Clear the air

The fog of doubt over the Rafale deal can be lifted only with greater transparency

That troubling questions about the purchase of 36 Rafale fighter jets will persist despite a clean chit of sorts from the Supreme Court, was demonstrated compellingly last week following The Hindu’s detailed investigation into the deal. It showed that in comparison to the bid under the UPA there was an overall escalation in the price of each jet in the 2016 deal struck by the Modi government, because the price of 13 India Specific Enhancements (ISEs), essentially upgrades that were sought on the bare-bones aircraft, was spread over 36 jets as opposed to the original 126. Significantly, as The Hindu’s investigation revealed, three Defence Ministry officials in the seven-member Indian Negotiating Team objected to the €1.3 billion assigned to ISEs; it was eventually approved by a narrow 4-3 majority on the ground that ISEs are a non-recurring cost. But this raises an obvious and perplexing question: since they are a non-recurring cost, why did the government drop, or fail to secure, the follow-on provision, which would have given India the option to purchase more Raftales, and reduce the per-aircraft price by spreading the design and development costs involved in the upgrades? After all, the follow-on clause was a part of the deal under negotiation under the UPA government. The import of the question assumes an altogether different dimension given that the Air Force, with an old and depleting fleet, has required — and for some two decades now — far greater numbers of Medium Multi-Role Combat Aircraft (MMRCA) like the Rafale. Last year, the government issued a Request for Information for 110 fighters, of which about 15% will be acquired in a flyaway condition and the remainder manufactured under the strategic partnership route. With the same manufacturers back in the bidding fray, we are in a way back to where we were — in other words, to a place that casts doubts on the vigour of India’s long-term planning when it comes to defence preparedness.

Owing to a mix of investigation, statements and government leaks, much of the information about the pricing, the acquisition process and the ISEs are already in the public domain. It is nobody’s case that information that could impact the aircraft’s operational capability or jeopardise national security should be shared, but the government has been less than willing to come forward to address the issue of pricing. Instead it has been taking cover, unconvincingly, under the secrecy clause in the general
security agreement signed between India and France in 2008. Given the fog of doubt over a number of issues, it is unclear why it doesn’t adopt a more accommodating posture by arranging private briefings for Opposition leaders and permitting a JPC to examine the deal. Without this, the general presumption will be that it has something to hide.

**Unity and strength**

**Opposition parties need a cohesive framework to be a viable alternative to the BJP**

It is always easier to agree on the ends than on the means. Opposition parties that came together at the Kolkata rally hosted by Trinamool Congress leader Mamata Banerjee had a commonality of purpose — defeating the Bharatiya Janata Party. But little else. To share a dais and hold hands is one thing; to share seats and work in tandem is quite another. Even so, for over 20 parties, big and small, some with overlapping support bases, to come together on one platform is in itself remarkable. It is the dominance of the BJP under Prime Minister Narendra Modi beginning with the 2014 Lok Sabha election that has forced these parties to yoke themselves together. Alliances that had seemed impossible just a year ago, such as those between the SP and the BSP in Uttar Pradesh, the TDP and the Congress in Andhra Pradesh, and the Congress and the JD(S) in Karnataka now have a settled look. The Trinamool and Ms. Banerjee have also shifted positions to move toward the formation of a national-level alternative to the BJP, giving up the idea of a federal front of regional parties opposed to both the Congress and the BJP. The federal front was essentially the brainchild of the TRS founder K. Chandrasekhar Rao, who could not countenance being part of a front that included his principal rival, the Congress. Ms. Banerjee, who seemed warm to the idea initially, was quick to realise such a formation would be unable to mount a serious challenge to the BJP. In terms of optics, the Kolkata rally was a show of strength for Ms. Banerjee. At the same time, it seems to have imparted a fresh impulse to the efforts to put together a viable, if not entirely cohesive, alternative to the BJP.

However, though all these parties are agreed on flushing out the BJP, there is still the issue of reaching agreements at the State level, and arriving at a consensus on a common manifesto of policies and programmes. The SP and the BSP have agreed on seat-sharing but have not accommodated the Congress; also, negotiations with another ally, the RLD, are yet to conclude. The Congress and the JD(S) are partners in government, but their vote banks overlap geographically. Seat-sharing is likely to be akin to navigating a minefield. There is also no telling how an alliance between the Congress and the TDP, bitter rivals hitherto, will work on the ground. Besides, the support bases of these parties are varied socio-economically, and without a shared agenda for governance the political unity at the leadership level might be difficult to sustain. Therefore, it was perhaps no surprise that the rally avoided the contentious issue of naming a prime ministerial candidate, leaving the issue to be decided after the election. The Opposition parties may have made a good start, but there is much they need to settle among themselves to mount a serious challenge in 2019.
Steel frame or steel cage?

