that monitoring becomes real and effective. Erring officials not complying with this requirement should be punished adequately unless there is any overriding reason.

Another important field requiring urgent action is "Top-level police administration". Unfortunately, the respect for rule of law from the citizens as well as civil servants especially in matters relating to law and order cannot be said to be satisfactory. Lack of impartiality on the part of enforcement agencies such as police and other regulatory authorities has also contributed to widespread corruption. In a recent trend that is taking place by which the investigating authorities communicate with the media even when investigation is still in progress, presumably to satisfy an over anxious media. Nowhere in the world do the investigating agencies keep on briefing the media on a daily basis even when the investigation is not complete. This needs to be stopped. Similarly, the Supreme Court has already given guidelines to various state governments to implement police reforms especially in the field of training, posting and transfers in order to defuse political influence in police administrative matters. This should be implemented without any further delay to ensure effective law and order administration. To quote late Mr. P.A. Sangma, former Speaker of the Lok Sabha, on the occasion of the 50th anniversary of India's independence:

"We have a highly flawed system of management of administration. It is a highly politicised administration, away from the people. Our administration, including the police force, has got significantly politicised. The civil service which is designed to be neutral being pushed into service of political matters and use of the police force for settling political scores have become facts of life today. This is not conducive to the rule of law. The administration should be depoliticised and made responsive to the public and responsible only to the rule of law."

Ultimately our fight against corruption in civil service can succeed only if we have the right persons in right positions. This can be achieved only by fine-tuning our recruitment and training system as may be realised from the following observations by Dr. Rajendra Prasad,

"Whatever the Constitution may or may not provide, the welfare of the country will depend on the way in which the country is administered. That will depend upon the men who administer it."

LEGISLATURE

SPECIAL ARTICLE

Public Funding of Elections

N Gopalswami

Political Finance policies have attracted wide attention in all democracies being a sensitive issue with potential to subvert institutions. Many democratic countries have legislated to regulate Party and Election Finance. In India, there is a limit on candidate's expenditure in elections and for parties to submit accounts annually to ECI.

India became independent in 1947 and a Republic in 1950 and it chose to be a democracy governed by representatives elected by people. It was famously said by Abraham Lincoln on democracy being 'of the people, by the people and for the people'. While no doubt in a nation we have strived to live up to this ideal, a dispassionate analysis would find many a flaw, an important one being voting crisis of that periodic exercise that is the very basis of a democracy namely, the elections. A close scrutiny and a look at the warts is necessary to understand how the exercise fares in term of ethics and integrity.

India became a republic and chose universal adult franchise notwithstanding dire predictions the wanted of class. With an overwhelmingly disparate (85%) population and with female literacy at an abysmally low 7.5%, many prognosticated the failure of the experiment. But our leaders had a fervent and abiding faith on the robust common sense and native wisdom of the ordinary men and women of this country and chose to empower all of them without discriminating on the basis of gender, economic status or educational attainment. That faith has been amply repaid and the country has remained wedded to democracy over this long period of many trials and tribulations—famines, floods, wars, economic deprivation, communal riots, caste conflicts, leftist extremism and so on. Notwithstanding dark prognostications, the citizens of this country have expressed their faith in democracy by voting in increasing numbers in election after election in the last 70 years, the country having seen 17 general elections to the parliament and over 350 elections to the state assemblies.

The Progress

However, it has not been a smooth ride. By the time of the 4th Lok Sabha elections (1967), party hopping by

elected representatives became a frequent phenomenon. Thus came a dark period of emergency and its excesses and extension of the life of Lok Sabha but the Nation quickly overtook the hurdle. While democracy was restored, the many malpractices in elections like booth capturing, intimidation of voters, vote buying and the like put a question mark over our democratic credentials.

While great strides were made in the conduct of elections by the Election Commission of India by bringing in the Electronic Voting Machine (EVM), which was later supplemented by a paper trail to make it doubly secure, the goal of a completely free and fair elections has been elusive.

Free and Fair Elections

Politics is acknowledged as a means to the pursuit of power and in a democracy the levers of power are decided



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through the medium of periodically held elections. But the quality of elections, not the mere fact that they are held periodically, will decide whether they are free and fair. On that test unfortunately we still have much distance to travel.

Over the years, the Election Commission has done a commendable job to make elections free from undue influences by ensuring clean electoral rolls, increased number of polling stations for voters's convenience, preventive arrests and security protocols to counter threat and intimidations in vulnerable sections of the voters, increased security in the polling stations to prevent booth capturing and vote-sniffing, strict implementation of the model code of conduct to deny advantage to the government of the day and so on.

But elections have also to be 'fair'. Many of the steps outlined above have brought a modicum of fairness but in two aspects the failure is palpable: (i) Criminalisation of politics, and, (ii) Runaway election expenditure.

Election law prohibits those convicted of offences from contesting but thanks to delays in criminal proceedings combined with the 'winnability' formula adopted by parties, the number of charge-sheeted Law Makers is increasing, and worse is that of those charged with heinous crimes like robbery, dacoity and rape.

	2009	2014	2019
Winners with Criminal Cases (%)	30	34	43
Winners with Serious Criminal Cases (%)	14	21	29

Source: ANR Report

The other sore point is the runaway expenditure in elections. Election law prescribes, since the beginning, limits to the expenditure by a candidate, the avowed laudable objective being a level playing field, so that 'good' candidates do not suffer lack of funds, and money should not be the determining factor in elections. But unfortunately the rule is observed more in breach.

While there is a ceiling on candidate's expenditure, there is none on the party's. But more serious than this

convenient loophole, the sheer inability of the contestants in finding ways and means to conceal expenditure makes the rule redundant. Overtime the tactics have also been changing. The innovation is the Prime media found ways to make a free look by transcribing the campaign news coverage based on the extent of 'payment'. The candidate pays for what appears in 'News' but which in fact is an 'advertisement', escaping contribution as an election expenditure.

The EC has gone to great lengths to 'curb' excessive expenditure. Expenditure observers are appointed, acceptable cost of items of expenditure is fixed, videographers are employed to cover major campaign events of each candidate, the candidate's expenditure registers are periodically examined and compared with shadow registers of expenditure observers and this information is used to cross check the expenditure statements filed by candidates after poll concludes. All this is made available widely so that rival candidates can mount challenges. Notwithstanding this massive effort, success in smothering concealed or under-stated expenditures has been insignificant. Even the only candidate disqualified for 'Paid News' was quashed not by EC but by the Press Council of India.²

Political Finance Issues

Political Finance policies have attracted wide attention in all democracies being a sensitive issue with potential to subvert institutions. Many democratic countries have legislated to regulate Party and Election Finance. In India, there is a limit on candidate's expenditure in elections and for parties to submit accounts annually to EC. Similar provisions exist in other countries notably in the UK. But it is also reported that in many countries such laws are observed more in breach though countries in Europe seem an exception where there is better compliance.³

In India, two developments that have taken place over the years in the electoral arena deserve closer look. One is the steady increase in the number of those with criminal antecedents and second, the steady increase in the number of legislators with deep pockets. That both can be more closely related is a cause for concern. Here is a summary of the financial status of MPs elected between 2009 and 2019 in three General Elections.⁴

MPs with more than Rs. 1 Crore Assets

1. 2009 - 58%, 2014 - 82%, 2019 - 83%
2. Total candidates analysed-2699
3. Winning Candidates-Congress-21%, Non-Congress-1%
4. Winners with Assets - Less than Rs. 50 Lakhs-1.6%
5. Growth (avg.) in Assets of 225 re-elected (2019) MPs-29% (Rs. 4.87 Cr.)
6. Winners with Assets - Rs.50 Lakhs to Rs. 2 Crores-7%

Given these facts, it is difficult to believe that anybody who merely has a burning desire to serve the public but without a corresponding pursuit to make, can ever aspire to be a MP or ML A unless political parties sponsor candidates on their merits and not on their financial status. It may seem cynical and childish to say that ceding on expedients of individual candidates meets with any purpose any more notwithstanding the high-thinking behind it.

Party Finances

While there is a ceiling on the individual candidate's election spend, there is no limit on party expenditure, a big loophole which the political parties are loathe to plug.

Party finances and their sources in our country is a grey area. While the law requires reporting details of the donations above Rs.20,000/-, parties are adept at avoiding it, many claiming more than 90% of the receipts to be below the reporting limit. Law was amended in 2003 permitting tax exemption to corporate donations but the corporates have been wary of revealing their identity for fear of incurring displeasure of one or the other party. An attempt made (2013) to allow, under the Income Tax Act, Electoral Trusts to be formed by a company to which contributions can be made by other companies, also did not lead to much transparency. Electoral Bonds Scheme also (2016) was no improvement as donor's identity is kept confidential. Political Finance is thus a grey area with a pronounced lack of transparency. Neither political parties nor our Parliament has shown any urgency or interest to improve matters. It is difficult therefore to believe that the Supreme Court's final hope will ever come true.

"...it should be open to individual or any political party, however small, to be able to contest an election on a footing of equality with any other individual or political party, however rich and well financed it may be, and no individual or political party should be able to secure an advantage over others by reason of its superior financial strength."



That sentiment, however, has led to the demand for State Funding of political parties. Further, there is a justified view that political parties should be backed by the state to break the nexus, between the Corporate and big donors, and political parties, which can undermine democracy, subvert and compromise national interest. State Funding is prevalent extensively in European countries but there is also the acknowledgement there that it has not ended political corruption. A study report found: 'Despite the significant amount of public money disbursed in order to make political actors less prone to corruption incidents, political corruption has remained a fundamental problem in the region, and that public funding schemes seem not to have reached this fundamental objective.' A further point is the apprehension voiced: 'such a high dependency on state resources may risk sustaining political actors that are out of touch with social reality, thereby fueling anti-party sentiments.'

Our Law Commissions have also concluded that full State Funding is not feasible,' citing issues like criminalisation, lack of inner party democracy, and lack of transparency in political party funds. Without comprehensive legislation in place covering these issues and a consensus of the political actors to abide by it in letter and spirit, any state funding will be a sheer waste of public monies and so cannot be supported.

Conclusion

The overview of the election scenario in our country will lead to the inevitable conclusion that while much has been done successfully to make elections free, given the role of money power, the increasing number of members with serious criminal cases and the runaway election expenditure, it is an undeniable fact that fairness eludes it still. Unless our Law makers take corrective steps imbued with a high sense of ethics, any claim of total integrity of our election process will be misplaced. □

Endnotes

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TRANSPARENCY

Information Sharing in Government

Sumita Datta

Governance reforms in areas with maximum interface with public and those that impinge on public welfare, lead to considerable improvements in efficiency and delivering good governance. To fulfill its multifarious responsibilities in an economical, efficient and effective manner, the Government needs to be consultative, participatory and inclusive of views of all stakeholders. Such an approach enables a Government to deliver outputs that are desired and meant for the larger good of maximum populace.

All Stakeholder Collaboration

Promoting growth and development is a critical part of the mandate of Governments, which also bear the responsibility of delivering services, especially in the areas of education, healthcare, public utilities, such as supplying of water and electricity, delivering law and order, providing an investment-friendly business environment, to name a few. To achieve the above objectives, Governments undertake policy formulation that guides the activities contributing to the ideals of growth, industrial development, livelihoods, human development, efficient service delivery, rural development, including provision of clean drinking water and sanitation, and so on.

To fulfill its multifarious responsibilities in an efficient and effective manner, the Government needs to function collaboratively with all the stakeholders. Such an approach enables the Government to deliver outputs that are desired and meant for the larger good of maximum populace. For instance, to deliver an effective education policy with intended goals of achieving high levels of literacy, and widely imparted skills to read, write and undertake mathematical calculations and analytical skills of desired standards, the Government will need to first collate and

then share information on the present status in terms of quantitative as well as qualitative parameters under the above-mentioned goals.

Such data and evidence when generated will need to be shared with schools, colleges and educational boards as part of an institutionalised input taking mechanism. It is this data and evidence that will need to be looked at critically and analysed to understand the shortcomings of the present system, identify root causes and thereafter, generate views on improving the system. To make this exercise even more effective, focused group discussions may also need to be undertaken.

The inputs received from various stakeholders are collated, analysed and the proposed policy (documentation) is prepared. This is again circulated among the stakeholders and this time, feedback is taken on the proposed education policy in this case.

Once the policy has been formulated, approved and put into implementation, the concerned authority monitors the implementation closely and conducts impact assessment at regular intervals. The impact and mid-course correction undertaken, if any, by the authority are again communicated with all the stakeholders.

Such information sharing on a regular basis with stakeholders, who could be teachers, educationists, parents, researchers, government officials, local leaders, professionals, industry representatives and even students, would bring collaboration, transparency and mutual trust in the system and may be construed as a step towards bringing in good governance.

