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RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

The challenge of flexibility

Academic Bank of Credits, multiple entry-exit options, will call for large changes in higher education



ASHOK THAKUR AND S S MANTHA

IMAGINE A STUDENT doing a physics course from Panjab University, mathematics from TIFR, chemistry from IISc, an astronomy course from Aryabhata Research Institute of Observational Sciences and a course in AI from IIT Hyderabad, drop out for a year and still have a career in astrophysics — all enabled by a virtual online entity. Too good to be true? Well, all this could be a possibility when the UGC starts implementing its two recent regulations — the Academic Bank of Credits and Multiple Entry and Exit. The PM had also announced these some time ago.

The National Education Policy (NEP), released in July 2020, rightly observes that the education delivery system in India is too structured, rigid and expensive. Students tend to drop out because of its lack of relevance, its failing to sustain their interest or because of affordability. The two regulations could change all this by promoting flexibility of curriculum framework, interdisciplinarity and academic mobility for students across higher education institutions, with appropriate credit transfer mechanisms. Most importantly, they can facilitate students choosing their learning path to attain a degree, diploma or certification with multiple entry-multiple exit options. Above all, the regulations aim at student-centric learning, customised for each student's strengths, needs, skills, and interests. The regulations are, therefore, being showcased as star recommendations of NEP and game-changers for higher education.

While it is difficult to fault it at a theoretical level, the gap between the perception on which the initiative is based and reality is perceptible. To begin with, can a young student of 15 or 16 meaningfully select the best courses or combination of courses to suit her aptitude or her future? Even if she can, she may not be able to tailor her degrees as she wishes, as the control over the nomenclature of the degree rests solely with the UGC. Besides, it does not make sense to issue the same degree to students following different curricula. Regarding flexibility in the choice of subjects, if 50 per cent of the curriculum must be carried out within the degree-grant-

ing institute, then there is actually little flexibility left for the student. A similar concept of a "Meta University" was attempted in 2012 that failed to take off despite a UGC regulation, primarily due to the silo mentality and ego hassles of the heads of institutions.

Multiple entry/exits for students to complete degrees at their pace with the flexibility to choose courses across disciplines is a great thought but difficult to implement. The National Skill Qualification Framework (NSQF) took almost a decade to come to fruition with nothing tangible to show for it. It has similar enabling provisions for vocational education. How are things going to be different this time? Besides, if a student chooses to drop a year or two into a degree programme, the issue of his employability remains unresolved. A similar argument had been used by the present dispensation while pulling down Delhi University's Five-Year Undergraduate Programme unceremoniously in 2014. Interestingly, the tables have now been reversed with FYUP being incorporated lock, stock and barrel into the NEP.

If flexibility with quality were the tenets, why limit courses only to those available on SWAYAM, NPTEL, V-Lab, etc, for credit transfer and credit accumulation? One must recognise that quality is not restricted to government portals. Just as the jurisdiction of a university defeats the very purpose of offering quality education to anyone who wants it, limiting the number of students registering for a course in a certain university also defeats the purpose of accumulating credits. Also, why prevent credits from good foreign institutions from being recognised?

Without the use of technology to authenticate and store digital records in a distributed system, proving the authenticity of credits awarded by various institutions can be a nightmare. The academic bureaucracy in India is notorious and cannot be relied upon to implement such path-breaking changes. Getting a migration certificate from one university to another or simply getting transcripts of one's own marks, even from an established university, can be onerous. Trusting our present system to handle the complicated issues of entry-exit and accumulation of credits is asking for the moon.

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Student-centric learning customised for each student's strengths comes at a cost. It implies huge budgetary allocations in terms of improving the teacher-student ratio from the present 1:30 to 1:5. The faculty will need to be reoriented to become guides and mentors, from just teachers. Besides improving record maintenance, the conduct of credible assessment, transfer of credits and award of degrees with similar quality levels across institutions will require substantial funds both for manpower as well as IT infrastructure. With the total central education budget falling constantly by 4.14 per cent in 2014-15, 3.4 per cent in 2019-20 and by 6 per cent in 2021-22, this seems to be a tall order. It is clear that unless the implementation of the new regulations results in the generation of surpluses, no institution will be willing to come forward and become a part of it.

