

## **PREFACE**

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**ഭൂമിയുടെ അവകാശികൾ അന്തരീക്ഷം**

ഡോ.ഉമ്മൻ വി.ഉമ്മൻ

എല്ലാ വർഷവും ഏപ്രിൽ 22 ന് അന്താരാഷ്ട്ര ഭൗമദിനമായി ആചരിക്കുന്നു. പരിസ്ഥിതി സംരക്ഷണ മുന്നേറ്റം വ്യാപിപ്പിച്ചു കൊണ്ട്, ആരോഗ്യപൂർണ്ണവും, സുസ്ഥിരവുമായ പരിസ്ഥിതിയിലൂടെ, കാലാവസ്ഥാ വ്യതിയാനത്തെ ചെറുത്ത് തോൽപ്പിച്ചു വരുത്തലുമുറക്കുവേണ്ടി ഭൂമിയെ സംരക്ഷിക്കുക എന്ന ഉദ്ദേശ്യത്തോടുകൂടിയാണ് 1970 മുതൽ ഭൗമദിനം ആചരിച്ചു വരുന്നത്.

മനുഷ്യനുൾപ്പെടെയുള്ള വിവിധ ജീവജാലങ്ങളുടെ ആവാസകേന്ദ്രമായ ഭൂമി എല്ലാവർക്കും മാതൃസങ്കല്പമാണ്. അതുകൊണ്ട് തന്നെയാണ് ഐക്യരാഷ്ട്ര സഭയുടെ ജനറൽ അസംബ്ലി 2009 മുതൽ, ഏപ്രിൽ 22 അന്താരാഷ്ട്ര ഭൗമദിനമായി കണക്കാക്കി വരുന്നത്. ഭൗമദിനാചരണത്തിന്റെ സുപ്രധാന ലക്ഷ്യമായ സുസ്ഥിരവും ആരോഗ്യപൂർണ്ണവുമായ പരിസ്ഥിതി എന്ന ആശയം യാഥാർത്ഥ്യമാകണമെങ്കിൽ, കഴിയുന്നത്ര മരങ്ങൾ വെച്ചുപിടിപ്പിച്ച് ഭൂമിയെ ഹരിത വൽക്കരിക്കുകയാണ് വേണ്ടത്.

**മരമാണ് പരിഹാരം**

നാം ഇന്ന് നേരിട്ട് കൊണ്ടിരിക്കുന്ന ആഗോളതാപനം, കാലാവസ്ഥാ വ്യതിയാനം തുടങ്ങിയ പ്രതിഭാസങ്ങളെ ലഘൂകരിക്കാൻ മരങ്ങൾക്ക് മാത്രമാണ് സാധിക്കുന്നത്. അവ അന്തരീക്ഷത്തിലെ അമിതമായ കാർബൺ ഡൈയോക്സൈഡിനെ സ്വംശീകരിക്കുന്നതിനോടൊപ്പം, നൈട്രജൻ ഓക്സൈഡ്, അമോണിയ, സൾഫർഡൈയോക്സൈഡ്, ഓസോൺ തുടങ്ങിയ വിഷ വാതകങ്ങളെയും, പൊടിപടലങ്ങളെയും ആഗിരണം ചെയ്യുന്നതിലൂടെ നമുക്ക് ശുദ്ധമായ വായു പ്രദാനം ചെയ്യുന്നു. ഓരോ മരവും നിരവധി ജീവജാലങ്ങളുടെ ആവാസകേന്ദ്രം കൂടിയായതിനാൽ മരങ്ങൾ വെച്ചുപിടിപ്പിക്കുന്നതിലൂടെ മറ്റനേകം ജീവജാലങ്ങളും സംരക്ഷിക്കപ്പെടുന്നു. അതുകൊണ്ടുതന്നെയാണ് 2016-ലെ ഭൗമദിനത്തിന്റെ മുഖ്യ വിഷയമായി മരങ്ങൾ ഭൂമിക്കായി എന്ന ആശയം തിരഞ്ഞെടുത്തത്. 2016 മുതൽ അഞ്ചു വർഷക്കാലയളവിൽ 7.8 ബില്ല്യൺ



മരങ്ങൾ ഭൂമുഖത്ത് വെച്ചുപിടിപ്പിക്കുക എന്നതാണ് ഇതിലൂടെ പ്രധാനമായും ഉദ്ദേശിക്കുന്നത്.