Invokes Proactive Dissemination of Information Widely

Governments have been aware of the need for information sharing and transparency to deliver on good governance. Unified District Information System for Education (U-DISE), for instance, is a "government-led education management information system" on key school-level indicators. It generates report cards on each school every year and also publishes district and state-level data. The vision behind introduction of the system was "to improve planning, monitor and enhance the capacity of stakeholders to use information as a tool for demanding accountability." In a case study of Kullu-Mandi District, in Himachal Pradesh, India, Class 10th results improved through regular monitoring of the relevant indicators building accountability of teachers and the education-related officials, and thereby improving service delivery.

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Ranks in the District improved from 66 percent post in Class 10 in 2010 to 90 percent post in 2014).

On similar lines, children working as labour were brought into mainstream education in Karnataka District through information sharing and promoting transparency in the system. Over a period of two years (2011-13), the number of children out of school reduced from over 30,000 to less than a 1000. The District Administration started the process of information sharing through printing pamphlets, with village-wise details of children out-of-school, and sharing these with the village teachers, local leaders, self-help groups and local officials.

With this information sharing came transparency, followed by activity by the various stakeholders to contact the out-of-school children, those engaged in child labour, and motivate them to come back to school. It was through a strategic mix of various activities, including close monitoring and participative approach with stakeholders, that the District Administration achieved its goal of reducing child labour to a minimum. The case study was later part of an ILO manual on retrospective strategies for eradication of child labour⁷.

Reactive Bridging of Information Gap

In a more recent example of information sharing and promoting transparency during the lockdown period in India due to the COVID-19 pandemic, the Department for Promotion of Industry and Internal Trade (DPIT),

Ministry of Commerce and Industry, Government of India took the decision to set up a control room. The purpose was real-time monitoring of the status of its manufacturing, transportation and delivery of essential commodities in various states and to the difficulties being faced by various stakeholders in the business ecosystem during the lockdown period. The goal was to resolve these difficulties through coordination with state governments and ministries. Multiple rounds of interaction were held through phone calls and emails with the concerned businesses, state governments and ministries.

Further, this information was shared with concerned Ministries and States for resolution of the issues and ensure smooth supply of essentials. To maintain quality of services, a system to monitor actual resolution engagement was also added, through daily feedback calls to the complainants/regulators and further understand whether redressal had taken place. The control room's proactive response and real-time feedback monitoring ensured a resolution rate of 75% for all queries logged in⁸.

At the same time, Invest India (India's investment facilitation national agency working with DPIIT), established a Business Enquiry Platform, designed as a comprehensive resource to help businesses and investors get real-time updates on India's response to COVID-19. This dynamic platform maintained a regular pulse on developments in the control of the virus, provided the latest information on various central and state

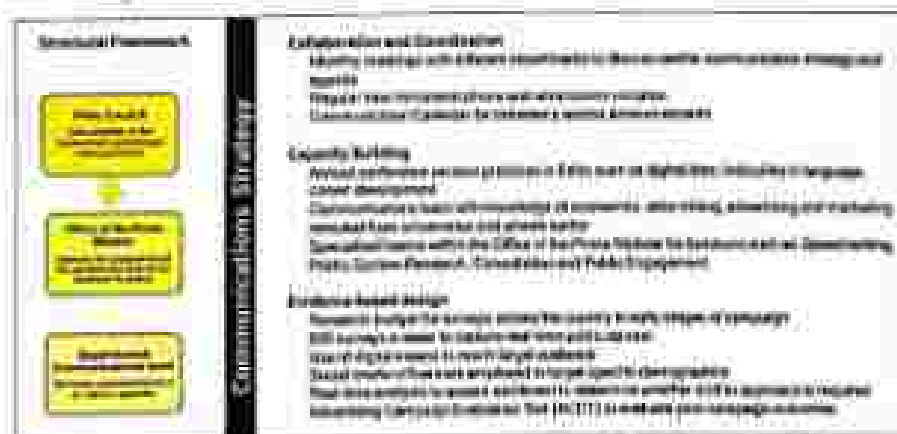
government initiatives, gave access to special permissions and notified business-related queries through emails and mobile messaging platforms. This intervention was a boon for businesses that were looking for authentic and real-time information and guidance during the pandemic.

Another powerful tool for information sharing and promoting transparency in governance in India has been the Right to Information (RTI) Act. Under the provisions of RTI Act, any citizen of India may request information from a "public authority" (a body of Government or "instrumentality of State") which is obliged to reply expeditiously or within thirty days. In case of queries involving a petitioner's life and liberty, the information has to be provided within 48 hours. It aims to underwrite a practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority.

There are many examples of provision under RTI being used by stakeholders to secure critical information from Central and State Governments, related to development works for instance, and promote interventions for public welfare, as well as bring down corruption in the system.

Technology-led Transparency

The Champions of Change platform (CoC 2.0)⁹ for improved districts has been introduced by NITI Aayog to "enhance functionality of automated data-quality reports, which would enable the District Mergers/District Collection to take corrective action, wherever required." Taking across 49 key performance indicators (KPIs) data points that have been identified in a consultative manner with the Ministries (direct sectors of focus), a ranking of districts has been evolved. This ranking is "dynamic and reflects the incremental (delta) improvement made month on month; the portal provides real-time monitoring and ranking of districts



Source: P. J. India through multiple sources

JUDICIARY

The Rule of Law

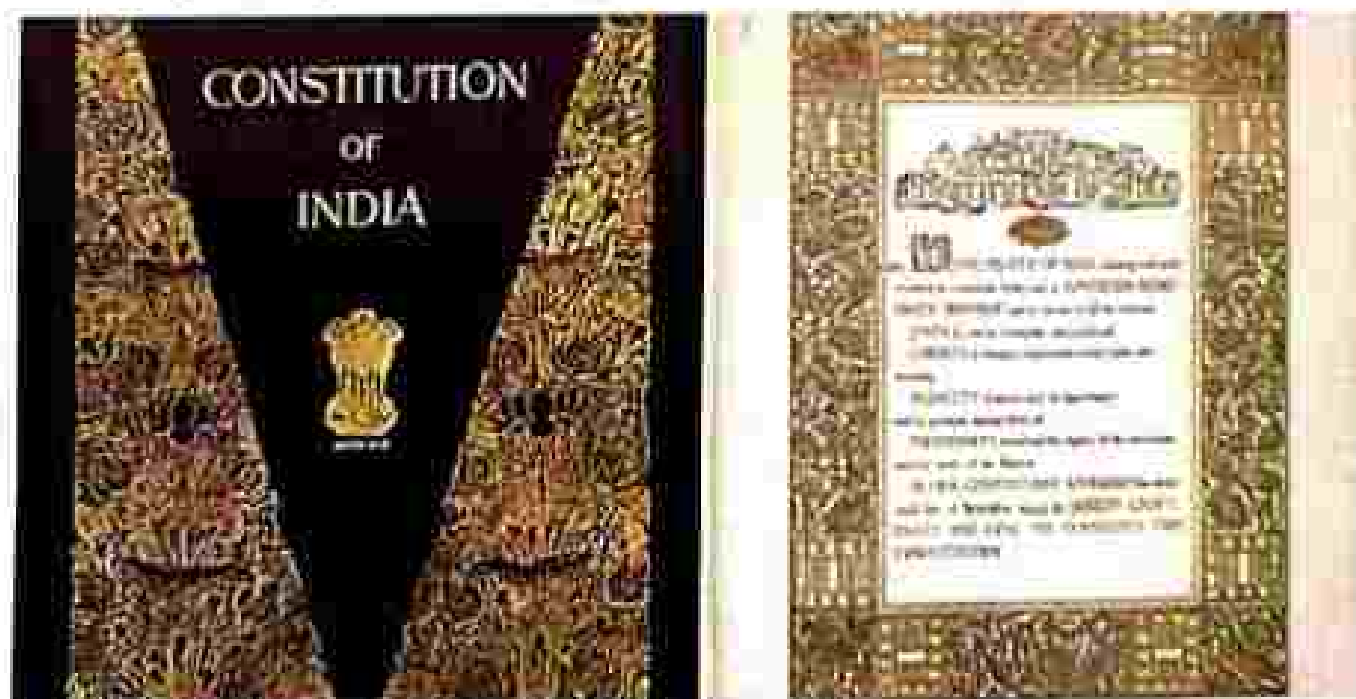
S N Tripathi
Sopna Choudh

Law establishes solidarity in society based on rational and reasonable social norms and values. In a complex society, there is hardly any area which is untouched by law. It governs almost every activity which happens in the society in one way or the other. Law and legal institutions are important tools for improving functioning of institutions, enhancing growth, social and economic development and delivering justice in society.

Law is not autonomous; it is deeply embedded within society and reflects the values of society. Society influences law. So law is but a reflection of the society it governs. Law is a vehicle for social engineering and orderly functioning of the society. Social control and social change are the ultimate functions of law in society. It establishes peace, order, justice, and

equity. Even the weakest sections have the feeling of strength with the existence of law in the society. We regularly encounter the law in our daily life while driving the car, buying or selling property etc. sometimes affected directly and many a time indirectly like eating is indirectly affected by law as the food one eats is required to meet rigorous standards of purity, hygiene etc.

Law is a powerful instrument for change. Law and legal institutions are important tools for improving functioning of institutions, enhancing growth, social and economic development and delivering justice in society. It is the means through which policies are codified and implemented, and power is allocated and contested. Law, in combination with other social and political strategies, can be used



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In modern states, law serves three critical governance roles.

First, it is through law and legal institutions that states seek to order the behaviour of individuals and organisations; so that economic and social policies are converted into outcomes. Second, law defines the structure of government by ordering power—that is, establishing and distributing authority and power among government actors and between the state and citizens.

And third, law also serves to order contestation by providing the substantive and procedural tools needed to promote accountability, resolve disputes peacefully, and change the rules.

as a device to promote transparency, accountability, and openness in the system. In modern states, law serves three critical governance roles. First, it is through law and legal institutions that states seek to order the behaviour of individuals and organisations; so that economic and social policies are converted into outcomes. Second, law defines the structure of government by ordering power—that is, establishing and distributing authority and power among government actors and between the state and citizens. And third, law also serves to order contestation by providing the substantive and procedural tools needed to promote accountability, resolve disputes peacefully, and change the rules.³

The law has important role in governance. The relationship between law, governance and development contributes significantly to the promotion of social and individual well-being. Law is important part of formal governance as well as informal governance and also plays important role in regulating private,

non-governmental behaviour. Good governance is a supreme value that maximises the common good and therefore, to be pursued both in public and private spheres. The credibility of the public organisations depends much on the perceptions that they hold and the values they claim to represent, such as democracy, social justice, equity, transparency, accountability, effectiveness and the rule of law. All of these values are key components of the wider good governance institutional agenda.⁴ Good governance comprises the existence of effective mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and resolve their differences.

The rule of law is one of the essential requirements of good and ethical governance. It means pre-eminence of law as opposed to tyranny or capricious dictates. It requires that government officials and citizens be equally subject to the law of the land and act consistently with the law. The rule of law is a durable system of laws, institutions, norms, and community commitment that delivers accountability, transparency, openness and accessible justice. Legal frameworks should be fair and enforced impartially, particularly the laws on human rights. The governance and administration of any social enterprise must be framed within the framework provided by the rule of law. This precept establishes the obligation of individual and collective



obedience to the system of public rules that define the legal limits of what can and cannot be done. Disobedience to the law leads to corrupt and criminal behaviour.⁵ One of the precepts of the rule of law is fair legal framework, that is enforced impartially and particularly full protection of human rights, especially of the vulnerable sections of the society. The factor of transparency also requires that information is freely available and the decisions are taken or enforced in a manner that adheres to the rules and regulations.

Laws, rules and regulations have an important role in the governance system. By law, the democratic society can manifest itself so as to protect the state values, the fundamental rights and freedoms of citizens. However, the law must be as stable as possible to help develop domains (economic, social,





educational, health, financial etc.). In a democracy, governments exist in order to fulfill vital functions such as: maintaining security, provision of public services and ensuring treatments according to the laws in force etc. It is the Constitution that broadly defines structure and function of the government and the principles to be followed; while through the legal framework created, the system becomes operational at the local level.