For the objectives of NEP — "Curriculum and pedagogy will be transformed, rote learning minimised encouraging holistic development with 21st-century skills" — to succeed, great commitment will be required from every stakeholder, from the Centre and UGC to VCs, faculty and non-faculty staff. The Academic Bank of Credits and its accompanying regulations are perhaps not the solutions for all evil but the proposal does have some innovative ideas, including one on a fee structure based on credits earned. Better still would have been to try it on a pilot basis through the much-talked-about Virtual University, where universities and other institutions in India become collaborators, creating their own or sourcing content from SWAYAM, Coursera, EdX or Udemax and other similar providers. It is an idea whose time has come. In times to come, the level and quality of its implementation will be an indicator of the health of higher education in the country.

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OLD GHOSTS RETURN

New government in Kabul is shadowed by terror, its levers are pulled by Pakistan. India, and world, have task cut out

THREE WEEKS AFTER capturing Afghanistan, the Taliban have a government in Kabul, and are officially in charge of running the country, which will henceforth be known as the Islamic Emirate of Afghanistan. Contrary to the expectation that the delay in government formation could be a sign of efforts to set up an "inclusive" dispensation, there are no women, no Hazara — the presence of an Uzbek and two Tajiks is the only nod to minorities — in this set-up, which a spokesman described as "caretaker" until the new rulers bring in their own Constitution. For now, though, the list of 33 persons who will hold high office in the new Kabul government as Cabinet ministers and in other positions, appears to reflect internal pulls and pressures, and wrangles between factions of the Taliban, and no less, the influence of at least one external actor, Pakistan. Mullah Abdul Ghani Baradar, who had once attempted to bypass the Pakistan Army to speak to then Afghan President Hamid Karzai, has been pushed down the hierarchy to number 2, and will be one of two deputies to Prime Minister Mullah Mohammad Hassan Akhund, a hardliner who supervised the blasting of the Bamiyan Buddhas.

The role of Pakistan's powerful spy agency in the formation of the government was no secret, given the open presence of its head, Lt General Faiz Hameed, in Kabul. The selection of five members of the Haqqani Network, a distinct group within the Taliban, which has had cosy relations with the Pakistani security establishment for nearly four decades, speaks to its influence with the new dispensation. At least two of the five, the new Interior Minister Sirajuddin Haqqani, and his uncle Khalil Haqqani, are globally designated terrorists, as is Prime Minister Akhund. Clearly, the Taliban are confident enough to believe that international legitimacy will follow, irrespective of who they include or leave out. Indeed, this may be the Taliban's way of putting pressure on the world to recognise its victory, lift the sanctions against individuals, and the group.

Now the ball is in the court of the rest of the world. The challenge before the international community, including Delhi, is to come to a decision on recognising the new Taliban regime and engaging it. There may be no unanimity on this. Who the members of government are in another country should not normally matter in international diplomacy. Yet if the Afghan interior minister is someone named by the world's intelligence agencies for blowing up the Indian Embassy in Kabul, and a hostile neighbour is pulling the levers of the Kabul government, it gets decidedly tricky. The presence of the Russian National Security Adviser and the head of the CIA in Delhi on Wednesday are indications that India may not be the only one with concerns, or staring at a difficult challenge.

CASTE OF CHARACTERS

BSP outreach to Brahmins points to return to an older strategy for the party, and a new churn in UP politics ahead of assembly polls

THE COUNTDOWN TO the battle for Uttar Pradesh, where assembly elections are due early next year, seems to have begun. After what appeared to be an extended period of political hibernation, the BSP has completed its first phase of meetings in an apparent bid to rebuild a coalition of extremes combining its core base, Dalits, and Brahmins. A *vichar sangoshthi* (symposium) in Lucknow Tuesday marked the conclusion of the party's Brahmin outreach programme that was launched a month ago, significantly, from Ayodhya. The BJP has dominated UP since the 2014 general election by forging a formidable Hindutva vote bank that trumped the logic of Mandal politics, which had pitchforked the OBCs, particularly Yadavs, and Dalits, to power.