**പരിസ്ഥിതി കാലാവസ്ഥാ സാക്ഷരത**

2017 ലെ അന്താരാഷ്ട്ര ഭൗമദിനത്തിലെ പ്രധാന പ്രചരണ വിഷയം പരിസ്ഥിതി കാലാവസ്ഥ സാക്ഷരതയാണ്. നിലവിലെ പാരിസ്ഥിതിക സാഹചര്യം ആവശ്യപ്പെടുന്നതും അതുതന്നെയാണ്. പ്രത്യേകിച്ചും നമ്മുടെ സംസ്ഥാനത്ത്. പരിസ്ഥിതി സംരക്ഷണത്തെക്കുറിച്ചും, കാലാവസ്ഥാ വ്യതിയാനത്തെക്കുറിച്ചും അതുമൂലം ഭൂമിക്കുണ്ടാകാവുന്ന ഭീഷണികളെക്കുറിച്ചും, ജനങ്ങൾ ബോധവാന്മാരായിരിക്കണം. കേരളത്തിൽ നിലവിലെ പാരിസ്ഥിതിക സാഹചര്യത്തിൽ ഒരു പരിസ്ഥിതി- കാലാവസ്ഥാ സാക്ഷരതാ യജ്ഞം തന്നെ ആവശ്യമാണ്. സുഖകരമായ കാലാവസ്ഥ കൊണ്ടും ജൈവ സമ്പന്നത കൊണ്ടും അനഗ്രഹീതമായിരുന്ന കേരളം ഇന്ന് വരൾച്ച, കുടിവെള്ള ക്ഷാമം, ശുദ്ധജല ദൗർലഭ്യം, തനതു ആവാസവ്യവസ്ഥകളുടെ ശോഷണം തുടങ്ങിയ പാരിസ്ഥിതിക പ്രശ്നങ്ങൾ അഭിമുഖീകരിക്കുകയാണ്. കടുത്ത ചൂടുള്ള പ്രദേശങ്ങളിൽ കണ്ടു വരുന്ന പല ദേശാടന പക്ഷികളും നമ്മുടെ നാട്ടിലും എത്തിത്തുടങ്ങിയതായുള്ള കണ്ടെത്തലുകൾ സൂചിപ്പിക്കുന്നത്, പരിസ്ഥിതി സംരക്ഷണത്തിൽ കേരള ജനത ഉണർന്നു പ്രവർത്തിക്കേണ്ട സമയമായി എന്നുള്ളതാണ്. പരിസ്ഥിതി- ജൈവ ആവാസ വ്യവസ്ഥകളുടെ സംരക്ഷണാർത്ഥം ഒരു ജനകീയ മുന്നേറ്റം നിലവിലെ സാഹചര്യത്തിൽ അനിവാര്യമാണ്. മനുഷ്യനുൾപ്പെടെയുള്ള സകല ചരാചരങ്ങൾക്കും നിലനിൽപ്പിനാവശ്യമായ ഭക്ഷണം, ജലം, ഔഷധങ്ങൾ, വാസസ്ഥലം, മാറിമാറി വരുന്ന ഋതുഭേദങ്ങൾ, പോഷകഘടകങ്ങൾ എന്നിവയെല്ലാം പ്രകൃതിയിലൂടെ പ്രദാനം ചെയ്യുന്ന ഗ്രഹമാണ് നമ്മുടെ ഭൂമി. ജീവജാലങ്ങളും പ്രകൃതിയും തമ്മിലുള്ള പരസ്പരബന്ധമാണ് ഭൂമിയിൽ ജീവന്റെ നിലനിൽപ്പിനാധാരം. പ്രകൃതിയെയും സഹജീവജാലങ്ങളെയും നാം എത്രത്തോളം സംരക്ഷിക്കുന്നുവോ അത്രത്തോളം സംരക്ഷണം അവ നമുക്കും നൽകും. പ്രകൃതിക്കുമേൽ മനുഷ്യന്റെ അനിയന്ത്രിതമായ ഇടപെടലുകൾ കാരണം പ്രകൃതിയുടെ സന്തുലനം താളം തെറ്റി കൊണ്ടിരിക്കുകയാണ്. കാലാവസ്ഥാ



വ്യതിയാനത്തിന്റെ പരിണിതഫലങ്ങളിൽ നമ്മൾ നേരിടുന്ന പ്രധാന വെല്ലുവിളി, കൊടും വരൾച്ചയും ശുദ്ധജലക്ഷാമവുമാണ്. തണ്ണീർത്തടങ്ങളും, മണ്ണും, സൂക്ഷമാണുക്കളും, വനങ്ങളുമെല്ലാം ഒത്തുചേർന്നാൽ മാത്രമേ, ജീവന്റെ നിലനിൽപ്പിന് അത്യന്താപേക്ഷിതമായ ശുദ്ധജലത്തെ മാലിന്യമുക്തമാക്കി പ്രകൃതിയിൽ നിലനിർത്താൻ സാധിക്കുകയുള്ളൂ. ഒരു ആവാസ വ്യവസ്ഥയുടെ ജൈവ സമ്പന്നത കൂടുന്തോറും അവിടത്തെ ജലസ്രോതസുകൾ ശുദ്ധീകരിക്കപ്പെടുമെന്നതാണ് ഗവേഷണങ്ങളിലൂടെ തെളിയിക്കപ്പെട്ടിട്ടുള്ളത്. അങ്ങനെ വരുമ്പോൾ, ദിനംപ്രതി മലീമസമായിക്കൊണ്ടിരിക്കുന്ന നമ്മുടെ നദികളും, താഴുന്ന ഭൂഗർഭ ജലവിതാനവും വെളിപ്പെടുത്തുന്നത് ക്ഷയിച്ചുകൊണ്ടിരിക്കുന്ന ആവാസ വ്യവസ്ഥയെയാണ് പ്രകൃതി വിഭവങ്ങൾ നമ്മുടെ ആവശ്യങ്ങൾക്കുവേണ്ടി വിനിയോഗിക്കാനുള്ളതാണ്. അല്ലാതെ, ഗാന്ധിജി പറഞ്ഞിട്ടുള്ളതു പോലെ നമ്മുടെ അത്യാർത്തിക്കുവേണ്ടിയുള്ളതാകരുത്. മനുഷ്യനുൾപ്പടെ ഭൂമിയിലെ ഓരോ ജീവജാലത്തിന്റെയും നിലനിൽപ്പ് പ്രകൃതിയെ ആശ്രയിച്ചാണ്. ഏതൊരു ജീവിയും പ്രകൃതിയെ ആശ്രയിച്ചു നിലനിൽക്കുന്നതിനോടൊപ്പം അവയുടെ നിലനിൽപ്പിലൂടെ പ്രകൃതിയെയും നിലനിർത്തുന്നു. ഉദാഹരണമായി, മുതാവശിഷ്ടങ്ങളും, വിസർജ്യ വസ്തുക്കളും ഭക്ഷണമാക്കുന്ന ജീവജാലങ്ങൾ ചെയ്യുന്നത് ഏറ്റവും മോശകരമായ പ്രവർത്തിയാണെന്ന് ഒരു പക്ഷേ നമുക്ക് തോന്നാം. എന്നാൽ, ഇത്തരം അവശിഷ്ടങ്ങളെ ഭക്ഷണമാക്കുന്നതിലൂടെ അവ പ്രകൃതിയിലെ പോഷകചംക്രമണം നിലനിർത്തുകയും മണ്ണിനെ പരിപോഷിപ്പിക്കുകയും ചെയ്യുന്നു. അതായത്, നികൃഷ്ടവും അപ്രസക്തവുമായിട്ടുള്ള ഒരു ജീവിവർഗവും പ്രകൃതിയിൽ കാണപ്പെടുന്നില്ല എന്നു സാരം. സൂക്ഷമാണുക്കൾ മുതൽ സസ്തനികൾ വരെയുള്ള പല ജീവജാലങ്ങളുടെയും സംയുക്ത പ്രവർത്തനത്തിലൂടെയും പരസ്പരാശ്രയത്തിലൂടെയുമാണ് പ്രകൃതിയിലെ സംതുലനം സാധ്യമാകുന്നത്. പ്രകൃതിയിലെ ചെറുജീവജാലങ്ങൾ പോലും പ്രകൃതി സംരക്ഷകരായി വർത്തിക്കുമ്പോൾ പ്രകൃതിയിലെ ജീവിവർഗ ശ്രേണിയിലെ ഉന്നത സ്ഥാനത്തുള്ള മനുഷ്യൻ, പരിസ്ഥിതിയെയും ജൈവവൈവിധ്യത്തേയും സംരക്ഷിക്കാൻ പ്രതിബദ്ധനാണെന്നും, ഭൂമിയുടെ അവകാശികൾ നമ്മൾ മാത്രമല്ലെന്നുമുള്ള വസ്തുത വിസ്മരിക്കരുത്.