The legal framework in a country is as vital for economic development as for political and social development. The legal framework also affects the lives of the poor and, as such, has become an important dimension of strategies for poverty alleviation, in the struggle against discrimination, in the protection of the socially weak, and in the distribution of opportunities in society; the law can

make an important contribution to a just and equitable society and thus to prospects for social development and poverty alleviation.² Law provides rules about how individuals and groups are to behave in order to achieve economic and social policy outcomes. To achieve the desired outcomes, the most constitutional method is executive power of law and fear of sanctions. If people, driven by their intrinsic self-interest, do not behave in a socially desirable way, sanctions can be imposed to induce cooperation by changing incentives. Manufacturing companies will comply with environmental regulations if there is a high likelihood of being fined an amount greater than their profit margin gained from non-compliance.³ However, to achieve the deterrent effect of law, there is a need for proper compliance of law, for which the state needs effective administrative and law enforcement institutions. Firstly, the sanction for violating the law must leave the perpetrator worse off than any benefits. Law also acts as a stamp, an expression to guide people on how to act when they have several options. The expressive power of law does not do the work of deterring a minority itself, but rather depends on the incentives it provides to those who already accept the new law, as well as a range of support programmes generating awareness among people, that drive the process of internalising the new norm more broadly.⁴

Indian Constitution is the supreme law of the land and above all governmental actions. It covers

The credibility of the public organisations depends much on the perceptions that they hold and the values they claim to represent, such as democracy, social justice, equity, transparency, accountability, effectiveness and the rule of law. All of these values are key components of the wider good governance institutional agenda.

the principles of secularism and moral governance. The Constitution of India endorses the principles of justice—social, economic and political, equality of status, of opportunity, and before the law, freedom of thought, expression, belief, faith, worship, vocation, association and action, subject to law and public morality and to provide safeguards for minorities, backward and tribal areas, and depressed and other backward classes. These are the basic principles to attain good governance. Part III of the Constitution contains a list of Fundamental Rights. These are primarily civil and political rights which cannot be interfered with by legislation or executive action. And in the case they are, Article 32 confers the Supreme Court, and Article 226 the High Courts, with the power to declare such actions void. The constitutional obligations imposed on the government are not solely negative. Some of the fundamental rights in Part III “positive rights” require affirmative action by the government, as opposed to non-interference. The Directive Principles of State Policy in Part IV of the Constitution gives expression to the principles embodied in the Preamble to the Constitution. The Directive Principles aim at achieving an egalitarian social order, with universal access to employment, health and education services which are all components to achieve the goal





of sustainable development and good governance.

In addition, the Constitution provides for a system of checks and balances between the organs of the State. The power of judicial review of the actions of the legislature and executive under the Articles 32, 226, 227, 136 of the Constitution is the basic or essential feature of Indian Constitution. It is the most potent weapon in the hands of the judiciary for maintenance of democracy and rule of law.

Good governance implies an administration that is sensitive and responsive to the needs of the people and is effective in coping with emerging challenges in society by framing and implementing appropriate laws and measures. It includes strict rules of accountability. Rules must be strictly bound by generally accepted norms and controlled by institutions to enforce those norms.⁹ With the abandonment of *laissez faire* and advent of modern philosophy of a 'welfare' state, the administrative

organ in almost all the democratic countries is performing large variety of functions. There has been enormous increase in the functions of the administration in the modern welfare state, both regulatory and managerial. The increase in the powers and duties of administration has brought it in conflict with the individual in various walks of life. The increase in functions and powers of administration calls for its control and regulation. The administrative law provides for the nature of the powers exercised by the administration, the grounds on which the exercise of these powers can

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be challenged in the court of law, and the different remedies available to the individual against the administration in the law courts. The law thus acts as a means to prevent abuse of power by the executive, protecting the rights of individuals, provide easy redressal of citizens' grievances, thereby bringing transparency and accountability in government functioning. Good governance is associated with efficient and effective administration in a democratic framework. It is considered as citizen-friendly, citizen-caring and a responsive administration.¹⁰

How executives use law to implement policies and exercise authority, and how citizens use law to challenge and control the exercise of power, decides the efficacy of legal system as commitment and coordination device to promote accountability. These legal institutions which include courts and associated agencies such as prosecutors and police, statutory adjudicative and oversight bodies such as ombudsmen, auditors, and human rights commission etc. promote accountability by imposing checks on authorities and providing a forum for claims by citizens. The extent to which these institutions are accessible and effective forums for citizens to challenge administrative actions decides level of accountability and transparency of the system.

In India, the Supreme Court has a significant contribution in achieving the goal of good governance. There is no area where the judgments of Supreme Court have not made an impact whether it be environment, human rights, gender justice, education, minorities, police reforms, elections and limits on powers of Parliament to amend the Constitution. The Supreme Court has emerged as 'protector of civil liberties' by giving wide interpretation to the provisions of Fundamental Rights especially Articles 14, 19 and 21. Exercising powers under Article 32

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Media Governance: Ethos, Values & Integrity

*Himanshu Das
Rishi Kakkar*

If media has to play the role of actor as well as consultant in the process of governance then it is needed to reinvent it to ensure accountability to public. Thereby, it may evolve and adopt a balanced set of values into practice which may be considered as 'Public Value'. Integrity shall be achieved if both 'media governance' and 'mediated governance' revive public accountability while translating the ideas of public philosophy into public values.

The last few decades have witnessed the changes and reforms in public policies, and its implementation across the world. These changes may have different trajectories as there are different systems of government, and adjoining programmatic interventions. But overall, one may encounter changes in strategies that have enabled governments to encourage and bring diverse actors and stakeholders to participate in the process of service delivery and governance. It also amounts to bearing responsibilities and sharing credit for success and blame for failures in the governance process.

Indian media sector too witnessed significant changes as a result of governance policies during last four decades with the rise of 24/7 news cycle, television channels, newspapers (both English and regional), social media, emergence of platform-based economy, mobile adoption and advancement in digitisation processes, thereby, transforming into a more competitive and more valuable economy of media production and delivery that subsequently have changed the landscape of media in India. Amid this burgeoning media landscape, Parthasarathi (2018) highlights the need to recognise the regulatory, organisational, and cultural conditions under

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which the media economy has emerged and constituted by decisions and decision-making. Whereas, considering the complex terrain in which the media economy operates, we recognise that this intent is neither necessarily coherent, nor imposed by a simple set of time-structures. At the same time, however contested, negotiable, or contingent to the operative context of the media economy, this may be in its daily practice, is clearly established through a set of conscious actions. Those actions inevitably reflect the imperatives of actors (both formal and informal), seeking to establish particular interests within the overall constitution of the sector. Therefore, this constitution is a product of both, configuration of forces and evolving body of formal and informal rules.

Although there have been profound developments in the domain of government, media and the aims of their conjuncture over past few decades; even then we know very little about their nature of engagements. Further, we have very less knowledge about how the interaction between, 'media' and 'state' is subsequently shaping the public policy, media industry, social media ethics and last

but not the least governance processes. At present we only have some scattered accounts of bureaucratic strategies in hands to depicting the influence of communication-media over behaviors of actors/subjects in governance.

As Dey and Parthasarathi (2011) comment, that the shifts in media policy (regarding India since 1991) have been guided neither by the creation of the necessary knowledge nor by market-related institutions. Instead, they are guided by a policy framework on the part of the state that can best be described as one of strategic neglect. As a consequence, there is extensive fragmentation at all levels in the structure of policy-making in the media and communication industry. Media policy-making is being conducted without adequate input from independent quarters outside of government and industry. A cursory look at the members of various government and public-private committees set up to formulate or review aspects of media policy in different sectors over the last decade shows this quite clearly. Such advisory and/or decision-making bodies usually are constituted by representatives from relevant ministries, heads of trade bodies, and senior management from media firms. It is rare to see civil society representation (unless the committee explicitly deals with the "social" sector), and academia is consistently conspicuous by its absence. There is a lack of concerted efforts to measure or evaluate the rationale, relevance, and impact of projects from independent quarters. In cases where policy evaluation processes are undertaken, these, while rarely being transparent, are short of systematic and consistent mechanisms for obtaining informed inputs.

The reasons for poor pre-policy and consultative processes are multiple. First and foremost, protocols for consulting outsiders are knee-jerk or ad hoc. And in the absence of streamlined protocols, outsiders who get heard are the dominant voices—those having powerful means for or other avenues of advocacy. This, in turn, reinforces the impression that these outsiders represent the vested interests. Second, when specialised professionals are involved in policymaking, they are usually selected for single-issue inputs; rarely are they required to sustain their interaction to either confront trade-offs or to respond to objections from divergent propositions. Last but not least,





There is no systematic mapping of stakeholders associated with a policy measure, which tends to give the impression that every policy announcement has only opponents. As much as this is true, the gravest consequence is that policy options are being weighed without the input of different viewpoints and possibilities, let alone among interest-neutral competencies (see: Das and Parthasarathi, 2011).

The governance systems reflect the extent to which actors (both formal and informal) have imbibed the 'values' corresponded to them by the pervasive media institutions. No matter what has been laid in the agenda of government, execution of plans and policies need to take place in accordance to ideas shaped by dominant media institutions.

Besides, post 1990s public institutions have experienced an abrupt shift in values, as ideas drawn from private/market sector in no time have been imposed onto public sector. Suddenly, government bodies have been re-invented to work more like a private enterprise, thereby adopting 'new-management' style of working while emphasising on performance measurement, profitability and public-private partnership, thus, marking the shift from government to governance. During early 2000s and especially after the advent of internet, there were hopes that advancement in field of information and communication technology and easy availability of media platforms shall fill in the gaps of policymaking processes, create the spaces for deliberation and encourage participative governance while promoting networks of public and streamline the governance-arrangements and substitute for some the losses in policymaking as earlier encountered due to lack of transparency and equal participation.

Contrary to the said expectations, 'communicative abundance' has turned out to be an apparent paradox between governance systems and their publics. 'Communicative abundance' has neither questioned the 'values' of those who would govern the institutions, nor has added 'values' to public sphere for the public to utilise in challenging their governing institutions. Therefore, the critiques have aptly suggested that media has failed miserably to create effective governance. The troubles with decision-making are some even examples of politics of mediation. The style of media intervention in matters of governance suggests that instead of initiating 'deliberation' for hosting constructive deliberations, media is allegedly using it as an instrument of abuse in governance processes so as to maintain its control over the agenda.

It is a proven fact that governance is not an easy affair, further, inherent differences within societies makes it more complex. Therefore, availability of diverse sorts of media was encouraged to stimulate the communication. But, instead of permitting the smooth flow of information, the existing communication gap is exploited as an opportunity to reassert position in par with political and administrative elites.

Earlier, in the era before governance, the 'values' of public institutions were being made to compromise by the partisan politics and ideological style of working by government leadership; now the said set of values are being influenced upon by immediacy of media actors.

Parthasarathi (2016) highlights the need to recognise the regulatory, organisational, and cultural conditions under which the media economy has emerged and constituted by decisions and decision-making. Whereas, considering the complex terrain in which the media economy operates, we recognise that this intent is neither necessarily coherent, nor imposed by a single set of forces/actors.

We often have something or else to say about the values. Also, along with values, the idea of integrity is evoked, which in its simplest notion means practice of being consistent and main-

taining uncompromising adherence to the values. Further in most of the situations, values themselves are not properly described, not we have certainty about what they imply in general or in particular. Thus, the chances are higher that people may or may not understand the interpretation and the actions involved while invoking a particular set of values. Therefore, the concept is vague and often taken for granted by governments, organisations, institutions etc. without deciphering the actual stakes and consequences associated with values.

Here the solution in hand to this problem will not merely be resolved by identifying a suitable set of values for governments, organisations, institutions etc. and subsequently adopting them to carry out the core functions.

And, not by any means the agenda is to prepare a rigid value checklist, and thereby mindfully adhering to them and endorsing them like words of gospel. The intent and purpose to uphold values is to stimulate self-reflexive rigor among governments, organisations, institutions etc. so that the professionals, stakeholders, public etc. representing these establishments can be brought on to common platforms for value deliberations and for carrying out effective governance.

It would be impossible here, as well as slightly beyond the scope to summarise all the nuances of media governance. Although we have so far substantially discussed that how contemporary governance has been thoroughly adopting the norms and values set by the media. Actors are living to the pressure of media and using media directed routines that to govern effectively. In this scenario keeping high hopes of 'purity in governance' in public environment is not conducive enough to extend the enabling 'values' required for accountable governance structures. Mere governance is not enough. Governance reforms will run into passive rhetoric if other desired conditions are not being made fit, and media governance, if not fundamental, then certainly a crucial aspect which can't be ignored.

As Price & Verdulet (2008, p. 4) suggest, the understanding between 'media' and 'governance' can be explored by three meanings (which is worth quoting): "... governance through media, governance of media, & governance as affected by media..."

These three meanings are self-explanatory: "... governance through media" means utilising media arms of government such as PIB, BPC, Pressur Bharti (autonomous body) etc. strategically for the purpose of bringing desired behavioural changes and influencing the decision-making of groups so as to bring positive reinforcements. "... governance of media" shall include larger questions of media law, policy, regulation and self-regulation in the country. Lastly, "... governance as affected by media" at first place puts forward several intriguing and complex interpretations. But, all these interpretations are aimed at nothing more than creative and communicative media institution.