For the BSP, the Brahmin outreach is a throwback to a tactic it had tried successfully in the 2007 assembly election. After the failure of political coalitions with the SP and BJP, the BSP had sought to broaden its own support base by forging wider social alliances. This strategy was explained as a shift from *bahujan samaj* to *sarvajan samaj*, which included upper caste groups that were excluded from Kanshi Ram's formulation and plan. "Bhaichara (brotherhood)" meetings were held to firm up the Dalit-Brahmin alliance, which was founded on the tactical logic that two communities that were not in direct competition for resources or power, especially in rural areas, could join hands for office, with a Dalit CM holding the reins of power and the upper caste group regaining influence in power structures that it lost after the Mandal moment. The alliance petered away in the wake of the BJP's embrace of a hardline Hindutva agenda that resonated with upper castes and, most importantly, because of the lack of intent on both sides to transform an election tactic into a social strategy that could eventually rise above caste.

While it's too early to predict where the BSP's new turn will take it, there are indications of resentments among the Brahmin community, estimated to constitute about 11 per cent of the population in UP, due to the Adityanath government's perceived tilt towards another upper caste group, Thakurs. In recent months, the BJP has also been actively consolidating the support of various OBC groups by offering patronage, including ministerships in the state and in the Centre. Issues of caste pride and resentment come to the fore in UP when elections are held in a relatively less communally polarised environment. The BJP may have to deal with the several contradictions within the Hindutva bloc as it prepares for polls.

DR BIDEN AT WORK

First FLOTUS to have a full-time job is a milestone. There is a long road ahead

AS OF SEPTEMBER 7, Dr Jill Biden is back to teaching in person at Northern Virginia Community College, where she has taught since 2009. She is being hailed by many for being the first-ever First Lady of the United States to have a full-time job outside the White House. Her decision isn't exactly news: Almost as soon as her husband was elected president last November, Mrs Biden had declared that she had no intention of quitting her job. "Teaching isn't just what I do; it's who I am," she said.

Jill Biden's firm and uncompromising assertion of an identity separate from her husband's has been a long time coming — almost nine decades, in fact, since Eleanor Roosevelt, an indefatigable campaigner for progressive causes, redefined the role of the FLOTUS. And it wasn't easy. Consider how harsh critics were, even until the swearing-in in January, when Biden refused to drop the hard-earned "Dr" from her name. Back in 1978, Hillary Rodham was criticised for keeping her maiden name and law practice after her husband Bill Clinton was elected governor of Arkansas. Of course, she went on to build a political career for herself, being sworn in as New York senator just days before her husband's second term as US president came to an end in 2001. Later, Michelle Obama, who quit her job at the University of Chicago Medical Center upon becoming the first lady in 2009, too forged a path in public life that, while complementing her husband's vision, was enriched by her own concerns and interests. Michelle Obama commanded respect and admiration in her own right.

While the celebration of the current FLOTUS's decision shows that there's no going back to the days when women married to powerful public figures played a mere ornamental role, the grumbling that can still be heard is a reminder that big changes don't happen overnight. And that this is merely one milestone before the next one on the long road ahead.



NANDITA RAO

NORMS OF PROPRIETY once legitimised the forced marriage of a prepubescent girl to a man old enough to be her grandfather. They permitted the buying and selling of human beings as slaves and endorsed the silence of a judicial system and civil society while men, women and children were deprived of all civil rights and gassed to death, simply on account of the religion they professed. Propriety is a dangerous yardstick by which to judge a person, because in a society whose polity and institutions are threatened by moral decay and ideological corruption, it often justifies the silencing of truth, the criminalisation of dissent and the perpetuation of cowardice in the face of injustice and blatant illegality. Of no less importance is the fact that propriety has no objective yardstick by which anyone's conduct can be tested. There are still communities where educating a daughter could result in social ostracism, while dowry demands, despite being illegal, are accepted without a murmur.