നമുക്ക് ശ്വസിക്കുന്നതിനുള്ള ശുദ്ധവായു, കുടിക്കുന്നതിനുള്ള ശുദ്ധ ജലം എന്നിവ ലഭിക്കുന്നതിനും കാലാവസ്ഥാവ്യതിയാനത്തെ നേരിടുന്നതിനും നമ്മുടെ പരിസ്ഥിതിയെ സംരക്ഷിക്കേണ്ടതുണ്ട്. പ്രത്യേകിച്ചും, വനങ്ങളെയും, ജലാശയങ്ങളെയും പ്രകൃതിയോടിണങ്ങിയുള്ള ജീവിതരീതി അവലംബിക്കുന്നതിന് പുതു തലമുറയെ സജ്ജമാക്കേണ്ടതുണ്ട്. പരിസ്ഥിതി-കാലാവസ്ഥാ സാക്ഷരതയെന്ന ഈ വർഷത്തെ ഭൗമദിനാചരണസന്ദേശം അതിന്റെ എല്ലാ അർത്ഥത്തിലും ഉൾക്കൊണ്ടുകൊണ്ട്, ജീവിതത്തിന്റെ നാനാ മേഖലകളിലുമുള്ള ജനങ്ങളിലും എത്തിക്കുന്ന തരത്തിലുള്ള പ്രചരണ പരിപാടികൾ ആസൂത്രണം ചെയ്ത് നടപ്പിലാക്കേണ്ടതാണ്. ഒരു വ്യക്തിക്ക് തന്റെ വീടും പറമ്പും പോലെ പ്രധാനമാണ് താൻ അധിവസിക്കുന്ന പരിസ്ഥിതിയുമെന്ന അവബോധം പൊതുജനങ്ങളിൽ ഇത്തരം പ്രചരണ പരിപാടികളിലൂടെ ഉണ്ടാക്കിയെടുക്കേണ്ടതുണ്ട്.

1970 ൽ ആദ്യമായി ഭൗമദിനം യു.എസിൽ മാത്രമാണ് ആചരിക്കപ്പെട്ടതെങ്കിൽ, ഇന്ന്, ലോകമെമ്പാടും ഒരു ബില്ലൂണിൽ കൂടുതൽ ജനങ്ങൾ ഈ ഉദ്യമത്തിൽ പങ്കെടുക്കുന്നുണ്ട്. ഇത്തരം കണക്കുകൾ സൂചിപ്പിക്കുന്നത് വർദ്ധിച്ചു വരുന്ന പരിസ്ഥിതി സംരക്ഷണ പ്രാധാന്യം തന്നെയാണ്. പരിസ്ഥിതിക പ്രശ്നങ്ങൾ ഏറിവരുമ്പോഴാണ് പരിസ്ഥിതി സംരക്ഷണ പ്രാധാന്യം കൂടിവരുന്നത്. ഹരിത വൽക്കരണത്തിലൂടെയും പരിസ്ഥിതി-കാലാവസ്ഥാ സാക്ഷരതയിലൂടെയും ഭൗമദിനാചരണത്തിന്റെ ആത്യന്തികമായ ലക്ഷ്യം നേടിയെടുക്കുന്നതിനു വേണ്ടി നമുക്ക് പരിശ്രമിക്കാം. വരുംതലമുറയുടെയും, പ്രകൃതിയിലെ മറ്റു സഹജീവജാലങ്ങളുടെയും നിലനിൽപ്പിനുവേണ്ടി, നമ്മുടെ ശീലങ്ങളും പ്രവർത്തികളും മാറ്റിക്കൊണ്ട്, പ്രപഞ്ചത്തിലെ ഏക ജീവഗ്രഹമായ നമ്മുടെ ഭൂമിയെ സംരക്ഷിക്കുന്നതിനായി ഓരോ മനസ്സോടെ പ്രവർത്തിക്കാം.