But, what these explanations of media governance has been lacking or neglecting are the questions of 'values'. If one dwells deep into these explanations, we may find that these explanations are upholding varying 'values', suggesting partial difference to extreme polarity thus, hindering the value equilibrium. As a result, certain 'values' dominate over others and some seems more legitimate than others, while some are given undue leverage to meet the partisan interests. In this transaction of 'values', where few values are elevated from remaining few, one can never even imagine to obtain a consensus in processes of governance nor can expect a fair trade-off during decision-making.

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Therefore, if media has to play the role of actor as well as conduit in the process of governance then it is highly needed to reinvent it to ensure accountability to public. Therefore, it may evolve and adopt a balanced set of values into practice which may be considered as Public Value. The idea of rigid value check-list, and staunchly adhering to them doesn't suffice for the 'integrity'. Rather, integrity shall be achieved if both 'media governance' and 'mediated governance' revive public accountability while translating the ideas of public philosophy into public values. Hence, the need arises to use public values as instruments of governance by public as well as media institutions to re-instate effective governance in society. □

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Ethics in Journalism

Dr Anand Pradhani

"The sole aim of journalism should be service. The newspaper is a great power, but just as an unchained torrent of water submerges whole countryside and devastates crops, even so an uncontrolled pen serves but to destroy."

- Mahatma Gandhi

While recognising that 'the newspaper is a great power', Mahatma Gandhi—himself a great journalist and editor, was very clear about the objectives of journalism and why it should be 'an unchained torrent of water'. Of course, he wasn't referring to external curbs or control on free speech and freedom of the press—both of which he always supported and fought for. Instead, he was articulating the idea of 'social responsibility of journalism'. This, simply put, means that journalism must be socially responsible, serve the people with devotion, and educate them while avoiding sensationalism, distortion and manipulation of facts in the news reports, and not compromise with ethical standards of journalism for profit.

As the 'fourth estate' of democracy and 'voice of reason', the news media and the institution of journalism plays a crucial role of keeping the citizens informed about the issues, events and ideas of public interest. The institution of journalism works and operates through news media. The profession and discipline of journalism through its arts, crafts and science makes the news media

a powerful instrument of public information, opinion and debates.

One cannot imagine a vibrant democracy without a vibrant, independent and critical news media which not only disseminates news and views of public importance but also acts as a watchdog that monitors, investigates and critically examines the functioning of key organs and institutions of the State, and evaluates the performances of them in the public office and holds them accountable.

An independent news media, which includes legacy media like

newspapers, magazines, television, radio and new media like online news portals and digital news platforms, has been integral to democracy's long and tumultuous journey. Over time, it has evolved with democracy, especially in the late 19th and 20th century.

Despite its many shortcomings, and up and downs, the idea and institution of democracy has evolved and matured gradually in many parts of the world. This paved the way for a vibrant press and later news media to flourish and expand. It's not a coincidence that globally as



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independent, free and vibrant news media is treated as a key parameter for the success of a democracy and, in fact, is among the crucial factors in measuring its health.

So it's not surprising that given its influential role in shaping public perception, setting the agenda for public debate and its widespread impact on the society, politics, economy, culture and governance, news media and journalism enjoys a powerful position in a democratic society. Naguib Bengali had once famously said, "Four hostile newspapers are more to be feared than a thousand bayonets." None can forget famed Urdu poet Akbar Allahabad's immortal lines,

"*Tab-e aadab ki aqsa front: us par qalam ki aqsa front.*" (Do not pull an arrow at a sword. Publish a newspaper when confronting a tyrant).

But this influence and power come with great responsibility. In case of news media and journalists, it is far more important and crucial to be responsible to the society and public whom it claims to be serving. Since its credibility, reputation and respect is derived entirely from citizens, it becomes doubly important for it to be socially responsible. The credibility and respect doesn't come free or as a gift to the news media but earned and sustained by adhering to the ethical and moral standards of journalism. News media must also follow the principles and norms of journalism and be transparent and accountable for its reportage, commentary and overall functioning.

Like other public-facing professions, journalism too has also evolved with a set of ethical principles, standards and norms for fulfilling its social responsibility and serving the citizens better by ensuring the quality of content and highest professional standards in gathering, processing, filtering and dissemination of news and views. Journalistic ethics are basically a set of principles, standards, guidelines and code of conduct prepared for professional journalists. It deals with



conduct, character and behavior of a journalist and how s/he works before, during and after the news gathering and dissemination process.

It is true that journalistic ethics are non-mandatory principles and it is the news media outlet's voluntary decision to adopt them. Generally, it's expected from the news media outlet and its professional journalists to not only strictly follow these principles and norms but to also self-regulate in alignment with them. But given the non-mandatory and voluntary nature of journalistic ethics, there are always

complaints of violations by journalists and news media outlets. There is no denying the fact that a section of news media outlets are either willingly or unwillingly deviating from or compromising on journalistic ethics to attract more readers or viewers, for some personal gains and generally, at the altar of commercial interests and to boost their bottom-lines.

But, it is not a new phenomenon. Since the days of "Yellow Journalism" and perhaps even before that, in the late 19th and early 20th century, many leading newspapers in the US were heavily partisan, biased, sensational, intrusive, propagandist, manipulating and distorting the facts, passing off rumours as news, exaggerating stories and showing no other disregard for facts to fabricate news stories. Newspapers were riddled with sensational crime stories with exaggerated headlines, pictures and sketches. There was cut-throat competition and a mad rush to attract more readers and maximizing the profits for newspapers' owners. But this was also polluting the democratic discourse, distorting the public opinion, impairing the citizens' right

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to know and thus negatively affecting their democratic choices and decisions.

Since quality of information and the public discourse based on it directly reflects the quality and health of a democracy, concerns were raised by civil society members, including writers, intellectuals as well as editors and journalists themselves about the negative impacts of "Yellow Journalism". Slowly a concerted campaign started in the US and many other countries in the early 20th century to bring in ethics and principles with a set of guidelines and code of conduct for news media and journalism. In the US, for the first time, in 1922, the American Society of Newspaper Editors (ASNE) adopted a set of ethical principles titled 'Canons of Journalism', which was later revised and renamed 'Statement of Principles' in 1975.

The ASNE proposed six key principles: Responsibility, Freedom of the Press, Independence, Truth and Accuracy, Impartiality and Fair Play. These principles were devised to professionalise the news media and journalism and to set it to ethical standards to monitoring and evaluating the journalistic work and its contents. The ASNE's 'Statement of Principles' under Article-I: Responsibility elaborates on this: "The primary purpose of gathering and distributing news and opinion is to serve the general welfare by informing the people and enabling them to make judgements on the issues of the time. Newspapermen and women who abuse the power of their professional role for selfish motives or unworthy purposes are faithless to that public trust."

It was around this time that ideas like objectivity, fairness, truth, accuracy, impartiality and independence started gaining credence in the profession and journalistic practices. Another landmark intervention came in 1940s when Hutchins Commission in the US (Commission on the Freedom of the Press led by Robert Hutchins, President of University of Chicago)



articulated in its report the principle of "Social Responsibility of the Press." This Commission was established to review the functioning of the press and the impact of media ownership on its content. The Commission reiterated that while the freedom of press is paramount, it also has a moral obligation to consider the well-being of the general public when making its decisions and choices.

The Hutchins Commission report not only reaffirmed and expanded free relating norms but also provided a strong philosophical basis for adopting these ethical norms and standards for improving the quality of news media and journalism. The report echoed Gandhi's concerns of "an uncontrollable press" while stressing that its "ultimate aim should be service", it said, "whoever enjoys a special measure of freedom, like a professional journalist, has an obligation to society to use their freedoms and power responsibly."

The power and influence of news media largely depends on the credibility and trust it enjoys with its audience. Citizens' trust is the most important

The Press Council of India (PCI), a statutory and quasi-judicial body, was established by an Act of Parliament. It functions as a "watchdog of the press, for the press and by the press". Its two broad objectives are-safeguarding the freedom of the press and to improve its quality and standards.

It works on the premise of self regulation of print media but has no punitive powers.

factor in news media's relationship with the public. The freedom and autonomy that depends on this trust should not be taken for granted. News Media has to remind itself that trust and credibility comes from their strict adherence to the ethical principles, norms and code of conduct.

In fact, even the business and commercial success of news media depends on its credibility and peoples' trust. Not long ago even the incredibly influential Media Mogul, Rupert Murdoch, was forced to shut the publication of his 164-year-old tabloid, 'News of the World', in the UK after it was found regularly indulging in gross violation of ethical norms and standards and even breaching the law. In fact, the British government subsequently constituted an inquiry commission under Justice Leveson to investigate into the culture, practices and ethics of the British press and it recommended harsh measures and penalty for transgression. While some of the Tabloid's editors and journalists were sent to the jail for telephone hacking scandal, Murdoch himself was subjected to much embarrassment during the Parliamentary hearing on the scandal. Apart from losing the reputation and credibility, he also lost a lucrative business deal.

Unfortunately, this case is not an exception. Breaching ethical standards is common in most countries, including India-either knowingly or unknowingly. There are numerous cases where journalists and news media outlets have crossed the line. But it would be wrong to point all the media outlets and journalists with the same brush. There are many good and quality news media outlets and journalists who are broadly following the ethical norms, principles and good conduct and holding the flag of 'True Press' high.

But one can regularly observe instances of violation of ethical norms and principles, from indulging in Paid News, spreading Fake News, engaging sensationalism and

suspending vital services, sending misleading headlines, breach of privacy, distortion of facts, openly taking sides and bias in reporting. Besides this, many mainstream news media outlets and their journalists are found to be engaging in one-sided media trial, lobbying for personal gain, blacklisting, manipulating news stories, engaging in intemperance and defamatory reporting, running propaganda and disinformation campaigns.

There is a growing concern in the country that many Indian news media outlets have shown little respect for journalistic ethics and norms by regularly crossing the journalistic red line and becoming full-fledged affidavits. In fact, the critics of unethical conduct of news media are demanding stringent regulation in place of "voluntary" self-regulatory mechanism and this voice is growing louder day by day. It may be noted that like many other liberal democracies, India too recognises the primacy of the Freedom of the Press and allows for self-regulation of news media.

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A similar but non-governmental body, the News Broadcasting Standard Authority (NBSA) oversees the news channels. This was established by an industry body, News Broadcasters Association (NBA). It has also issued a crisp "Code of Ethics and Broadcasting Standards" for its member news

PRESS



channels who have voluntarily pledged to follow it. Like the PCI, the NBSA too is headed by a retired Supreme Court judge and its other members comprise well-known people belonging to civil society and editors of TV news channels. It receives complaints of violation of ethical norms against member TV news channels and decides after hearing all the sides. Additionally, it has the power of imposing a fine that can go up to Rs. 1 lakh against an erring channel.

Apart from the NBSA, the news channels are also regulated by the Ministry of Information and Broadcasting (MIB) under the Cable Television Networks (Regulation) Act, 1995 which contains a "programming code" and an "advertising code" to which news channels have to adhere. Their adherence to this code is, in fact, one of the pre-conditions for obtaining the licence for a news channel. The MIB Ministry, on some rare occasions, for violation of 'programming code' has taken strict action against some channels while on others has issued advisories to the news channels.

But the real question facing us is how effective is the present architecture of news media regulation in India considering the growing



cases of violation of ethical principles and norms by the news media and journalists? The jury on that is still out. But there is no doubt that apart from jurists, intellectuals and civil society members, many senior journalists and editors themselves are not happy with the present state of journalistic ethics in India. They are calling for serious introspection from news media outlets and the journalists' community to take steps to reinstate the founding of ethical norms, and to take corrective measures and honour initiatives to improve the quality and standards of the news media in India. News media outlets have to understand that it's in their own interest to follow ethical norms to sustain public faith in them.

In this context, professional bodies like the Editors Guild of India, NBA and statutory bodies like PCI can take lead and initiate debate and discussion on this issue and propose remedial measures. Everyone knows the cost of failure would be very high as witnessed in the News of the World scandal in the UK. In India too, a chorus demanding heavier regulation is gaining momentum.

While demanding punitive power for the Press Council of India, in an article in "The Hindu", its former Chairman Justice Markandey Katju bluntly wrote, "There is no freedom which is absolute. All freedoms are subject to reasonable restrictions, and we also coupled with responsibilities. In a democracy everyone is accountable to the people, and so is the media... The Indian media must now introspect and develop a sense of responsibility and maturity." One hopes that the Indian news media will remember the advice and warning of Mahatma Gandhi.

One also hopes that the senior voices within the media fraternity will see the warning signs and act fast to restore the credibility of the news media and journalism as profession by ensuring adherence to ethical norms, try to win citizens' confidence and work to strengthen the "social contract" with the public.

