

**"Coming together is beginning; keeping together is progress; working together is success." - Henry Ford**

**Executive Summary**

The biggest challenge, bar none, that faces India at this point of time is that of **terrorism, our judicial system and illiteracy**. Let us address each of them individually and try to find a panacea for each of them or all. What is to be understood here is that these problems are to be mistaken as trivial and cannot be solved by mere means of quick fix solutions but requires immense efforts on the part of govt and people as no one can stop India becoming an economic superpower if we fix each of them by finding their root cause and fixing it.

The issue of terrorism is often viewed through the prism of political, religious and ideological connotations. However, a closer look at the cause and effect of terrorism would reveal the inherent economic issues related with it. The force of hunger alone has the potential to transform into a destructive force of anger directed against an illusionary enemy, with innocent people and institutions being the victims. Terrorism is not a mere war between religions, regions or even civilizations but the battle between the haves and the have-nots. Most often, the places that generate and breed terrorism and other related criminal activities such as drug & narcotics trafficking, money laundering, extortion, etc. are the economically and politically instable regions where poverty, hunger and isolation have resulted in terrorism and violence. So, my contention that all these three evils are interconnected and requires to be solved through an effort which should be directed towards breaking this vicious circle rather than some immediate measures which bring a relief in the immediate short term only to emerge in its gigantic and mammoth proportion later.

A criminal is not born, but made by social circumstances. For the crime scenario in India, every citizen of India is indirectly responsible. Our present inefficient, corrupt legal system, is wholly dependent on evidences which a rich criminal can create or destroy at his sweet will. Police forcibly take confessions from the accused, by applying 3rd degree torture methods. Some of the judges are literally auctioning "judicial orders" for bribe. Due to all these reasons one can't be 100% sure about one criminal's conviction.

Thirty-six per cent of Indians paid bribes to the legal system in 2006  
The estimated amount paid by Indians as bribes to the legal system at about Rs 2,630 crore (Rs 26.30 billion).  
The majority of the bribes went to lawyers (61 per cent) followed by court officials (29 per cent) and middlemen (five per cent).

Education holds the key to economic growth and social transformation. Education continues to enjoy primacy in the recent budget of 2007-08 and the allocation for school education has been enhanced by about 35 per cent from Rs.17,133 crore in 2006-07 to Rs.23,142 crore in 2007-08.

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Though the major indicators of socio-economic development viz., the growth rate of the economy, birth rate, death rate, infant mortality rate (IMR) and literacy rate, are all interconnected, the literacy rate has been the major determinant of the rise or fall in the other indicators. There is enough evidence in India to show that a high literacy rate, especially in the case of women, correlates with low birth rate, low IMR and increase in the rate of life expectancy. The recognition of this fact has created awareness on the need to focus upon literacy and elementary education programmes, not simply as a matter of social justice but more to foster economic growth, social well-being and social stability.

## **Terrorism: A localized global problem.**

Over the years, terrorism has gone from being a localized problem in one part of the country – Jammu and Kashmir - to a multi city terror network which is well funded, organized and composed of highly motivated and focused, if misguided individuals. They have struck, again and again, in city after city with ridiculous ease. It has come as a slap in the face for an establishment that has claimed to have fortified its security measures from the times of 11/7 and Akshardham. The biggest challenge facing the new government once it takes office is how to ensure the safety of the people who voted to bring it to office. The after effects of such recent attacks as the ones in Bangalore, Delhi, Malegaon and Ahmedabad are too mind boggling to comprehend. Besides the grievous loss to human life, it has created an atmosphere of fear and mistrust in the minds of the common man. India now ranks 4<sup>th</sup> in the world in terms of terror strikes, behind Iraq, Afghanistan and Pakistan.

- The new government will have to act quickly and decisively in order to combat this threat to India's economy, cultural diversity and social fabric. The first responsibility is to make a drastic improvement in the security infrastructure across the country. The Home ministry set aside Rs. 1300 crores for modernization of the police in 2008-09. This includes close to doubling the number of feet on the road, improving co-ordination between intelligence agencies, modernization of weaponry and equipment for forensic investigation. However, there is no accountability on part of the states, and no mechanism in place to check how these funds are being allocated. The result is the same finger pointing we get to see in the aftermath of an attack – intelligence that was allegedly passed on from one agency to the other, but was not taken seriously or acted upon.
- The second measure to be implemented, with immediate effect, is constant vigilance. The administration has to realize that an attack can happen anywhere. Malegaon stands in gory testimony to this fact. The agencies have to identify sensitive areas in every city, and put adequate measures for security. London has set a terrific example for this. After they underwent the tragedy of 7/11, they have invested staggering amounts of money to ensure that almost the entire city is under surveillance. This data is constantly monitored; analyzed and suspicious activity is quickly investigated.
- A new package should be announced for J&K terrorists whereby they would be absorbed into various services and given education and training for skills & entrepreneurship & holistic education during their jail term. An autonomous body which should have representatives from our Cabinet and members of UN should monitor the developments which should be tabled in the Annual general meeting of United Nations.