**സമകാലിക ജനപഥം,**  
**ഏപ്രിൽ 2017.**





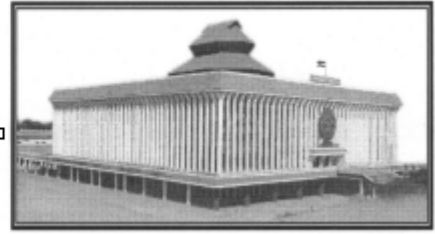
### **റോഡപകടങ്ങൾ ഉണ്ടാകുന്നത്**

കേരളം നേരിടുന്ന ഗുരുതരമായ സാമൂഹിക വിപത്തായി റോഡപകടങ്ങളും അതുമൂലമുണ്ടാകുന്ന കഷ്ടനഷ്ടങ്ങളും മാറിയിരിക്കുന്നു. പ്രകൃതി ദുരന്തങ്ങളെയും പകർച്ചവ്യാധികളെയും തോൽപ്പിക്കുംവിധം അവ മനുഷ്യജീവൻ ഭീഷണി ഉയർത്തുന്നു.

**സഞ്ജയ് ആർ.ജെ.**

ലോകമൊട്ടാകെ പ്രതിവർഷം 13.5 ലക്ഷത്തോളം ആളുകൾ റോഡപകടങ്ങളിൽ മരണപ്പെടുകയും അഞ്ചുകോടിയിലധികം ആളുകൾക്ക് പരിക്കേൽക്കുകയും ചെയ്യുന്നു. ഇന്ത്യയിൽ വർഷംതോറും അഞ്ചു ലക്ഷത്തോളം അപകടങ്ങളിൽ 1.5 ലക്ഷത്തോളം ആളുകൾക്ക് പരിക്കേൽക്കുകയും ചെയ്യുന്നു. ലോകത്തെ മൊത്തം വാഹനങ്ങളുടെ ഒരു ശതമാനം മാത്രമുള്ള ഇന്ത്യയിലാണ് ആറു ശതമാനം അപകടങ്ങളും അപകടമരണങ്ങളുടെ 12 ശതമാനവും നടക്കുന്നത്. നമ്മുടെ സംസ്ഥാനം നേരിടുന്ന ഗുരുതരമായ സാമൂഹിക വിപത്തുകളിൽ പ്രധാനമായത് റോഡപകടങ്ങളും അതുമൂലമുണ്ടാകുന്ന കഷ്ടനഷ്ടങ്ങളുമാണ്. പ്രകൃതി ദുരന്തങ്ങളേക്കാളും പകർച്ചവ്യാധികളേക്കാളും മനുഷ്യ ജീവൻ ഭീഷണിയായി റോഡപകടങ്ങൾ മാറി കഴിഞ്ഞു. ഉത്പാദന ശേഷിയുള്ള ജനവിഭാഗങ്ങളുടെ (20-60 വയസ്സുവരെ) മരണകാരണങ്ങളിൽ പ്രധാന പങ്ക് റോഡപകടങ്ങൾ വഹിക്കുന്നു. റോഡപകടങ്ങൾ മൂലം സംസ്ഥാനത്തിനുമുണ്ടാകുന്ന സാമ്പത്തിക നഷ്ടം ഏകദേശം 6000 കോടി രൂപയാണെന്ന് കണക്കാക്കപ്പെട്ടിരിക്കുന്നു. അമിതമായ വാഹനപ്പെരുപ്പവും അടിസ്ഥാന സൗകര്യങ്ങളുടെ അപര്യാപ്തതയും റോഡപകടങ്ങളുടെ കാരണമായി കാണാമെങ്കിലും അറിവില്ലായ്മ, നിയമം ലംഘനത്തിനുള്ള താല്പര്യം, അമിതാവേശം, ശ്രദ്ധക്കുറവ് എന്നിവയാണ് പ്രധാനകാരണമെന്ന് പഠനങ്ങൾ തെളിയിക്കുന്നു.

റോഡപകടങ്ങളിൽ കേരളം രാജ്യത്ത് അഞ്ചാം സ്ഥാനത്ത് നിൽക്കുന്നു. നിലവിലുള്ള റോഡപകടങ്ങളിൽ ശരാശരി 12 പേർ മരണപ്പെടുകയും നൂറുവതോളം പേർക്ക് വലുതും ചെറുതുമായ പരിക്കേൽക്കുകയും ചെയ്യുന്നു.