□

BUSINESS

Corporate Ethics

Kerby Daniel

Kenyan runner Abel Mutai was only a few meters from the finish line when he became confused with the signs and stopped, thinking the race had ended. Spanish sprinter, Ivan Fernandez, who was behind him realised what went wrong and started shouting to the Kenyan to keep running. Mutai did not know Spanish and could not understand what Fernandez was saying. Realising what was going on, Fernandez pushed Mutai to victory. A reporter later asked Ivan, "But why did you let the Kenyan win?" Ivan replied, "I didn't let him win, he was going to win. The race was his."

The reporter said, "But you could have won?" Ivan replied, "But what would be the merit of my victory? What would be the honour of this medal? What would my Mother think of it?"

Integrity at the Core of the Individual

Human beings are born with an innate moral compass which gravitates towards doing good or doing what is right. In other words, people attempt to stay on course to pursue doing what is morally correct.

Values and virtues like integrity, honesty and hard work are not only the expected norms of society but also accepted and held in high esteem globally, spanning beyond caste, creed, class, race, nationality or religion. This model—'learning at the mother's foot'—factors in the learnings and values instilled during the formative years; these virtues shape one's character, enabling the person to form opinions and discern between right and wrong.

Honesty and integrity are among the primary principles within the moral code of conduct laid out in the scriptures of almost every religion. The moral code essentially serves as a guide to virtuous living at an individual, familial and societal level. The scriptures are expected behaviours in societal interactions.

For example, a businessman should not indulge in malpractices that would amount to cheating customers like using inaccurate weights and measures or mistreating workers unfairly. Essentially, every individual is expected to uphold and practice the right values even when nobody is watching. American talk show host Oprah Winfrey sums it up aptly, "Real integrity is doing the right thing, knowing that nobody's going to know whether you did it or not."

In the real world, where grey-area situations largely exist, these learnings are put to the test. Due to competitive and organisational pressures, sometimes even well-meaning individuals might give in to the temptation of taking small risks for some easy returns. For instance, an employee 'leverages' an opportunity to maximise gains for oneself such as achieving targets to earn a reward/recognition or for the organisation, but which may ultimately benefit the individual.



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Figure 1

Given the rising number and scale of scandals that have shaken large multinationals—causing collateral damage by tarnishing reputation and brand image, plummeting sales, financial loss, etc.—professionally managed organisations have always striven to focus on good governance and adherence to compliance measures. They firmly believe in what the former Chairman of the U.S. Securities and Exchange Commission, John S.R. Shad, said, “Ethics pays”.

Business Ethics

While profit remains one of the key motives of an enterprise, it is not the sole purpose of its existence. Besides growth and profitability, a major agenda being addressed within boardrooms is around good corporate governance and the associated ethical framework. There is a growing need to introduce stronger governance mechanisms and ethical practices to pre-empt malpractices. In doing so, organisations strive to promote value creation for all stakeholders like customers, shareholders, employees, vendor partners and community.

Good corporate governance calls for stringent compliance and pervasive ethical practices. It is a misconception that compliance and ethics are one and the same. Compliance is about doing what is required for the given process or statute. Processes required and complied to fulfil a statute is

statutory compliance. Organisations can be compliant to internal processes and fulfil all statutory laws yet be unethical. Sanagate advertising is a good example to illustrate this point, where something is legally compliant but unethical. Promoting alcohol consumption is banned on national television. If a company, however, advertises an alternative product with the same brand name, it is indirectly trying to increase brand recall in the banned product. Legally, the company is not flouting any law. However, when viewed under the lens of ethics, the practice is clearly unethical. The Institute of Business Ethics defines business ethics as “the application of ethical values to business behaviour”.

Ethical Organisation Culture - Setting the Tone

In organisations, the Board sets the tone for good corporate governance and compliance. Undoubtedly, the tone at the top is a prerequisite, but a strong ethics framework is required to drive the culture of ethics across the board. The elements for such a framework include:

- The company’s executive leadership sponsoring the Ethics programme with the continued support of middle and lower level teams.
- An ongoing dialogue across levels to address tough questions

that may arise during the business ethics journey.

- A two-way communication process, cutting across levels, to foster an environment of openness and trust.

Code of Conduct

One of the basic corporate ethics requirements is formulating the ‘Code of Conduct’ which conveys the company’s value statement and defines the ethical foundation on which decisions will be made to achieve business objectives. It also specifies the general principles of behaviour which employees and other stakeholders are expected to follow.

The Code of Conduct—an articulation of the value statement—is usually framed as a mix of rules to be adhered and aspirations towards which the organisation seeks to evolve. It is aspirational, as being ethical is a continuous journey. All levels of employees should mandatorily abide by the Code that is often incorporated for induction and adherence as part of the employee’s contract and/or induction programme. The organisation’s external ecosystem such as value chain partners—often considered as an extension of the organisation itself—should also abide by the principles of the Code, as they pursue to achieve the organisation’s business goals.

Besides setting the tone, the executive leadership and senior managers should practice principles of ethics in their day-to-day dealings. The middle layer (checkboxworthy layer) is a pivotal entity in the development of the organisation’s ethical business culture. They constitute the vital touchpoint with junior-level employees, who look up to these managers as their role models in daily interactions. The middle-level managers should therefore reflect, reinforce and reiterate the Code to build ethical values into the organisation’s fabric.

Ethical dilemmas do not always have prescriptive and clear-cut answers; hence, an effective training programme to understand and live the Code will not only be beneficial for employees and other stakeholders but also enable them to steer clear of ethical dilemmas, as this training stands them in good stead.

Building a Check Mechanism

The first step towards building a culture of ethics in an organisation is to review the integrity index of employees at two levels: the hiring process and every performance appraisal cycle. A classic quote by American investor and business tycoon Warren Buffett fits well when he says, "You're looking for three things, generally, in a person: intelligence, energy and integrity. And if they don't have the last one, don't even bother with the first two."

The second step is to institute a check mechanism to help the organisation and stakeholders mitigate ethical dilemmas. Multiple behavioural categories in normal business transactions require an adequate check mechanism; however, I shall restrict the discussion to one category: 'gifts and hospitality'. While it may be customary to exchange gifts/offer hospitality as part of cultural practices, such exchanges sometimes mask the act of bribery or corruption. The company's Code of Conduct must ideally provide adequate guidance on such matters, but it is worthwhile to keep a few principles in mind.

Timing of the gift - Is this gift being exchanged as part of festivity when it is a common practice to exchange gifts? Or, is festivity being used as an excuse for some business favours like winning a project/proposal finalised or negotiated?

Presence of obligation - Does the gift or hospitality come with certain obligations or in anticipation of a favour in return?

Value of the gift/hospitality - A working lunch or dinner of nominal

value is likely to be acceptable or may be even customary as part of business etiquette. An appropriate question to ask is whether the value of such practices is constant and are these being offered at periodic intervals? Some organisations have specific policies that quantify the maximum value of gifts being given or received (Figure 1).

Known to others - Is the gift being given/accepted in an open environment, that is, with the knowledge of or as the presence of others? If there is an exchange of gifts, such exchanges must ideally happen at the workplace.

Declared to the organisation - Is the gift/hospitality being enjoyed declared to the organisation?

Accountability in the organisation's books of account - Is the gift being offered at a personal level, or is it a gift from the organisation? Can the giver and recipient declare the gift to their colleagues? Can the gift be stated in the books of account of both the giver and recipient?

Such check mechanisms should be developed to validate various ethical behaviours.

Create Channels to Address Concerns

Employees and stakeholders must be encouraged to speak up

The middle layer (shockabsorber layer) is a pivotal entity in the development of the organisation's ethical business culture. They constitute the vital touchpoints with junior-level employees, who look up to these managers as their role models in daily interactions. The middle-level managers should therefore reflect, reinforce and reiterate the Code to build ethical values into the organisation's fabric.

against any suspected or known situations or persons where the Code has been compromised and report the dilemmas faced. Managers must be trained on matters of law and regulations, company's policies, procedures, and the Code of Conduct. Managers carry a huge responsibility in providing guidance on ethical transgressions brought to their attention and in escalating matters beyond their purview to the senior leadership or Ethics Officer. It is important to maintain a track of all matters raised. A channel to report and log concerns must be made available to all employees and stakeholders. Care must be taken to ensure confidentiality of concerns to protect the complainant from any act of retaliation or retribution.

Ethics concerns such as surrogate advertising are resolved through discussion and dialogue, whereas instances of misconduct through investigation. It is extremely important to perform a full-fledged investigation on misconduct reported within the company. Conducting a fair and just trial instils confidence within the stakeholders by showing the organisation's ability to 'walk the talk' when it comes to upholding the ethical culture. In the event of a matter going public, demonstration of the actions taken when the concern was raised internally is critical.

Weaponising the Code

The downside of this concern channel mechanism is that peer-to-peer squabbling at the workplace is sometimes reported as serious unethical practices, with the complainant requesting an investigation. Instances are observed where the company's Code of Conduct or an applicable law is used incorrectly to settle scores with colleagues or superiors. This is nothing short of weaponising the Code/law.

The most extreme example is an employee alleging sexual misconduct at the workplace to deliberately inflict harm on a colleague. Bribery,



Figure 2

corruption, conflict of interest, and discriminatory practices or fraud are some other categories where the Code could be weaponised. Such instances therefore need to be very carefully weighted.

Reviewing Ethics Concerns

From a practitioner's perspective, reviewing reported ethics concerns is similar to kicking in a locked door cricket match—a single run can make a difference. Every single reported concern calls for a review. Companies with a strong ethics and corporate governance framework have internal policies in place to address such concerns. Usually, ethics-related concerns are referred to the concerned Human Resources function or other partnering team for resolution. Despite few cases of misuse of the Code, employees are aware and sensitised in both the expected behavioural norms in specific situations and the available reporting channels to redress grievances. This realisation also serves as a deterrent so that employees may not transgress ethical boundaries.

Oversight and Administration of Ethics Programme

Building a team of Ethics Counsellors is often seen as a good

practice. It is probable whether ethics should be an in-house function in an externally managed service, but it is observed that the first instance are witnessed by having a dedicated in-house team that acts as an external regulator. This team can then receive and review unethical and/or bad practices

in those who experience an ethical dilemma in the course of their job.

Unethical behaviour demands prompt action. Figure 2 depicts a matrix of intent versus impact that acts as a good rule of thumb to decide the consequences of unethical behaviour. Was the action carried out with full intent or was it an inadvertent action? Likewise, did its impact give rise to a grave non-compliance issue and have the potential for disaster to the organisation? (Figure 2)

Two examples help to demonstrate such situations.

1. Upon scrutiny of an employee's medical bills submitted for reimbursement of expenses, the reviewer found overwriting on the bills, thus indicating an attempt to claim amounts in excess of the actual cost of medicines. During the course of investigation, the following came to light:
 - a) This was the first claim raised by the employee.
 - b) This was the employee's first job, and the employee had barely 4 months of work experience.
 - c) The employee missed reviewing the bills which were sent by their parents.

- d) The parents were unaware of such practices, hence they did not catch the overwriting.

Given the context and that the employee missed reviewing the bills, this case could be classified as low intent and low impact, with the consequential action of counselling and warning.

2. In another case, two colleagues travelled by road and claimed cab fare as per their entitlement. The reviewer noticed that both of them had availed the same cab hiring company, and their receipt numbers for the to and fro journey were in immediate succession. Although the claim amounts were negligible, the act of submitting fake bills was deliberate and planned, requiring stricter punishment.

Conclusion

Our built-in moral compass should serve as our best guide when faced with complex ethical dilemmas in both our professional and personal lives. Organisations need to set the tone at the top, and leaders need to lead by example, even as companies address ethical complexities by providing guidance through codes and other supporting mechanisms like training and counselling. As ethical dilemmas encompass a range of issues and concerns, involving inter-relationships, the content of each matter needs to be considered objectively, as no straight answers exist on such issues.

Ethics involves a conscious understanding of what is right or wrong, and then doing the right thing. It is important to be aware of and do what is morally right and socially responsible in a given situation. In these uncertain times, ethical behaviour and moral values that undergird an organisation are crucial not just to exist but to endure, survive and thrive.

The views expressed in this article are the author's personal reflections. □

SOCIETY

Gandhian Perspectives on Ethics

Prof N Radhakrishnan

Gandhi had emphasised that the very essence of our civilisation is that we give permanent place to ethics, truth, non-violence, tolerance, justice and integrity and morality in all our efforts—public or private. The ethical and moral standard he set for himself reveals his commitment and devotion to eternal principles.

"I t is the duty of all leading men, whatever their position or power, to safeguard the dignity of India", said Gandhi, a month before his assassination (The Hindu, 16/12/1947).