Shah Faesal’s resignation tells us about the receding powers of the civil service to make a difference to society

In his letter of resignation from the Indian Administrative Service (IAS) in early January, Shah Faesal cites a number of reasons. He became an icon and a celebrity when he topped the IAS examination, in 2010. He was the first Kashmiri to do so. Now, after his resignation, he is sure to acquire greater glow, especially if he joins politics as he has indicated. His letter of resignation demonstrates his anguish over the pain Kashmir has experienced over the recent past. Apparently, he feels that as a civil servant, he feels constrained to express his views. The letter also suggests that he feels sorry for not being able to do much to alleviate the sufferings of his people. His hope that he will be able to do this by joining politics permits us to look at a problem we face in our quest of modernity.

Respect through merit

Before Independence, and for a while after it, competing for entry into the IAS was motivated by the urge to seek status in society. An open contest based on success in an academic examination presented the attraction of gaining social respect through merit. The status that accrued to an officer was associated with the authority he had to exercise state power. In those days, official power had few political constraints, especially at the local level. A district collector was seen as a meritorious monarch. He was the custodian of law and order. That was a key role in the colonial order. Its cultural residues have persisted to the present times, and the status of the district collector — in some States, the district magistrate or DM — comes largely from his or her responsibility to maintain law and order.

Following Independence, the IAS acquired a nation-building tinge in its earlier colonial role (as the Indian Civil Service as it was then called). From the local to the national levels, the IAS was seen as providing the firm and stable frame that India needed to overcome what were often described as ‘fissiparous’ tendencies in society. The addition of a nationalist lustre to an otherwise unchanged status gathered yet another layer when nation-building extended to a ‘development’ agenda. As a learned decision-maker, the civil servant was supposed to lend objectivity to the elected politician’s agenda and wishes. This function made an impact on the lure of the civil service as a career. Success in the IAS examination was now seen as bringing the power to ‘do something’ for the larger good, and not merely as a conduit of personal security and comfortable life-style.

Marker of change
Mr. Faesal’s decision to resign from the IAS after a short stint in it marks yet another stage in the change of perceptions. He is not the first to mark this change. Young entrants to the IAS have been known to resign early for social causes or academic careers. In each case, early abandonment continues to signify an act of renunciation for the pursuit of an ideal. Such examples have indicated the rising perception that the IAS officer’s power is much too constrained, especially by those wielding political power. Mr. Shah Faesal’s resignation tells us how the power to ‘do something’ now belongs exclusively to the politician.

This trajectory has a considerable lesson to offer. To begin with, it shows how modernity in India has not brought an adequate appreciation of the different roles a society needs to run itself well. Children and adults share the feeling that one or two roles are more important than all others. From childhood onwards, one learns this lesson both directly, from parents and teachers, and also indirectly, from socialisation. The chief guest culture, widely prevalent in schools, reinforces the significance of becoming an important person. The person invited as chief guest is often either a civil servant or a politician.

A ‘syndrome’

Not only schools, even community functions organised on religious festivals are similarly adorned. If the organisers cannot get hold of someone in service or politics at present, they go for someone retired. By the time they are in secondary grades, children absorb the message that a worthwhile life can only be led by gaining public importance. Many children begin to feel that their best chance to make their parents happy is by doing things that bring fame and importance. For doing this, there are more choices today, but the range continues to be narrow and the preferred ones are those with the biggest crowd at the entry. The lure of competitive tests like the Joint Entrance Examination (JEE) and the National Eligibility cum Entrance Test (NEET) throws light on this cultural phenomenon.

The civil services remain a big draw as the vast clientele of commercial coaching demonstrates. Probability of success is understandably low, and that is precisely what drives the coaching industry to ever increasing rates of growth and fee. It is only after failing to make it into the highest civil services that students look towards other avenues. The same is true of tests in engineering and medicine. It is only after failing to get into these professions that the young consider pursuing a career in other areas. The experience of failure leaves its psychological scab on many young minds. They continue to feel, for a long time, that they could have ‘become’ someone important. A touching story in this genre is of a schoolteacher who never went back to meet his favourite teacher. He said, ‘How could I tell my teacher that I could only become a teacher?’

As a society, we obviously pay a high price for maintaining this syndrome. If only an IAS or a political leader is perceived as having the capacity to ‘do something’, the rest can only carry out inconsequential routines. And what is that ‘something’? It is a socially shared mystery. In the case of Mr. Shah Faesal, it seems to be somewhat clear. His letter of resignation from the IAS can be read as an expression of his urge to alleviate the pain of Kashmir. He feels he can do it by joining politics. Let us hope he succeeds.
Fabrication and falsification

Data manipulation in the MGNREGA is leading to gross violations in its implementation

Chunni Devi (name changed), an Adivasi woman in her late 20s, lives with her three under-nourished children in Mahuadand, Jharkhand. Her husband died more than a year ago due to the cold conditions in the area. She is yet to get a widow’s pension and ration under the Antyodaya category. She is sceptical of working under the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) because of delays in payment and the lack of support facilities for her children at worksites. She earns just ₹120 a day, and which happens only when some cleaning work is available in her neighbourhood.