കഴിഞ്ഞ വർഷം റോഡപകടങ്ങളിൽ 4769 പേർ മരിക്കുകയും 54151 പേർക്ക് പരിക്കേൽക്കുകയും ചെയ്തിട്ടുള്ളതായി കാണാം. ഇത് കഴിഞ്ഞ വർഷങ്ങളിലേക്കാൾ കൂടുതലാണ്. ഇവയിൽ 36 ശതമാനവും ഇരുചക്ര വാഹനാപകടങ്ങളാണ്. മരണപ്പെടുന്നവരിലും പരിക്കേൽക്കുന്നവരിലും 33 ശതമാനവും ഇരുചക്രവാഹനയുപയോക്താക്കളാണെന്ന് കാണാൻ കഴിയും. കൂടാതെ റോഡപകടങ്ങളിൽ മരണപ്പെടുന്നവരിൽ 40-60 ശതമാനം വരെ കാൽനട യാത്രക്കാരും അവരിൽ 14 ശതമാനം 15 വയസ്സിൽ താഴെയുള്ളവരാണെന്നതും പ്രശ്നത്തിന്റെ ഗൗരവം കാണിക്കുന്നു.

**ആറ് പ്രധാന കാരണങ്ങൾ**

- ◆ വാഹനങ്ങളുടെ എണ്ണപ്പെരുപ്പം
- ◆ റോഡിൽ ഉൾക്കൊള്ളാവുന്നതിലധികം പലതരത്തിലുള്ള വാഹനങ്ങൾ തിങ്ങി ഞെരുങ്ങി സഞ്ചരിക്കുന്നത്
- ◆ റോഡിന്റെ സാങ്കേതിക ന്യൂനതകൾ
- ◆ ഡ്രൈവർ വരുത്തിവയ്ക്കുന്ന പിഴവുകൾ
- ◆ മറ്റ് റോഡുപയോക്താക്കൾ അലക്ഷ്യമായി റോഡുപയോഗിക്കുന്നത്.
- ◆ പ്രകൃത്യാലുള്ള കാരണങ്ങൾ

എല്ലാ പ്രധാന റോഡപകടങ്ങളും നാറ്റ്പാകിന്റെ ടീം പരിശോധിക്കുന്നുണ്ട്. വാഹനത്തിന്റേതു മാത്രമായി സംഭവിക്കുന്ന അപകടങ്ങൾ രണ്ട് ശതമാനത്തിൽ താഴെയാണ്. റോഡിന്റെ അപാകത കൊണ്ട് മാത്രം നടന്നിട്ടുള്ള അപകടം അഞ്ച് ശതമാനത്തിൽ താഴെ മാത്രമാണ്. 80 ശതമാനം അപകടങ്ങളും നടന്നിട്ടുള്ളത് ഡ്രൈവറുടേയോ കാൽനടയാത്രക്കാരുടെയോ അശ്രദ്ധ കാരണമാണ്. അതുപോലെ പെട്ടെന്നുണ്ടാകുന്ന മഴ അതുകാരണമുണ്ടാകുന്ന ഹൈഡ്രോ പ്ലാനിംഗ് തുടങ്ങിയവ പ്രകൃതിപരമായ കാരണങ്ങൾ കൊണ്ടും അപകടങ്ങൾ ഉണ്ടാകാറുണ്ട്.





**വാഹനപ്പെരുപ്പം കേരളത്തിൽ**

കേരളത്തിൽ ഓരോ അഞ്ച് വർഷം കൂടുമ്പോഴും വാഹനങ്ങൾ ഇരട്ടിക്കുന്നതായി കാണാം. കേരളത്തിൽ 1980-ൽ 1.75 ലക്ഷം വാഹനങ്ങൾ ഉണ്ടായിരുന്നത് 1995 ആയപ്പോഴേക്കും 3.2 ലക്ഷമായി 2000 ൽ 19,10,237 വാഹനങ്ങളായി 2005 ൽ 30,00,000 വാഹനങ്ങളായി. ഓരോ ദിവസവും 600 പുതിയ വാഹനങ്ങൾ രജിസ്റ്റർ ചെയ്യപ്പെടുന്നു. ഇരു ചക്രവാഹനങ്ങളുടെയും സ്വകാര്യ വാഹനങ്ങളുടെയും വലിയ വർധനവ് കാണാം.

**വാഹന സംബന്ധമായ കാരണങ്ങൾ**

- ◆ ബ്രേക്കിന്റെ തകരാറുകൾ
- ◆ താഴ്ന്ന നിലയിലുള്ള പ്രകാശ സംവിധാനം
- ◆ തേഞ്ഞുപോയ ടയറുകൾ
- ◆ ടയറുകളിൽ വായുവിന്റെ കുറവ്
- ◆ ഇരുചക്രവാഹനങ്ങളിലെ യാത്രക്കാർ ഹെൽമറ്റ് ഉപയോഗിക്കാത്തത്.
- ◆ ഗതാഗതത്തിലെ പ്രശ്നങ്ങൾ
- ◆ വേഗത കുറഞ്ഞതും കൂടിയതുമായ വാഹനങ്ങൾ ഓരോ പാതയിൽ ഇടകലർന്ന് പോകുന്നു.
- ◆ പാതകൾക്ക് വഹിക്കാൻ കഴിയാത്തതിനേക്കാൾ ട്രാഫിക് കൂടുതലാണ്.
- ◆ അമിത ട്രാഫിക് നിയന്ത്രണത്തിലുള്ള അസൗകര്യം.
- ◆ ഇടവഴിയിലുള്ള അച്ചടക്കലൊഴിവാക്കലും
- ◆ അനുചിതമായ ഓവർടേക്കിംഗ്.
- ◆ റോഡിന്റെ അപാകത
- ◆ ഇടുങ്ങിയ പാതകൾ
- ◆ പാതയുടെ ഇരുവശങ്ങളിലും നിർമ്മിതി വസ്തുക്കൾ കൂട്ടി വയ്ക്കുന്നു.