It is, therefore, unfortunate that the legal profession remains largely regulated by norms of propriety that are disproportionately used to control the bar and keep it from challenging any actions of the bench that may be opaque and arbitrary. While orders can be challenged by appeal, improper roster management, unfair collegium recommendations, blatant bias in favour of select counsels and conflict of interest in hearings fall in the grey zone of impropriety, which affect the dispensation of justice and yet have no formal mechanism of redressal. It is assumed that the bar and the

TYRANNY OF PROPRIETY

Norms of propriety that reward silence and obedience undermine institutions

From something as small as a tweet to actions as necessary as strikes, all are clubbed with conduct which is scandalising or lowers the authority of any court. This is done without scrutinising whether the authority of the court was being exercised within the confines of legality and whether the intent of the members of the bar was to scandalise or lower the authority of the court. The objective appears to be to create an atmosphere of fear among members of the bar.

open court system would ensure that these actions are called out and corrected. However, a lawyer's licence can be denied due to "ungentlemanly conduct" under the Bar Council rules. A lawyer can be denied designation as a senior advocate, despite obvious and demonstrated legal merit and integrity. Just as easily, recognition can be withdrawn from those designated as senior, without any criteria being established a priori to define the "propriety" expected of lawyers in the face of grave impropriety by the bench. The lack of consistency and uniformity in bestowing these punishments further the perception of persecution.

The use of criminal contempt against members of the bar has become commonplace over the last decade. From something as small as a tweet to actions as necessary as strikes, all are clubbed with conduct which is scandalising or lowers the authority of any court. This is done without scrutinising whether the authority of the court was being exercised within the confines of legality and whether the intent of the members of the bar was to scandalise or lower the authority of the court. The objective appears to be to create an atmosphere of fear among members of the bar. Such an objective cannot further the majesty of a judicial institution, because respect cannot be demanded; it must be commanded.

The British Empire sorted out disputes between "gentlemen" over a cup of tea, as it were, while harsher action was reserved for the natives who were believed to be incapable of gentlemanly methods of resolution and had

to be shown the stick. It appears that over the past decade, the relationship between the bar and bench has gone from one of mutual respect and equality to the one between ruler and ruled. Obedience is rewarded, while independent thought is seen as a threat to the system and a bad example to the next generation of lawyers.

Independent thinking has always been perceived as a threat. Socrates was put on trial and awarded the death penalty for teaching people to think. His prosecutors maintained that he worshipped gods the state did not and introduced new divinities, but most of all he was guilty of corrupting the young by teaching them accordingly. In his defence, Socrates argued, "I have something more to say, at which you may be inclined to cry out; but I believe that to hear me will be good for you, and therefore I beg that you will not cry out. I would have you know, that if you kill such a one as I am, you will injure yourselves more than you will injure me." His words seem to be a warning that in societies where norms of propriety reward silence and obedience, evil can assume brazen proportions.

A court's authority is built by its judgments and its majesty is based on the ordinary citizen's confidence that the court stands between him and unjust executive action. No critic can lower the authority or majesty commanded by independent and robust courts, and silencing any criticism will not restore lost authority or majesty.

The writer is a Delhi-based lawyer



SEMPTEBER 9, 1981, FORTY YEARS AGO

PRIVILEGE MOTION

GEORGE FERNANDES HAS given notice of breach of privilege against Arun Shourie of *The Indian Express* for calling Finance Minister R Venkataram, "a petty liar". The speaker, Balram Jakhar, told the Lok Dal member that he would give his ruling on the notice after looking into the facts. Earlier, as the house assembled, Mandhu Dandavate of the Janata Party offered to lay on the table certain receipts accepting donations in the name of the Indira Gandhi Pratibha Pratishthan. Atal Bihari Vajpayee demanded that the government place the original trust deed in the house. The Speaker rejected both the re-

quests. Fernandes said that by calling Venkataram a liar, Shourie had committed a breach of privilege. If the privilege motion against Venkataram had failed, it must stand against Shourie. He said that he could not accept the Speaker's position that he would take time to decide on the issue.