- All organization abetting any kind of extremism should be strictly banned. Organizations like SIMI, Bajrang Dal and VHP should be brought under the same rule and banned. Instead of pontificating about whether the source of this terror is foreign or domestic, we need to understand the motivation behind this network of people. Their intention is to destabilize the country's economy and growth, generate fear and mistrust in people's minds. This will lead to reprisals and hatred towards other religions. The terrorists will feed off this new hatred. They will make further inroads into the people's psyche, exhorting more and more to take up their misguided cause. At a moral level, the government needs to sit the leaders of different communities down and ask them to take up against terrorism. They need to become the champions of peace, of equal rights.

### **Justice Delayed is not Justice Denied but sheer Injustice!**

The very fact that it will take more than 300 years to clear the backlog of cases in Indian courts is proof enough that our criminal justice system is sick, stagnant and in urgent need of a complete overhaul. So, the Vajpayee government needs full credit for beginning the process. A committee was set up, a couple of years ago, under Justice V S Malimath to examine changes and its report came, coincidentally, at the time when justice was finally done in the Uphaar Cinema case and of Jessica Lal's horrific murder. Both cases draw attention, in different ways, to the glaring flaws in our justice system.

In the Uphaar case it is shocking that it took six years to establish that the 59 people died because of criminal negligence on the part of the cinema management and the Delhi government. It was clear from day one that nobody would have died had the cinema followed safety rules but because the wheels of Indian justice move at the pace of our national vehicle — the bullock cart — it took six years for justice to be done. And, if the Ansal family and the guilty officials decide to appeal it could be many more years before justice is really done.

In Jessica Lal's case the situation was even more tragic because justice may never be done. She was shot dead in a Delhi bar in full view of several people. It was on the basis of their statements that the police built their case against Manu Sharma and he, himself, fled the crime scene and remained on the run for days, something he would have been unlikely to do had he been innocent. But, as time went by, witnesses to the murder suddenly became unable to identify him as the killer so he is already out on bail and will probably remain free and go on to a long and successful career as a politician.

What worries me most about the Malimath report — at least what I have seen of it in the press — is that it appears to have paid too much attention to making life easier for the police and not enough to making it easier for seekers of justice. Why should the judiciary not be made to explain, for instance, why the justice system moves at bullock cart pace? Why are cases admitted that would be thrown out in other

countries? Why does it take so long for a judge to decide whether a case should be admitted or not?

Personally, Should there not be severe strictures against those who waste taxpayer's money on silly cases?

And, equally severe strictures against judges who admit cases because of political pressure and conveniently forget cases against politicians for the same reason. Think of the absurdity of that poor young Tehelka reporter spending six months in jail while Sukh Ram has still not been convicted for corruption despite being found with Rs 3 crore lying about his home in cash. How many years ago was that? And, what happened to those cases against Narasimha Rao's relative who spent more than a hundred crore rupees of our money on fertilizer that never arrived from Turkey?

Again, the average Indian courtroom is an insult to the "majesty of the law". In Mumbai's Esplanade Court it is not unusual to find stray dogs and cats wandering about the corridors and in a court in Ujjain I once ran into a cow. There is so much wrong with the justice system that mere tinkering will solve nothing what is needed is a complete overhaul. So, on the light of these facts I would like to hereby express some measure which could be detrimental to the success of our democracy.

- An autonomous body should be created which should be headed by the president, the retired judges of Supreme Court & by the retired Chiefs of Defense forces which would act as a overseer and governing body for our judicial system and would suggest reforms in the system. This body should be autonomous & should fix a maximum period for settlement of claims & cases pending. It should attract the seekers of justice to settle the civil cases through negotiation and criminal cases should be handled by a separate wing which should fix a maximum period for the pronouncement of Justice.
- Some immediate measures include a separate department in the Income Tax which should look into matters concerning assets & income of judges & its families of all courts.
- There is also an urgent need to increase the salaries of Judges & Lawyers of all courts for them to match the salaries & packages offered by the corporate to attract the best talents.
- Govt should for separate Courts for Civil cases pending and should pass a law to fix the maximum time for settlement of claims. The govt should also increase the fees levied on all corporate cases and it should try to raise the funds so that these could be utilized for creation and revocation of infrastructure of Courts.