- ◆ റോഡിന്റെ ഇരു വശങ്ങളിലുള്ള നടപ്പാതകളിലുള്ള കുഴി.
- ◆ പാതയുടെ അനുചിതമായ അടയാളപ്പെടുത്തൽ.
- ◆ ഡ്രൈവറുടെ അപകടകൾ
- ◆ വാഹനം ഓടിക്കാനുള്ള കഴിവ്
- ◆ പ്രവർത്തി പരിചയക്കുറവ്
- ◆ ഗതാഗതനിയമങ്ങളെക്കുറിച്ചുള്ള അറിവിന്റെ കുറവ്
- ◆ സഹയാത്രകരുടെ സുരക്ഷയെക്കുറിച്ച് കരുതലില്ലാത്തത്.
- ◆ മദ്യപിച്ച് വാഹനം ഓടിക്കുന്നത്, മയക്കുമരുന്നിന് അടിമപ്പെടുന്നതും
- ◆ ക്ഷീണവും, വിശ്രമക്കുറവും ദീർഘദൂരയാത്രയും.

**ഹൈഡ്രോ പ്ലാനിംഗ്**

റോഡ് മഴ നനഞ്ഞിരിക്കുമ്പോൾ 50 കി.മി. സ്പീഡിൽ പോലും വാഹനത്തിൽ തെന്നി വീഴാം, കാഴ്ചക്കുറവ് വരാം, റോഡ് മഴയിൽ ഒലിച്ചു പോകാം.

**എങ്ങനെ ഒഴിവാക്കാം**

റോഡപകടങ്ങളിൽ വാഹനങ്ങൾ കൊണ്ട് മാത്രമുള്ളവ വളരെ കുറവാണ് പുതിയ തലമുറ വാഹനങ്ങൾ നിരത്തിൽ വൻതോതിൽ വന്നു കൊണ്ടിരിക്കുന്നു. റോഡിന് ആവശ്യമായ കേംബർ, സൂപ്പർ എലിവേഷൻ, ആവശ്യമുള്ള ദൂരകാഴ്ച എന്നിവ ഇല്ല. മൂന്നര മീറ്റർ വീതിയുള്ള ഒറ്റവരി റോഡിന് 2000 ൽ താഴെ മാത്രമേ വാഹനങ്ങളെ വഹിക്കാൻ ശേഷിയുള്ളൂ. ഇത് ഒരു പക്ഷേ അഞ്ചര മീറ്റർ വീതിയുള്ള ഇന്റർമീഡിയേറ്റ് ലൈൻ ആയി വികസിപ്പിച്ചാൽ 5000 വാഹനത്തോളം വഹിക്കാൻ ശേഷികൂടും. അത് വീണ്ടും ഏഴര മീറ്റർ ആക്കി ഇരട്ട വരി അടിസ്ഥാനമാക്കിയാൽ പതിനയ്യായിരത്തോളം വാഹനങ്ങളെ ദിവസവും വഹിക്കുവാനുള്ള ശേഷി ഉണ്ടാകും. നാലു വരി അടിസ്ഥാനമാക്കിയാൽ അതിന്റെ മൂന്നിരട്ടി ശേഷി കൂടും. വളരെ ദൂരത്ത് വെച്ച് തന്നെ വാഹനങ്ങൾ പരസ്പരം



കാണുന്ന രീതിയിൽ റോഡിലെ വളവുകൾ ക്രമീകരിക്കണം. കാഴ്ചയെ മറയ്ക്കുന്ന രീതിയിൽ മതിലുകൾ കെട്ടി പൊക്കുക, വൃക്ഷങ്ങൾ പടർന്ന് പന്തലിക്കുക, കെട്ടിടങ്ങൾ നിർമ്മിക്കുക എന്നിവ പാടില്ല.

**ഡ്രൈവർമാരുടെ ശ്രദ്ധയ്ക്ക്**

- ◆ ശാരീരിക ക്ഷമതയുണ്ടായിരിക്കണം.
- ◆ മാനസികാരോഗ്യമുണ്ടായിരിക്കണം.
- ◆ രാത്രികാലങ്ങളിൽ വണ്ടിയോടിക്കുമ്പോൾ വേണ്ടത്ര വിശ്രമം ഉണ്ടായിരിക്കണം.
- ◆ വാഹനം നിരത്തിലിറക്കാനുള്ള രേഖകൾ ഉണ്ടെന്ന് ഉറപ്പു വരുത്തുക.
- ◆ വാഹനത്തിന്റെ ബ്രേക്ക്, ഹെഡ് ലൈറ്റ്, ഇൻഡിക്കേറ്റർ മുതലായവ ശരിയായി പ്രവർത്തിക്കുന്നുണ്ടെന്ന് ഉറപ്പുവരുത്തുക.
- ◆ ടയറിന്റെ ത്രഡ്, മർദ്ദം എന്നിവ പരിശോധിക്കുക. ഇവ കൂടിയാലും കുറഞ്ഞാലും കുഴപ്പങ്ങളുണ്ടാകും.
- ◆ വാണിജ്യ വാഹനമാണെങ്കിൽ അതിൽ കൊണ്ടുപോകുന്ന സാധനം എന്താണെന്നും ഭാരം അനുവദിച്ചിരിക്കുന്ന പരിധിയിൽ കവിയാതിരിക്കുവാനും ശ്രദ്ധിക്കുക.
- ◆ അപകടകരമായ വസ്തുക്കൾ ചോർന്ന് മറ്റുള്ളവർക്ക് ജീവനും സ്വത്തിനും നാശം വരുത്താതിരിക്കാനുള്ള മുൻകരുതലുകൾ സ്വീകരിക്കുക.