GRIFFIN AFFAIR

EXTERNAL AFFAIRS MINISTER P V Narasimha Rao told the Lok Sabha that while the Griffin Affair had created a "temporary phase" of bitterness in Indo-US relations, he was not prepared to say that Washington's refusal to accept a diplomat amounted to an

unfriendly act. Rao also denied that India's refusal to accept Griffin as political counsellor in the US embassy was a result of pressure from any quarter.

SOLIDARITY'S SUPPORT

POLAND'S SOLIDARITY EXPRESSED support for a free trade union movement throughout the Soviet bloc and denounced what it called "the lies being disseminated against us". The message was addressed to workers in Albania, Bulgaria, Czechoslovakia, East Germany, Hungary, Romania and the Soviet Union. "Our aim is to struggle for better living standards for all people," it said.

11 THE IDEAS PAGE

The future of food

The climate crisis demands that India, like the rest of the world, aims for a transformation of its food systems to ensure sustainability, growing farm incomes and nutrition security



S MAHENDRA DEV

THIS MONTH, THE UN Secretary-General will convene the Food Systems Summit, which aims for a transformation of global food systems in order to achieve the Sustainable Development Goals (SDGs) by 2030. There are five action tracks to achieve the objectives. These are: Ensure access to safe and nutritious food for all; shift to sustainable consumption patterns; boost nature-positive production; advance equitable livelihoods; build resilience to vulnerabilities, shocks and stress. According to the Food and Agriculture Organisation (FAO), "food systems encompass the entire range of actors involved in the production, aggregation, processing, distribution, consumption and disposal of food products that originate from agriculture, forestry or fisheries, and parts of the broader economic, societal and natural environments in which they are embedded". India also has to transform its food systems, which have to be inclusive and sustainable for higher farm incomes and nutrition security. In this context, it would be useful to look at India's policies across food systems.

There has been significant progress in the country's agricultural development since Independence, from a food-deficit country to a country self-sufficient in food. However, the Green Revolution also led to water-logging, soil erosion, groundwater depletion and the unsustainability of agriculture. Current policies are still based on the "deficit" mindset of the 1960s. The procurement, subsidies and water policies are biased towards rice and wheat. Three crops (rice, wheat and sugarcane) corner 75 to 80 per cent of irrigated water. Diversification of cropping patterns towards millets, pulses, oilseeds, horticulture is needed for more equal distribution of water, sustainable and climate-resilient agriculture.

The narrative of Indian agriculture has to be changed towards more diversified high-value production, better remunerative prices and farm incomes. It must be inclusive in terms of women and small farmers; it must be nutrition-sensitive, environment friendly and sustainable.

Small farmers require special support, public goods and links to input and output markets. Many technological and institutional innovations can enable them to increase incomes through diversification, and benefit from value chains. Best institutional practices have to be followed in agricultural marketing. Farmer producer organisations help get better prices for inputs and outputs for small holders. The ITC's E-Choupal is an example of technology benefiting small farmers. Similarly, women's empowerment is important particularly for raising incomes and nutrition. Women's cooperatives and groups like Kudumbashree in Kerala would be helpful. One of the successful examples of a value chain that helped small holders, women and consumers is Amul (Anand Milk Union Ltd) created by Verghese Kurien. Such innovations are needed in other activities of food systems.

Another issue is hunger and malnutrition in India. According to the NFHS-4 survey, around 38 per cent of the country's children reported stunting in 2015-16. The NFHS-5 shows that under-nutrition has not declined in many states even in 2019-20. Similarly, obesity is also rising. A food systems approach should focus more on the issues of undernu-



CR Sasikumar

trition and obesity. Safe and healthy diversified diets are needed for sustainable food systems.