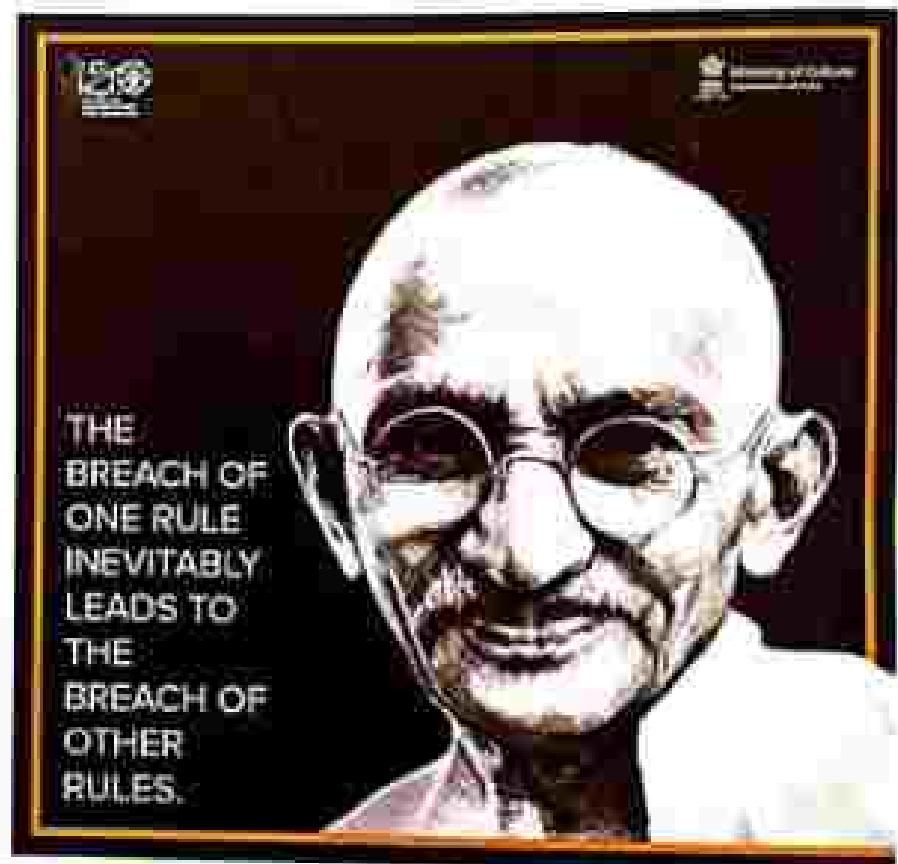
It goes to the credit of Gandhi that he evolved a philosophy and lifestyle which was permeated with ethical, moral, spiritual insights and scientific truth. He did not see any difference in them and what he asserted in his autobiography, 'What I want to achieve—what I have been striving and pining to achieve these thirty years—is self-realisation, to see God face to face, to attain Moksha', (page 10 of Gandhi's autobiography) reveals the ethical, moral and spiritual foundations of his striving all through.

Gandhi's twenty-one years of work in South Africa and thirty-two years of campaigns subsequently in India for mass awareness and political freedom substantiated the profound relationship between the spiritual and the material, the ethical and moral texture of our civilisation.

Science and Technology vs Moral and Ethical Values of the Individual

Gandhi continues to challenge many paradigms and keeps on

reminding humanity that there is a 'truth' beyond all what we perceive and hold to be 'truth'. By making truth as the basis of all his endeavours, Gandhi was seeking the spirituality



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of truth itself which is the very basis of science. He thereby convincingly challenges those who espouse the notion that spirituality and science need to be at war with each other.

Here, Gandhi improves the coalescing position of a social scientist and revolutionary thinker and social activist that was assigned to him by commentators and historians. If science is "truth-seeking", by making his life "Experiments with Truth", Gandhi went far beyond the traditional parameters of classification. Gandhi who initially held the view that "God is Truth" reversed it later as, "Truth is God" thereby asserting the supremacy of truth over everything. He reminds us here of Einstein's statement that imagination is greater than knowledge.

This also implies that there is a greater power within every human being in his/her consciousness. The outer world has been effectively influenced by clamping what is within us. The inner world constitutes a vast reservoir of untapped energy which, if used diligently, has the power to take on the material world. The courage to make every crisis into an opportunity and every obstacle into a possibility springs from the inner and spiritual fiber of the individual. Newton's Law of Motion, if taken in its metaphorical sense, illustrates this argument further. "Every object in the universe attracts every other object with a force directly proportional to the product of their masses and inversely proportional to the square of the distance between their centers".

Just like science and scientists, who believe that there is nothing impossible in life, Gandhi held on to truth like a baby clinging to its mother. When he emphasised the power of love, compassion, truth, non-violence, even many of his close friends raised their eyebrows. His plans to take on non-violently the mightiest of the Empires of the day, many doubted his wisdom. His claim that India could win the freedom without resorting to



violence and war, it looked laughable. His ideas were described impractical, naïve, or even dubbed as 'A Mid-Summer Night's Dream'.

Undisturbed by these jibes, Gandhi pursued his 'Experiments with Truth' with the precision and devotion of a scientist. He was guided by the teachings of Gita and the intuition of Thoreau who wrote, "I know of no more encouraging fact than the unquestionable ability of man to elevate his life through conscious endeavor".

What is important is the ability of every human being to nurture their spirit and inner resources and allow to transcend the walls and fences that hold them captive. Whoever is able to assert their mental and spiritual freedom will eventually emerge as liberated souls. John Milton's words corroborate this, "The mind is its own place, and in itself can make a heaven of hell, and a hell of heaven".

The Satyagraha as enunciated by Gandhi seeks to integrate spiritual values, community organization and self-reliance with a view to empower individuals, families, groups, villages, towns and cities.

Spiritual, Moral Insights & Scientific Truth

Gandhi was not interested in the argument whether religion is forerunner of science or science has always been nurturing religion or religion and spirituality are older to science. He could see how science impress the importance of religion in the life of individuals as more and more intelligent men of science and technology devoted their time to unraveling and developing scientific truth and capability. The champions and custodians of the spiritual domain relapsed into just meditative and contemplative lifestyles thereby becoming static quots. Science and technology with its manifold facets and application came into the daily life of people with surprising and hitherto unbelievable results. The primacy of religion steadily eroded while science forged ahead with unstoppable speed and energy.

Satyagraha: Bleeding of **Ethical, Moral, Political, Social and Religious Concerns**

Gandhi's central contribution lies in the area of blending science and spirituality as revealed in the philosophy and practice of Satyagraha. The Satyagraha as enunciated by Gandhi seeks to integrate spiritual



values, community, egalitarianism and self-reliance with a view to empower individuals, families, group, villages, towns and cities. Robert Payne in his perceptive study of Gandhi, remarks, "Gandhi was continually experimenting with truth and revealing new forms of force. And just as Satyagraha was never 'truth force', so it was never 'non-violence' or 'passive resistance', although it included them in its ever-widening orbit."

It may be remembered that:

1. Satyagraha was never used by Gandhi to score political points.
2. Gandhi's Satyagraha movement was principle-centered and spiritually guided.
3. Gandhi's Satyagraha was never aimed as a coercive tactic.
4. Gandhi's language, body language and activities were dignified and always left room for dialogue and reconciliation.
5. Gandhi's Satyagraha always highlighted moral principles.
6. Gandhi had the courage to withdraw his movement when he realised that uneducated elements would infringe and would use the base for selfish or opportunistic goals.

Gandhi, as is known fairly well, also tried to infuse the fresh air of spiritualism in every domain of human endeavor, including politics. He earned the name of a saint-trying to spiritualise politics. His mantra was to wipe away tears from every eye.

Such a world of peace demands an attitudinal change. In such a world, the strong will not exploit the weak, the rich will not harm the poor, and the privileged will not ignore the underprivileged.

The ancient Vedic philosophy of "Sarva Dharma Samadhiya" or "Respect for all religions" formed the basis of Gandhi's religious humanitarianism which was rooted in ethical, moral and spiritual considerations.

Spiritual living is responsible living. Gandhi said, "I am responsible not only for myself but for all of you just as all of you are responsible for

His mantra was to wipe away tears from every eye.

Such a world of peace demands an attitudinal change. In such a world, the strong will not exploit the weak, the rich will not harm the poor, and the privileged will not ignore the underprivileged.

me. When we are truly within life, we never think in terms of personal profit or pleasure but always in terms of global prosperity and world peace. For even these grand goals ultimately depend not on government but on selfish efforts of late people like you and me of the long run, finally persuasion is the only effective teacher. Human beings can do this job." If the man gains spiritually, Gandhi said, "the whole world goes with him".

The conscious and conscious sincerity he was striving to establish aimed at the realisation of both material and spiritual meanings. He described the society that he was aiming as *Ram Rajya* - a *Divine Rajya*; the Kingdom of God. His Ram is the Almighty God which guides him in public action and whose presence can be felt everywhere. The Ram Rajya he was advocating was an ideal social order where an ideal King rules over his subjects without any discrimination whatsoever. Truth, dharm and justice to be the dominant characteristics of such a society. The poorest of the poor to have equal say in the government. Nobody will be discriminated against anybody.

There was much in common if one can stretch it between Plato's ideal Republic and Gandhi's "Ram Rajya" though Tolstoy's influence on Gandhi could be discernible in formulating his vision of a new society. The major difference between the approaches of Gandhi and Plato is that while Plato is philosophical, Gandhi is pragmatic and down-to-earth, a realist.

For Gandhi rights and duties are complementary and a citizen who is not conscious of his duties has no right to think of his rights. Similarly, Gandhi believed, "There can be no *Ram Raj* in the present state of iniquitous inequalities in which only a few hold the riches, while the masses do not get even enough to eat."

The ruler, in the modern context like Lord Ram, Gandhi's ideal

King is Creator of not only the physical domain of the people but also in respect of his people's higher values of spiritual, moral and ethical attributes.

Relevance of Gandhi's Tolsonite

It may be of our time to remember in this context the advice Gandhi gave to the new rulers of India, which is now known as Gandhi's Tolsonite. Gandhi said in his advice:

"I will give you a talisman, whenever you are in doubt as to what the self requires, use much with you, apply the following test:

Recall the face of the poorest and the weakest man whom you may have seen, and ask yourself if the step you contemplate is going to be of any use to him. Will he gain anything by it? Will it remove him from control over his own life and destiny? In other words, will it lead to Swaraj for the hungry and oppressed millions?"

Deepening Moral Distinctions and Fostering Ethics in Words

Sarvodaya was Gandhi's vision of a just, egalitarian, morally and spiritually strong model of individual liberty. Gandhi's ideal society envisages a non-violent, decentralised, people-oriented, sustainable and flourishing social order. The *Sarvodaya* Society dreamt by Gandhi will remain a far cry despite the heroic efforts of Acharya

Vedha Bhaskar, Jayaprakash Narayan and other dedicated *Sarvodaya* leaders. Social justice and equality to all were the cornerstones of the *Sarvodaya* social order. The *Sarvodaya* Society would have effectively prevented and diminished any form of corruption, and general decay of moral, ethical and spiritual values, both in public and private life.

Seven Aims according to Gandhi

1. Wealth without work
2. Pleasure without conscience
3. Knowledge without character
4. Commerce without morality
5. Science without humanity
6. Religion without sacrifice, and
7. Politics without principle

Let us read this, keeping in mind Gandhi's much misunderstood assessment of the emerging scenario in his small classic "Hind Swaraj" (1908). In it, Gandhi condemns the contemporary civilisation, mechanisation, the extending tentacles of colonialism, racism, respect for spiritual roots. The book was described 'subversive' by the British and they banned it. Several of Gandhi's close associates also feared the book, revolting and they advised Gandhi to withdraw the book.

A careful reading of the book will offer any diligent reader the impression that Gandhi was prophetic in his vision and assessments. When he described the emerging

civilisation as 'restless' and 'artificial', he was criticised. The warning he issued through "Hind Swaraj" was undoubtedly dismissed by the advocates of unlimited growth and champions of industrial domination and market-driven economy even without proper discussions.

Let us also remember that the several symbols and concepts Gandhi used in his long public career in both South Africa and India in his efforts to usher in a new era of clean politics and modern development also revealed his commitment and devotion to ethical values and moral principles which will eventually characterise the nature of civilisation.

There was no pretension or hypocrisy about him. He never asked others to do anything which he did not do. It is history how he conducted his affairs. He never treated even his own children in any special manner from other children. In the Ashrams settlements they also grew up along with the other children, sharing same kind of food and other facilities and attending the same school. When a scholarship was offered to him for one of his sons to be sent to England for higher education, instead of giving it to his own children, Gandhi gave it to some other boy. Of course, he received strong resentment from two of his sons and there are many critics who believe that Gandhi neglected his own children and he was not an ideal father. The voluntary abdication of his highly attractive income from his legal profession and taking to a simple life and his profound conviction of equality of all men and women show the essential Gandhi who grew into a Mahatma.