**പ്രതിരോധ ഡ്രൈവിംഗ്**

- ◆ മുൻപിലും പിറകിലുമുള്ള വാഹനങ്ങളെ സശ്രദ്ധം നിരീക്ഷിക്കുക.
- ◆ മറ്റു ഡ്രൈവർമാർ തെറ്റുകാണിക്കുന്നത് മുൻകൂട്ടി കണ്ടുകൊണ്ട് നേരിടാനനുയോജ്യമായ ഡ്രൈവിംഗ് വൈദഗ്ദ്ധ്യം നേടണം.



- ◆ ഏതു നിമിഷവും അപകടമുണ്ടാകുമെന്ന് പ്രതീക്ഷിച്ച് വാഹനം ഓടിച്ചാൽ അതിനുള്ള സാധ്യത തീരെ കുറയും.
- ◆ തൊട്ടു പിറകിൽ അകലം പാലിക്കാതെ വരുന്ന വാഹനങ്ങളെ കൂടി സംരക്ഷിക്കാനായി മുന്നിൽ വേണ്ടതിൽ കൂടുതൽ അകലം വിട്ട് വാഹനം ഓടിക്കുക.
- ◆ എന്നാൽ റോഡ് പ്രതലം നന്നത്തിരിക്കുന്ന അവസരത്തിൽ ഈ 35 മീറ്റർ അകലം പോരാതെ വരും. ഈ സമയങ്ങളിൽ 50 മീറ്ററിൽ കൂടുതൽ അകലം പാലിക്കുന്നതാണ് ഉത്തമം.
- ◆ സൈഡ് റോഡുകളിൽ കൂടി ഏതെങ്കിലും വാഹനം നിർത്താതെ മുൻപിൽ ഓടിച്ചു വന്നേക്കാം എന്നുള്ള തിരിച്ചറിവുണ്ടാകണം.
- ◆ ഓവർടേക്ക് ചെയ്യാൻ പാടില്ലാത്ത സ്ഥലങ്ങൾ
- ◆ മറ്റു വാഹനങ്ങൾക്ക് അസൗകര്യമോ, അപകടമോ ഉണ്ടാകാൻ സാധ്യതയുള്ളപ്പോൾ.
- ◆ തുടർച്ചയായ വെള്ള/മഞ്ഞ, ഒറ്റ/ഇരട്ട വരകളിൽ.
- ◆ വൃത്താകൃതിയിൽ നാലും കൂടിയ ജംഗ്ഷനുകളിലെ ട്രാഫിക് ഐലന്റുകൾക്ക് സമീപം.
- ◆ വളവിലോ, മൂലയിലോ, കുനിലോ മറ്റു തടസങ്ങളോ കാരണം മുന്നിലെ റോഡ് വ്യക്തമല്ലാത്തപ്പോൾ.
- ◆ കാൽനടയാത്രക്കാർക്ക് റോഡ് മുറിച്ചുകടക്കുന്നതിനുള്ള സ്ഥലത്തോ കവലകളിലോ, റെയിൽവേ ക്രോസിംഗിലോ.
- ◆ വീതി കുറഞ്ഞ റോഡുകളിൽ
- ◆ നേർ ദിശയിൽ 800 മീറ്റർ കാണാൻ പറ്റാത്ത റോഡുകളിൽ



- ◆ ഇടതു വശത്തുകൂടി.
- ◆ വളവുകളിൽ, പാലങ്ങളിൽ, ജംഗ്ഷനുകളിൽ, മറ്റ് ഓവർടേക്കിംഗ് നിരോധിത മേഖലകളിൽ.
- ◆ സീബ്രാ ക്രോസിംഗിൽ നിന്ന് 30 മീ. പരിധിക്കുള്ളിൽ.
- ◆ മറ്റു ഡ്രൈവർമാരുടെയും കാൽനടയാത്രക്കാരുടെയും തെറ്റായ പ്രവൃത്തികളെക്കുറിച്ച് ബോധവാന്മാരായിരിക്കണം.

**കാൽനടക്കാർ ശ്രദ്ധിക്കേണ്ടത്**

വലതു വശം ചേർന്ന് നടക്കണം, കൂട്ടം കൂടി നടക്കരുത്, വളരെ ദൂരത്ത് വെച്ച് വാഹനങ്ങൾ കാണുന്ന രീതിയിൽ കൂട്ടമായി റോഡ് മുറിച്ചു കടക്കണം, വളവിൽ റോഡ് മുറിച്ചു കടക്കരുത്. രാത്രി കളർ വസ്ത്രങ്ങൾ ധരിക്കണം. കാണുക, കാണപ്പെടുക വളരെ ദൂരത്ത് വെച്ചു തന്നെ കാണുകയും കാണപ്പെടുകയും ചെയ്യുക എന്നതാണ് എല്ലാ ട്രാഫിക് നിയമങ്ങളുടെയും അടിസ്ഥാന തത്വം. കുട്ടികൾ റോഡിൽ കളിക്കരുത്, അഞ്ചു വയസിന് താഴെയുള്ള കുട്ടികൾ മുതിർന്നവരുടെ കൈപിടിച്ച് നടക്കണം.

**യാത്രക്കാർ ശ്രദ്ധിക്കേണ്ടത്**

വാഹനങ്ങളിൽ ശ്രദ്ധയോടെ കയറുകയും ഇറങ്ങുകയും ചെയ്യണം. കയ്യും തലയും പുറത്തിടാതിരിക്കുക.