The EAT-Lancet diet, which recommends a healthy and sustainable diet given the constraints on the planet, is not affordable for the majority of the population in India. A recent study of the Tata-Cornell Institute For Agriculture and Nutrition shows that the cost of the EAT-Lancet dietary recommendations for rural India ranges between \$3 and \$5 per person per day. In contrast, actual dietary intake at present is valued at around \$1 per person per day. The gap is much more for meat, fish, poultry, dairy and fruits. In fact, even in rural areas, processed foods like potato chips and biscuits are cheaper and available as compared to fruits and vegetables. Even if they are available, these items are expensive for common people. Animal-sourced foods are still needed for countries like India. For instance, per capita consumption of meat is still below 10 kg in India as compared to 60 to 70 kg in the US and Europe.

The sustainability of food systems is equally important. Estimates show that the food sector emits around 30 per cent of the world's greenhouse gases. This is going to be crucial in the years to come due to climate change. Sustainability has to be achieved in production, value chains and consumption. Climate-resilient cropping patterns have to be promoted. Instead of giving input subsidies, cash transfers can be given for farmers for sustainable agriculture.

Food systems also need health infrastructure. The Covid-19 pandemic has exposed the weak health infrastructure in countries like India, particularly in rural areas and some regions. Inequalities in health and education have to be reduced for healthy and sustain-

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able food systems. Women's health indicators need to be improved for better nutrition.

Inclusive food systems need strong social protection programmes. India has long experience in these programmes. Strengthening India's National Rural Employment Guarantee Act, public distribution system (PDS), nutrition programmes like ICDS, mid-day meal programmes, can improve income, livelihoods and nutrition for the poor and vulnerable groups. In PDS, there is a need to give non-staples like pulses and oils, and biofortified cereals for better nutrition.

Finally, the role of non-agriculture is equally important for sustainable food systems. Some economists like TN Srinivasan argued that the solution for problems in agriculture was in non-agriculture. Therefore, labour-intensive manufacturing and services can reduce pressure on agriculture. Income from agriculture is not sufficient for small holders and informal workers. Strengthening rural MSMEs and food processing is part of the solution. Industry has to help in producing healthy processed food.

To conclude, at the global level, there is a proposal to have an International Panel on Food and Nutritional Security (IPFN) -- an "IPCC for food," similar to the panel on climate change. The UN food systems summit this month is a great opportunity to boost policies for achieving SDGs. Science and technology are important drivers to achieve these goals. India should also aim for a food systems transformation, which can be inclusive and sustainable, ensure growing farm incomes and nutrition security.

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WHAT THE OTHERS SAY

"It is in the best interests of Afghanistan for the country's new rulers to create a truly inclusive administration."

—DAWN, PAKISTAN

The tax on Ricky Martin

Income tax department must reconsider how it handles litigation and take steps to end harassment



BIBEK DEBROY

THOSE WHO love music will be familiar with the name of Enrique Martín Morales, better known as Ricky Martin. Unless you are a lawyer or a CA, you may not know that the Puerto Rican singer had a famous problem with India's tax department. I was reminded of this incident because I read a just-published book, edited by Mukesh Butani and Kinshuk Jha, on taxpayer rights. Legally speaking, the case was between Sony Music Entertainment and the Deputy Commissioner of Income Tax. The case started in December 1998 and ended (with an intervention by the Delhi High Court) in 2016. Seventeen years may not seem that long for those who have some knowledge of the notoriously slow justice delivery system. Nevertheless, such delays should not be acceptable, especially if there is no merit to a case.

Let me tell you what the case was about, in the words of the editors of this new volume. "On December 7, 1998, the famous Puerto Rican performer, Ricky Martin, was examined by income-tax officials at Hotel Radisson as he was summoned before his departure in relation to a 'tax clearance certificate' for leaving India." What is a tax clearance certificate? I have to subject you to a little bit (not too much) of legalese from Section 230 of the Income Tax Act. Since we are talking about the law, I will quote it verbatim. "No person (a) who is not domiciled in India; or (b) who is domiciled in India at the time of his departure, but intends to proceed to another country on a work permit with the object of taking up any employment or other occupation in that country; or in respect of whom circumstances exist which in the opinion of an income-tax authority render it necessary for him to obtain a certificate under this section, shall leave the territory of India by land, sea or air unless he first obtains from such authority as may be appointed by the Central Government in this behalf a certificate stating that he has no liabilities under this Act" — and some other tax-related statutes too.