The ethical and moral standard he set for himself reveals his commitment and devotion to eternal principles and only someone like him who regulated his life and action in conformity with the universal vision of human brotherhood could describe his life, 'My Life is My Message'.



DO YOU KNOW?

CITIZENS' CHARTERS

Basic Concept, Origin and Principles

It has been recognised world over that good governance is essential for sustainable development, both economic and social. The three essential aspects enfolded in good governance are transparency, accountability and responsiveness of the administration. Citizens' Charters initiative is a response to the quest for solving the problems which a citizen encounters, day in and day out, while dealing with the organisations providing public services.

The concept of Citizens' Charter enshrines the trust between the service provider and its users. The concept was first introduced and implemented in the UK by the in 1991 as a National Programme with a simple aim to continuously improve the quality of public services for the people of the country so that these services respond to the needs and wishes of the users.

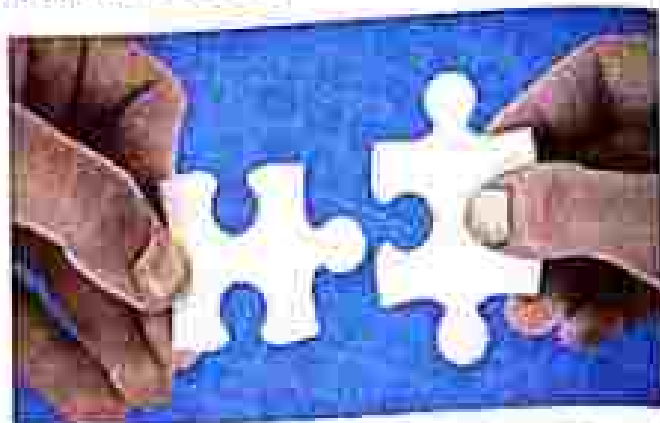
The basic objective of the Citizens Charter is to empower the citizens in relation to public service delivery. Six principles of the Citizens Charter movement as originally framed, were: (i) Quality: Improving the quality of services; (ii) Choice: Whenever possible; (iii) Standards: Specify what to expect and how to act if standards are not met; (iv) Value: For the taxpayers money; (v) Accountability: Individuals and Organisations; and (vi) Transparency: Rules/Procedures/Schemes/Grievances. These were later elaborated by the Labour Government as following nine principles of Service Delivery (1998) - Set standards of service; Be open and provide full information; Consult and involve; Encourage access and the promotion of choice; Treat all fairly; Put things right when they go wrong; Use resources effectively; Involve and improve; Work with other providers.

The International Scene

The UK's Citizens' Charter initiative aroused considerable interest around the world and several countries implemented similar Programmes e.g. Australia (Service Charter, 1997), Belgium (Public Service Users' Charter 1992), Canada (Service Standards Initiative, 1995), France (Service Charter, 1992), India (Citizens' Charter, 1997), Jamaica (Citizens' Charter 1994), Malaysia (Client Charter, 1995), Portugal (The Quality Charter in Public Services, 1993), and Spain (The Quality Observatory, 1992) (OECD, 1996).

The Indian Scene

Since 1996, a consensus had evolved in the Government on effective and responsive administration.



In a Conference of Chief Ministers of various States and Union Territories held on 24 May, 1997 in New Delhi, presided over by the Prime Minister, an 'Action Plan for providing Effective and Responsive Government' at the Centre and State levels was adopted. One of the major decisions at that Conference was that the Central and State Governments would formulate Citizens' Charters, starting with those sectors that have a large public interface (e.g. Railways, Telecom, Posts, Public Distribution Systems). These Charters were required to include standards of service and time limits that the public can reasonably expect, avenues of grievance redress and a provision for independent scrutiny with the involvement of citizen and consumer groups.

Department of Administrative Reforms and Public Grievances in Government of India (DARPG) initiated the task of coordinating, formulating and operationalising Citizens' Charters. Guidelines for formulating the Charters as well as a list of do's and don'ts were communicated to various government departments/organisations to enable them to bring out focused and effective charters. For the formulation of the Charters, the government agencies at the Centre and State levels were advised to constitute a task force with representation from users, senior management and the cutting-edge staff.

The Charters are expected to incorporate the following elements:- (i) Vision and Mission Statement; (ii) Details of business transacted by the organisation; (iii) Details of clients; (iv) Details of services provided to each client group; (v) Details of grievance redress mechanism and how to access it; and (vi) Expectations from the clients.

The implementation of Citizens' Charter is an on-going exercise because it has to reflect the extensive and continual changes taking place in the domain of public services.

Source: Darpg.gov.in

Geographic Information System

Aradhna Malik
Rimghim Sharma

"GIS is about uncovering meaning and insights from within data. It is rapidly evolving and providing a whole new framework and process for understanding."

- Jack Dangermond, CEO, Esri

Millions of years ago, early humans discovered fire as essential for the survival of humanity on planet Earth. Fire gave humans the ability to cook, change molecular structures, survive extreme temperatures and safeguard their families. Today, the ubiquitous use of the geographic information system (GIS) across multiple platforms and sectors makes it the new age fire that powers our systems, enables globalisation and is integrated with almost every new technology being used. Simply put, GIS is one of the foremost enablers for the existence and proliferation of humankind across the globe.

Today, from the time we wake up till the time we end our day – we use GIS-enabled systems. From checking the weather in the morning to putting the location of your office on the global positioning system (GPS) to using social media to ordering food or even just booking tickets to a movie, GIS applications are present everywhere in our lives. Hence, it becomes imperative to understand what GIS is and how it aids us in modern-day living.

GIS or the Geographic Information System is a computer system used for capturing, storing,

checking and displaying data with regard to positions on the Earth's surface. By joining the dots between seemingly unrelated data, GIS can aid in developing a deeper understanding of spatial patterns and relationships. (National Geographic, 2020)

GIS is a framework that helps us in organising, communicating and understanding the science of our world. Rooted in geography, GIS integrates

numerous types of data, analyses spatial locations and organises these layers of information into maps and 3D visualisations (ESRI, 2020).

Everyday various apps used by billions across the world are bringing GIS in life for everyone and in every form. Thousands of systems and companies today are powered by GIS. The underlying theme of most GIS applications has been the reduction in

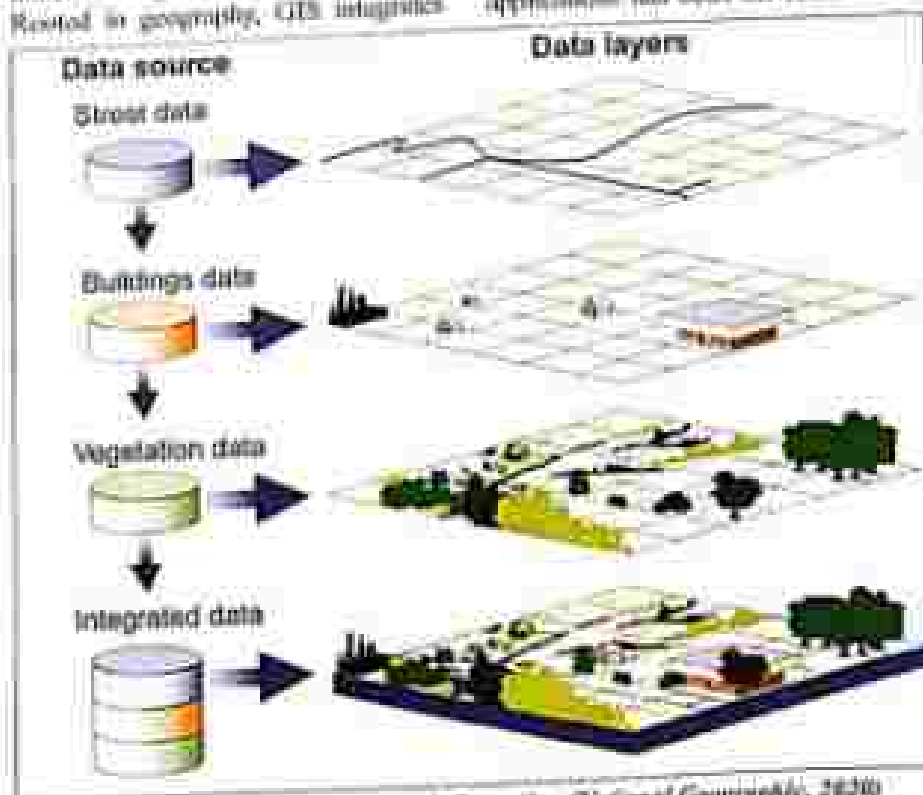


Figure 1: How GIS Organizes Information (National Geographic, 2020)

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Figure 2

time and effort to accomplish tasks. Through GIS-enabled maps we can find the fastest route to any location, predict delivery times and order food and other items through a simple click of a button. From sending a satellite to space to getting ice-cream delivered at home, GIS has made tasks faster and easier.

With Asia-Pacific being the fastest growing GIS market, New India is likely to emerge as a hub for GIS based applications (ISC Donnell Spatial Sciences Institute, 2019). GIS-enabled systems are being widely used in the country to enhance healthcare delivery, bridge socio-economic gaps and improve the quality of life of all citizens.

To fulfill the aim of the Digital India initiative to establish end-to-end geo-spatial electronics delivery systems, GIS-enabled BHARAT-MAPS have been developed to enhance governance and improve planning and monitoring in New India. With projects like School GIS, Portal GIS, GIS for Financial Inclusion, Risk GIS, Telecom GIS, BSNL GIS, BSNL GIS and GIS powered Dashboards in Ministries of Rural and Urban Development, India is optimally infusing the power of GIS for growth and sustainable development. (NATIONAL PORTAL OF MAP SERVICES, 2020)

Further, GIS is also being widely implemented and used in India for crop and agriculture insurance as the insurance companies monitor land quality, humidity, weather and crop health using imagery captured through GIS. The successful use of GIS in

India has propelled the defence and space programmes, including the successful launch of space mission and the integration of intelligence, surveillance and reconnaissance for defence operations.

The extent and uses of GIS across the globe are unfathomable and creates a case for integrating the technology into a plethora of sectors to enhance productivity, create monitoring and manage crises across sectors. Figure 3 outlines the sector-wise growth in the GIS market with governance, telecommunications and waste management forming the largest sectors where GIS is used.

Uses of GIS-Emerging Through Amritya Sethi

The ongoing pandemic has further brought to the fore the dependency of governments and organisations on GIS. Amritya Sethi app, like many others, is an excellent example for highlighting the importance of GIS in every sphere of life, especially for handling crises. To improve the functioning of Amritya Sethi, the Department of Science and Technology (DST), Government of India, created an Integrated Geospatial Platform out of available geospatial datasets, standards-based services, and analytic tools to aid decision-making during the COVID-19 pandemic and

The global GIS market is expected to reach
\$17.5 BILLION
by 2023

This growth stems partly from governments to monitor and securely plan an uptick in capital spending for urban development in developing countries.

Other contributors to this growth are high demand and rising GIS skills technology and the increasing availability of spatial data and cloud technology.

- Government
- Water & wastewater
- Telecommunications
- Engineering & services
- Aerospace & defense
- Oil & gas refining
- Oil & gas exploration
- Transportation & logistics
- Healthcare
- Others

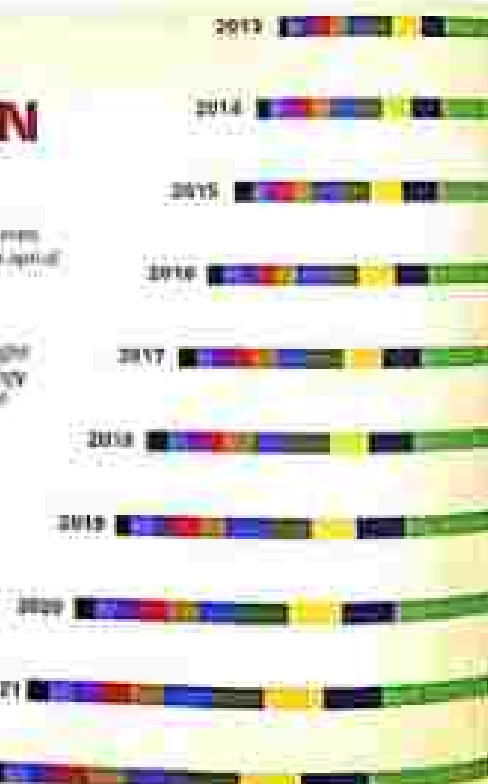


Figure 3: GIS Sector-wise Market Growth Projection (ISC Donnell Spatial Sciences Institute, 2019)

help devise area-specific strategies to combat the virus.

Identify an Issue - Aarogya Setu uses GIS for identifying areas that have high rates of COVID-19 transmission, enabling the government to delineate containment zones across the country.