Chunni Devi is one among crores of people in India struggling to navigate a host of vulnerabilities to eke out a living. A lack of dignified employment, non-payment of adequate wages on time and insufficient food mean that the family of four is in a dicey situation and staring at starvation.

A curation of data

In recent years, there have been at least 74 reported starvation deaths, with 60 cases having occurred in the last two years across parts of India; a lot of them have been in Jharkhand. Based on a directive by the Union Ministry of Rural Development, the Jharkhand government issued a report on 18 deaths. Hastily produced and in insensitive language, the report concludes that none of these deaths was due to starvation or connected to MGNREGA — a lazy, convenient denial of any correlation. If implemented the proper way, MGNREGA, among other measures, can go a long way in improving the life and the livelihoods of Chunni Devi and others like her. Not only is the Bharatiya Janata Party-led government in the State and Centre demonstrating alarming indifference in this matter but is also covering up realities by curating information to suit its false narrative. Such curation starts from suppressing information at the source, to deliberately manipulating and obfuscating data to perpetrate falsehoods.

Here are some examples to illustrate how the manipulation of information is leading to ethical and legal violations.

The MGNREGA is a demand-driven programme, i.e., work must be provided within 15 days of demanding work failing which the Centre must pay an unemployment allowance (UA). A UA report is generated but rarely implemented. Numerous ground reports across the country suggest that because of a funds crunch, field functionaries do not even enter the work demanded by labourers in the MGNREGA Management Information System (MIS). This is information suppression at the source. Lack of offline alternatives to capture work demand from labourers means that data on the MIS are being treated as the gospel truth. Be that as it may, even this under-registered demand is
being dishonoured by the government. Although work demand data (in person days) and employment-generated data are available at a panchayat level, aggregate data at the national level are only presented for employment generated. Thus, under-registered national demand is captured but intentionally not reported. By doing this, the Central government is trying to hide its violation of the extent of under-provision of work.

Key findings

To estimate the extent of under-provision, we have analysed (in an ongoing study), work demand and employment generated for over 5,700 panchayats across 20 States (for 2017-18 and the first three quarters of 2018-19). We found that this year, the employment generated was about 33% lower than the registered work demand, and last year, about 30% lower. If this large-sample trend holds true for the country, then a conservative minimal allocation required this year is about ₹85,000 crore. After 99% of the original allocation got exhausted earlier this month, 250 Members of Parliament and citizens wrote to the Prime Minister, following which the Centre’s revised allocation now stands at a paltry ₹61,084 crore. Despite this revision, 16 States still show a negative balance which shows the continued lack of funds. Further, the Centre’s oft-repeated claims of the “highest ever allocation” are dubious and meaningless because if the allocation does not honour work demand, as is the case here, it is a violation of the Act.

Chunni Devi’s cynicism is a case of corroboration at the implementation level of who the victims of the government’s manipulation eventually are. Contrary to the Central government’s claims of there being more than 90% payments on time, we found in a recent study of more than 9 million transactions that only 21% payments were made on time in 2016-17. The trend continued in 2017-18. Further, the Central government alone was causing an average delay of over 50 days in the disbursement of wages to labourers. The mandate is to pay wages within 15 days else workers are entitled to a delay compensation. While this delay by the Central government (called stage 2 delays) is captured in the system, it is intentionally suppressed to avoid paying delay compensation — another violation of the Act.

A case of insensitivity

In an internal memorandum dated August 21, 2017, the Union Ministry of Finance acknowledged the accuracy of the study’s findings and stated that delays in payments were directly linked to lack of “[un]availability of funds”. This glaring lacuna was argued in the Supreme Court in a recent PIL (Swaraj Abhiyan vs. Union of India) where the judgement categorically stated: “The wages due to the worker in terms of Stage 2 above must be transferred immediately and the payment made to the worker forthwith failing which the prescribed compensation would have to be paid. The Central Government cannot be seen to shy away from its responsibility... The State Governments and Union Territory Administrations may be at fault, but that does not absolve the Central Government of its duty”. In court, the Central government, agreed to calculate Stage 2 delays, and pay compensation, but the judgement (dated May 18, 2018) has still not been implemented. This not only reflects contempt of court by the Central government but is also an insensitive assault on people and a deliberate hiding of the truth. In the process, countless lives are getting silently buried in fabricated statistics.

Such falsification and a manipulation of information by the BJP government reminds one of Václav Havel’s essay “The Power of the Powerless”. Written in protest against the repressive regime of erstwhile Czechoslovakia, it says: “Because the regime is captive to its own lies, it must falsify everything. It falsifies the past. It falsifies the present, and it falsifies the future. It falsifies statistics.” The crisis that Chunni Devi and others are in becomes entangled in a web of technicalities and a din
of dry numbers. While the government is busy falsifying realities, starvation and agrarian distress, the slow death of the MGNREGA continues.