Also, "If the owner or charterer of any ship or aircraft carrying persons from any place in the territory of India to any place outside India allows any person to whom sub-section (1) applies to travel by such ship or aircraft without first satisfying himself that such person is in possession of a certificate as required by that sub-section, he shall be personally liable to pay the whole or any part of the amount of tax, if any, payable by such person as the assessing officer may, having regard to the circumstances of the case, determine."

Ricky Martin's shows in India were or-

ganised by Sony Music Entertainment and Ricky Martin didn't have the tax clearance certificate. Therefore, he wouldn't be allowed to board the plane. To get back to Butani and Jha, "Against these investigations, the sponsor of the Ricky Martin shows in India, Sony Music, filed a writ petition in Delhi HC (High Court) in 1999". Almost 17 years later, in 2016, the Delhi HC quashed all summons, notices and orders for the department's failure to place on record any outcome of investigation initiated after examining Ricky Martin. The HC, in its conclusion, relied on a letter written by Ricky Martin retracting the recorded statements. The singer claimed in this letter, addressing the department, "the statement on oath was extracted by you from me under threats from you that I would not be allowed to leave until I signed this statement under oath". "The recording of Ricky's examination started at 7:30 pm in the evening and went on until early hours of the next day, leaving him with only enough time to catch his British Airways flight."

Like the judicial system, ex ante (a favourite expression of economists, meaning, in advance), one doesn't know whether a person is innocent or guilty. That is known ex post (after the investigation and the judicial process). The process of investigation necessarily involves some harassment. In the shortage years, the late 1980s, I remember applying for a MTNL landline telephone connection and reading the service-friendly MTNL circular to its employees, stressing that processes should not lead to "more than necessary harassment" to customers. I believe compliance costs cannot be truly reduced until the system is cleaned up through removing exemptions — the new Direct Tax Code is still a work in progress. Having said that, notwithstanding the goal of cleaning up, what happened to Ricky Martin (and there are other such cases) was undoubtedly more than necessary harassment.

Don't get me wrong. There have been several improvements. The IT department has a "Vision 2020" document. Prime Minister Narendra Modi launched the Taxpayer's Charter in August 2020. (Fleshing out the charter and giving it more teeth is the subject matter of the book I mentioned). There is faceless assessment and the "Vivad se Vishwas Scheme". The big bang cleaning up apart, and notwithstanding improvements, I think a lot can still be done on appeals, scrutiny, refunds and dispute resolution and procedural improvements. If delayed tax payments by tax-payers automatically invoke interest, shouldn't delayed refunds also automatically invoke interest payments? What about the alacrity with which the department implements orders of appellate forums? Even under the unreformed system, 17 years is too long. In other words, in the small picture, there is scope for a relook at the way the department handles litigation.

The writer is chairman, Economic Advisory Council to the PM. Views are personal

LETTERS TO THE EDITOR

HISTORY LESSONS

THIS REFERS TO the article, 'Misreading the Mappila mutiny' (IE, September 7). In many parts of our country, the economic struggles against the exploitation of landlords and factory owners and the struggle against the then rulers (whether the British or the Nizams of Hyderabad) went hand in hand. This can't be termed as a religious conflict, as D Raja pointed out correctly. Will we learn anything from our historical struggles for the unity of the oppressed belonging to all castes and religions against the economic distress and authoritarian rulers of today?