Monitor Change and Manage Response - The app constantly monitors the change in the number of cases at any given time across India. For example, seeing a trend sign can tell us how many patients have tested positive for COVID-19 in just 1 hour each day. This ability to monitor information real time allows for timely action and response during a crisis. If a person noticed that the number of cases in their 1 km radius have gone up significantly, the local would hosting more vigilance and ensure all precautions are adhered to.

Forecasting and Trends - Based on transmission trends captured by Aarogya Setu, the government can predict how the virus is likely to travel across India. The forecasts and trends have brought to the fore the stark contrast between the number of COVID-19 cases in urban areas versus the cases in rural India.

Prioritisation - Enabling targeted decision-making and prioritisation is one of the key uses and advantages of GIS. Through the Aarogya Setu app, Govt has been able to identify containment zones, develop targeted strategies and mitigate the spread of COVID-19 from these high-case areas to other parts of the country. Prioritisation using GIS allowed the government to also undertake large-scale sanitation drives, ramp-up health infrastructure and develop regional strategies for patient care, thereby helping India combat COVID-19.

By understanding the uses, importance and basic principles behind GIS we have established that Geographic Information System is an integral part of our day-to-day lives and is an important tool for efficient



Figure 10 Aarogya Setu GIS-based Features

governance across nations. This segues into building a strong case for using GIS to heed the clarion call of Hon'ble Prime Minister for building an *Aatmanirbhar Bharat* (self-reliant India). GIS in India will help enable ease of doing business, attract investments and empower small businesses in the country.

The following section explores one such initiative aimed at building New India a self-reliant India.

Industrial Land Bank Mapping

Speaking at the *India Global Meet 2020*, the Prime Minister said, "India remains one of the most open economies in the world. We are laying a red carpet for all global companies to come and establish their presence

in India. Every firm, company will offer the kind of opportunities India does today". The industrial land bank mapping system is that red carpet to global investors by spread in the New India opportunity.

The Industrial Information System is a geographic information system mapping for showcasing available industrial land and utilities across India. The system is a one-stop shop for investors looking for information on existing infrastructure, resource availability and details on connectivity for a particular region in the country.

The entire GIS mapping exercise for this exhaustive land bank information portal has been undertaken in close coordination with Invest India, Bhaskaracharya Institute for Space Applications and Geo-informatics (BISAGI) and Ministry of Electronics and Information Technology (MeitY) to assimilate information about industrial infrastructure across the country.

Information on the said portal has been entered and is periodically updated by central and state governments. The portal provides GIS-enabled database of industrial areas including clusters, parks, nodes and zones across India to help investors identify their preferred location for investment. The industrial land bank portal is a unique comprehensive one with information

Geographic Information System is an integral part of our day-to-day lives and is an important tool for efficient governance across nations. This segues into building a strong case for using GIS to heed the clarion call of Hon'ble Prime Minister for building an *Aatmanirbhar Bharat* (self-reliant India). GIS in India will help enable ease of doing business, attract investments and empower small businesses in the country.

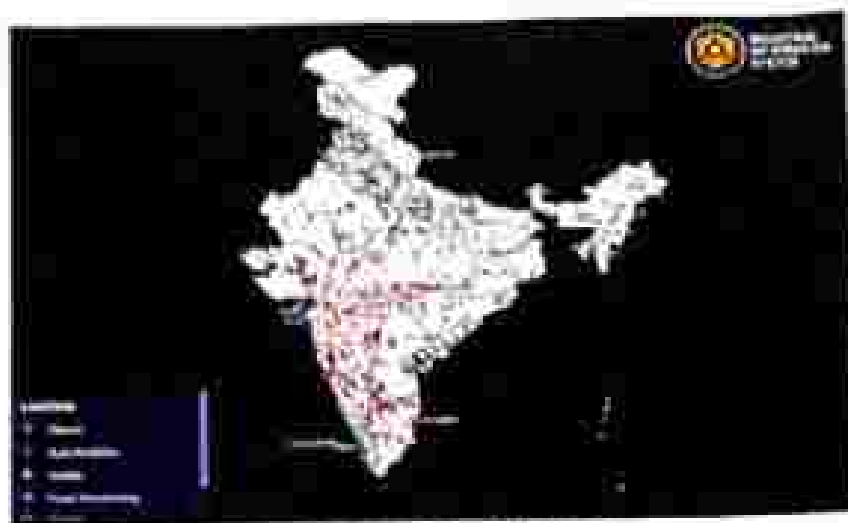


Figure 5: Industrial Land Bank Interface

on more than 37m industrial clusters, covering 4.8 lakh hectares across all states and UTs in India.

The portal allows investors to condense their search for industrial land based on plot size, connectivity, availability of raw materials and several others. With real time updates on the total land available, number of plots mapped and number of upcoming sectoral clusters in India, the land bank makes investing in New India easy and just a click away for global investors.

Investors can view the land available for investment as per the search filters which include list of available and vacant plots and satellite views of the terrain for scouting the land best suited as per available infrastructure and resources.

Furthermore, investors can also scout for vacant plots in industrial parks, search for relevant contact details and view other activities being carried out in the vicinity. Information on pollution categories, environmental clearances, land lease rates and plot level list of activity will soon be provided on the portal, giving an impetus to Govt's vision of a National Single Window Clearance System.

This system is important to decision-making for any business or industry as it provides environmental, demographic and geographic data

Compiled data information from GIS Datasets make lets organisations make informed decisions about investing in India and significantly reduces the time taken in making decision as it eliminates the need to physically visit the investment site.

Thus, the Industrial Information System through a GIS-enabled framework ensures that an investor's ideal investment site is now just a click away; this is an epitome of cost-of-doing business in any country.

Conclusion

It can be concluded that GIS is now in every home, used by every

In line with the Prime Minister's vision of a self-reliant India, along with the announcement of the 'Aatmanirbhar Bharat App Innovation Challenge', the country is at the cusp of rapid technological development.

The use of GIS in this new chapter for developing a 'unified information infrastructure', wherein e-services can be hosted and easily accessed by every citizen across the country, will encourage inclusive growth and prosperity in New India.

persons, and integration in our daily lives. GIS has enabled people across the globe to harness spatial knowledge, and has given a new dimension to globalisation. Applications of GIS are only limited by the imagination of those who use it. With progress, a plethora of opportunities for transportation, environment, disease management, healthcare delivery and defence to name a few. India, on the cusp of unearthing the untapped potential of GIS and finally exploring opportunities that no man has before.

In line with the Prime Minister's vision of a self-reliant India, along with the announcement of the 'Aatmanirbhar Bharat App Innovation Challenge', the country is at the cusp of rapid technological development. The use of GIS in this new chapter for developing a 'unified information infrastructure', wherein e-services can be hosted and easily accessed by every citizen across the country, will encourage inclusive growth and prosperity in New India. In the near future, it is envisaged that the National GIS in India will help government decision makers, businesses and citizens make informed choices and propel the country on the path of becoming a digital economy. 2

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On constant feedback from our readers preparing for various examinations, we are including this new section from the issue in hand. We hope that even those who read Yojana from policy and opinion perspective would also appreciate it. This might serve as a means to brush up awareness on the matters around in future time. Your views on this section are awaited. We, the Yojana Team, are always striving hard to bring the best to you from all spheres of life.

- VIDIANA September 2020

BOOK RELEASE

Connecting, Communicating, Changing.....A chronicle of VP's third year in Office

The book titled 'Connecting, Communicating, Changing' by the Publications Division chronicling the three years in office of the Vice President of India Shri M. Venkaiah Naidu was released at Uppu-Rashtrapati Niwasi in New Delhi on 11 August, 2020. This release was in the presence of Union Ministers, Shri Rajnath Singh and Shri Prakash Javadekar. The book which runs into more than 200 pages has been brought out by the Publications Division of the Ministry of Information and Broadcasting. The book captures through words and pictures the varied activities of the Vice President, including his travels in India and abroad. It provides a glimpse of his interactions with farmers, scientists, doctors, youth, administrators, industry leaders and artists, among others. I&B Secretary Shri Amit Khurc was also present on the occasion.



BOOK REVIEW

Connecting, Communicating, Changing.....A chronicle of VP's third year in Office

Author – Vice President Secretariat

ISBN- 978-93-5409-000-4, Price- Rs 1500/-

This coffee table title highlights the important events of the Vice President's third year in office. The book also covers events relating to the Vice President's foreign visits, his interactions with the world leaders and his addresses to the Indian diaspora in different countries. The changes Shri Naidu introduced for effective functioning of the Rajya Sabha and the resultant improvement in the productivity of the Upper House are also mentioned in the book. In the final chapter, the book narrates how the Vice President effectively used the time during the pandemic and embarked on 'Mission Connect' to enquire about the well-being of his friends, neighbors, long-time associates, acquaintances old and new, relatives, MPs, spiritual leaders and journalists, among others. The book also covers events relating to the Vice President's foreign visits, his interactions with the world leaders and his addresses to the Indian diaspora in different countries.



The p-book and e-book may be purchased online at <http://www.publicationsdiv.in/en>

PM's Address: Key Highlights Continued...

- **Samrithyunnad, Samanyam, Samardham, Sahukaram**- The strength of a society, the freedom of any nation is its power, and the source of its prosperity and progress is its labor force.
- Around 7 crore poor families were given free gas cylinders, more than 90 crore people were provided free food with or without ration cards, about 90 thousand crores were directly transferred to bank accounts.
- **Chudh Kalyan Rajgar Abhiyan** has also been started to provide employment to poor in their villages.
- The campaign for **Vocal for Local, Re-Skill and Up-Skill** will bring about a self-reliant economy in the lives of people living below the poverty line.
- By choosing more than 100 aspirational districts, special efforts are being made there so that the people get better education, better health facilities, and better employment opportunities.
- Self-reliant India has an important priority - self-sufficient agriculture and self-reliant farmers.
- To provide modern infrastructure to the farmers of the country, 'Agriculture Infrastructure Fund' of Rs 1 lakh crore has been created.
- Under the mission of **Jal Jeeva**, every day more than one lakh houses are getting water connection.
- The middle class will be the biggest beneficiaries of 'Base of Living': from cheap internet to economical air tickets, highways to I-ways, and from affordable housing to tax reduction.
- This is also the first time when the EMI of a home loan for your home is getting a rebate of up to 6 lakh rupees during the payment period. A fund of 25 thousand crore rupees has been established to complete thousands of incomplete homes.
- Education of the country has great importance in building self-reliant India, in building modern India, in building new India, in building prosperous India. With this thinking, the country has got a new National Education Policy.
- **Digital India**- In Corona's time, we have seen what the role of Digital India campaign has been. Just last month, almost 2 lakh crore rupees have been transacted from BHIM UPI alone.
- Before 2014, only 5 dozen panchayats in the country were connected with optical fiber. In the last five years, 1.5 lakh gram panchayats in the country have been connected with optical fiber. All 6 lakh villages in the country will be connected with optical fiber within coming 1000 days.
- **National Digital Health Mission**- Every Indian will be given a health ID. National Digital Health Mission will bring a new revolution in India's health sector. All your tests, every disease, which doctor gave you which medicine, when, when were your reports, all these information will be contained in this one health ID.
- Today, three vaccines of Corona are currently under testing phase in India. As soon as the green signal is received from the scientists, the country's preparation is also ready for mass production of these vaccines.
- This year is the year of a new development journey of Jammu and Kashmir. This year is the year of rights for women and Dalits in Jammu and Kashmir! It is also a year of the dignified life of refugees in Jammu and Kashmir. It is a matter of pride for all of us that the representatives of the local bodies in Jammu and Kashmir are pushing forward a new era of development with activism and sensitivity.
- By making Ladakh a Union Territory last year, the old demand of its people has been met. Ladakh, situated in the heights of the Himalayas, is moving forward today to touch new heights of development. Just as Sikkim has made its mark as an Organic State, in the coming days, Ladakh will make its identity as a carbon neutral region, work is also being done in this direction.
- India is fully resolute in the preservation and promotion of its biodiversity. In the recent past, the tiger population has increased at a rapid pace in the country! Now a project lion for our Asiatic lions is also going to be started in the country. Similarly, Project Dolphin will also be launched.
- Respect for India's sovereignty is supreme for us. What our brave soldiers can do for this resolution, what the country can do, the world has seen this in Ladakh.
- A quarter of the world's population lives in South Asia. We can create unold possibilities of development and prosperity of such a large population with compulsion and participation.
- Our border and coastal infrastructure also have a huge role in the security of the country hence there is an unprecedented expansion of road and internet connectivity in the country.
- There are more than 1300 islands in our country. In view of their geographical location, considering their importance in the development of the country, work is underway to start new development schemes in some of these selected islands.
- After Andaman and Nicobar islands, in the next 1000 days, Lakshadweep will also be connected to submarine optical fiber cable.

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