### **Employability building Education: The urgent Need of the hour.**

Education encompasses both the teaching and learning of knowledge, proper conduct, and technical competency. It thus focuses on the cultivation of skills, trades or professions, as well as mental, moral and aesthetic development.

The education system is embedded in the bigger socio-political order of the economy. To a large degree, the larger system dictates the characteristics of its subsystems. In the broadest terms, the government of India is an extractive and exploitative system created specifically for that purpose during the nearly one hundred years of its existence as a British colony before India became politically independent. The British, as a colonial power, created a system designed to control every aspect of the economy to maximize extraction. The challenge of administering such a large population required a certain small percentage of the native population to be educated in a very specific way. Therefore the total and absolute control of the education system was a necessity.

Even after British left, the structures they had created for controlling the economy in general, and the educational system more specifically, remained intact. The new political leaders saw it was beneficial for them not to deviate from the old colonial goal of imposing an extractive and exploitative government on the people. By continuing to control the education system, they were able to impose a degree of control over the population that would be unthinkable in a free society.

To be perfectly clear, whether a system is judged to be a failure or not depends on the objective that the system was created to serve. The Indian education system is definitely successful because it does meet the objectives that the British created it for, and which the successive Indian governments have implicitly endorsed: control the supply of education and dictate to the finest detail the nature of the education provided and to whom. Universal primary education, or even universal literacy, was never its goal. To fault the current educational system on its inability to meet the needs of a developing society is to miss the point that it was meant as an instrument for extractive purposes.

If the preceding picture painted hastily with broad brush strokes is reasonably accurate, then it implies that for the education system to serve the needs of a developing nation, the objectives of the system will have to change. Since the same structure cannot serve an orthogonal set of objectives, the whole system will have to be redesigned. If there is one thing I would like to convey in this brief series, it is this: change the system radically if it has to serve a different objective. It should be evident that anything less than a radical re-thinking of the system would be a pointless waste of time.

The current educational system has an objective dictated by the British and which the governments of independent India inherited: To choose from within the huge

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population a small subset and educate them so that they will serve the needs of the government. That objective should have been replaced with something like this: To develop the human potential of every citizen in the broadest sense, so that the individual is best able to serve his own interests and the interests of the world he lives in. In other words, the citizens are not seen as serving the interests of the government but instead the government's objective is to serve the people.

The alternate objective would require liberalizing the education sector from government control.

It is also common knowledge that our existing education system produces more qualified unemployables than work ready human assets. Be it skill sets, depth of knowledge, attitude, execution orientation, commitment, competency, confidence, communication, initiative, team working, customer orientation, relationship, sincerity, ownership or whatever is most important for performance/ deliverables, our current education system is a failure in imparting/inculcating it. Information is being considered as knowledge. Education is being taken as the be all and end all of securing an employment rather than as a learning process to hone talents and to develop competencies to perform at work and thus emerge as employable/ entrepreneurial. We have millions of such educated unemployables and thousands of such educational institutes. There are exceptions in both, but very few. Such exceptions are because of individual efforts and not because of a well designed system.

Education is not only medicine but a panacea for a lot of our social problems. It could single handedly solve a lot of problems like casteism, dowry and would translate into an effective government chosen by people who can think, opine and not just read or write.

Some of the measures that would be required in this

- Govt should enter into public private partnership for management of its municipal schools which should be made English medium & should be brought under CBSE. The Govt regulator in primary and secondary education should be set up which should be an autonomous body regulating the quality of education and would act as link between Govt and private enterprises.
- The Govt should **allow** foreign universities to enter Indian Education sector which would improve the quality of education in the private sector as competition in any sector has accrued gains for the consumers in terms of better quality.

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- Govt should **privatize** all its national level programmes like Sarva Shiksha Abhiyan (SSA), Mid-Day Meal (MDM) Scheme and National Programme for Education of Girls at Elementary Education (NPEGEL) **whereby it would** outsource its operations with Govt just involved in the funding and auditing of these functions which should be audited by the regulator and the annual report should be tabled in the parliament.

## **BIBLIOGRAPHY**

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