Ram Baheti, Aurangabad

THE SOCIAL VIRUS

THIS REFERS TO the article, 'The New Brahminism' (IE, September 8). Caste discrimination has disastrously skewed the playing field against certain castes, which consequently has placed the credentials of "birth" much above those of "worth". A rather overt presence of caste in the society is manifested in matrimonial columns. No law can efficaciously decimate caste structures unless backed by social change. Perhaps, it's time that we started looking at the caste virus as a social epidemic, no less obnoxious than Covid-19.

Vinay Saroha, Delhi

OUR FOOD, OUR LIVES

THIS REFERS TO the article, 'Tastes like power play' (IE, September 8). The writer's eloquent defence of Indian food is commendable, but perhaps it's best to not even engage with an ill-informed

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Ease of doing administration

System of cadre posts reserved for some services must be reconsidered



MUTHA ASHOK JAIN

A RECENT report about the Haryana government's order appointing an IPS officer as principal secretary (transport) — a cadre post of the IAS — being resisted by the Home Department of the state government got me thinking about the concept of cadre posts in Indian administration. We have a system where certain posts, both at the Centre and in states, are reserved for certain services by declaring them as cadre posts. For example, a collector in any district has to be from the IAS. Similarly, a superintendent of police will always be from the IPS. This goes right up to the top of the state administrative structure where the chief secretary is from the IAS and the director-general of police from the IPS. As long as applied to field formations, this system has some merit and has served the country well. However, the concept of declaring certain posts as exclusive cadre posts reserved for a particular service has set off a competition where every service wants to get as many posts as possible declared as exclusive cadre posts, which can be occupied by its members only. This has resulted in exclusionary behaviour by all services to keep members of other services away. The recent case in the Supreme

Court between CAPF officers and IPS officers is but one such example.

The consequences of this exclusionary practice have been far-reaching.

First, it acts as a glass ceiling for all the members of a service, whatever the skill set possessed by an individual member and hence, acts as a de-motivator. Second, since officers from a particular service have to be posted to a particular post, less than optimal choices often have to be made with the full knowledge that a net cast wider may be better from a national perspective.

Third, it creates strange anomalies where batchmates from the same examination are promoted slower or faster just because they belong to different services, not because they are less or more competent. The heartburn this causes is a loss to the nation ultimately. Fourth and most importantly, it prevents the government from optimally utilising the talent it possesses, especially when the government feels that there is a talent gap that it seeks to fill by hiring from the private sector. Finally, it makes all the services top-heavy because, in the absence of lateral movement, all members remain within the core functional

area and hence need to be promoted periodically, mostly simultaneously.

Every service has a core role for which it has been trained. For example, a customs officer is trained differently than a police or income tax officer. However, some people outgrow their core functional areas and pick up new skills along the way. However, the system of cadre posts ensures that they cannot fully express the skills that they may have developed. And the nation does not benefit from the skills possessed by these officers, which are acquired at the taxpayer's cost. By declaring all senior positions as cadre posts, we seem to have killed the fluidity and nimbleness needed to face the challenges of a fast-changing world. It also gives the different services a handle to keep others away from their turf through legal challenges.

We need to examine whether the concept of cadre posts has benefitted the nation or has been counter-productive. On the face of it, it does not seem to be a good human resource management practice as it reduces the universe of available choices. It may not be advisable to completely do away with the concept as we need specialised and trained departmental officers to man the bottom and mid-

dle of the administrative pyramid. Beyond that level, we may like to either make posts cadre-neutral or at the least make multiple services with relevant experience eligible for the post — a way of widening the talent pool available for the cadre post. Objective criteria rooted in domain knowledge can go a long way in making the selection process more meaningful in either of the two models.

The concept of cadre posts is just one example of archaic ideas that create entry barriers, thwart competition and impact our administrative efficiency. Many of them have outlived their utility but continue because they help the services protect their turf. It is high time we identify similar limiting concepts in our administrative dogma and seriously review them in the light of enlightened HRM practices. We need to bring the concept of "ease of doing business" into our administrative thought and practices. Only then we can optimally harness the talent pool that we abundantly possess, both inside and outside the government.

The writer is a serving officer. Views are personal