**ട്രാഫിക് എൻഫോഴ്സ്മെന്റ്**

ട്രാഫിക് നിയമം പാലിക്കാത്തവർക്ക് ആ നിമിഷം തന്നെ മുന്നറിയിപ്പ് കൊടുക്കുകയും കുറ്റങ്ങൾ ചൂണ്ടിക്കാണിക്കുകയും വേണം. സ്ഥിരമായുള്ള തെറ്റുകൾക്ക് കടുത്ത ശിക്ഷ കൊടുക്കണം. ഹെൽമറ്റ്, സീറ്റ് ബെൽറ്റ്, മൊബൈൽ ഫോൺ, മദ്യപിച്ച് വാഹനം ഓടിക്കുക തുടങ്ങിയ വീഴ്ചകൾക്ക് ഇൻ്റലിജന്റ് ട്രാൻസ്പോർട്ട് സിസ്റ്റത്തിൻ്റെ സഹായം തേടാം.



**ജനപങ്കാളിത്തം അനിവാര്യം**

സർക്കാർ തലത്തിൽ മാത്രം പ്രവർത്തിപ്പിച്ചുകൊണ്ട് സങ്കീർണ്ണമായ ഈ പ്രശ്നത്തിന് പരിഹാരം കാണാൻ സാധിക്കുകയില്ല. ശാശ്വതമായ പരിഹാരം പൊതുജനപങ്കാളിത്തത്തോടെ മാത്രം സാധിക്കുന്നതാണ്. റോഡ് സുരക്ഷിതത്വം ജനപങ്കാളിത്തത്തോടെ എന്ന ആശയം മുൻനിർത്തി തദ്ദേശവാസികളെ റോഡുപയോഗിക്കുമ്പോൾ ഉണ്ടായേക്കാവുന്ന അപകടസാധ്യതകളെയും പ്രതിവിധികളെയും കുറിച്ചും റോഡും പരിസരവും സുരക്ഷിതമായി സൂക്ഷിക്കേണ്ടത് തങ്ങളുടെ മറ്റുള്ളവരുടെയും സുരക്ഷിതത്വത്തിന് വേണ്ടിയാണ് എന്ന അവബോധം എല്ലാവരിലും ഉണ്ടായാൽ മാത്രമേ അശ്രദ്ധകൊണ്ടോ തെറ്റ് കൊണ്ടോ സംഭവിക്കാവുന്ന ഈ വിപത്തിന് പരിഹാരം കാണാൻ സാധിക്കുകയുള്ളൂ.

**സമകാലിക ജനപഥം,  
ഏപ്രിൽ 2017.**





## **Demonetization in India and its Future Impact on Indian Economy**

**Dr. Swami Prakash Srivastava**

Demonetization of currency means discontinuity of the said currency from circulation and replacing it with a new currency. Most of the people hailed the Modi's strong decision, while poor were shocked by the move. The overnight decision changed the life of many as black money holders were worried about the pile of cash they were sitting on. Many poor daily wage workers were left with no job and income as owners were unable to pay their daily wage. It is no doubt a bold step taken by the government which will definitely help India to become corruption free.

Since our economy is heavily dependent on cash, as only less than half the population uses banking system for monetary transactions, demonetisation has hit. Trade and consumption hard. With people scrambling for cash to pay for goods and services, the move is likely to take a big toll on the country's growth and output during the current fiscal. Consumption makes up for around 56% of India's GDP, hence, a drop in spending will pull down growth. The current step could also lead to behavioural changes in households' savings and their consumption pattern, say economists.

### **Introduction**

When a currency note of a particular denomination ceases to be a legal tender it is termed as demonetisation. But since our government is replacing the old Rs 500 notes with newer ones and doing away with the Rs 1,000 notes, it would be more appropriate to call the move as 'scrapping' or 'phasing out' of certain currency notes.

Demonetisation is a radical monetary step in which a currency unit's status as a legal tender is declared invalid. This is usually done whenever there is a change of national currency, replacing the old unit with a new one. Such a step, for example, was taken when the European Monetary Union nations decided to adopt Euro as their currency. However, the old currencies were allowed



to convert into Euros for a period of time in order to ensure a smooth transition through demonetisation. Zimbabwe, Fiji, Singapore and Philippines were other countries to have opted for currency demonetisation

In India's case, the move has been taken to curb the menace of black money and fake notes by reducing the amount of cash available in the system. It is also interesting to note that this was not the first time the Government of India has gone for the demonetisation of high-value currency. It was first implemented in 1946 when the Reserve Bank of India demonetised the then circulated Rs 1,000 and Rs 10,000 notes. The government then introduced higher denomination banknotes in Rs 1000, Rs 5000 and Rs 10000. In January 1978, the Indian Government had demonetised Rs 1,000, Rs 5,000 and Rs 10,000 notes to counter black money in the economy

### **Demonetisation in India**

On November 8 evening, Prime Minister Modi, in his televised address to the nation, made Rs 500 and Rs 1000 notes invalid, saying that it was aimed at curbing the "disease" of corruption and black money which have taken deep root. People holding notes of Rs 500 and Rs 1,000 can deposit the same in their bank and post office accounts from November 10 till December 30. All notes in lower denomination of Rs 100, Rs 50, Rs 20, Rs 10, Rs 5, Rs 2 and Re 1 and all coins continued to be valid, and new notes of Rs 2,000 and Rs 500 were introduced. There was no change in any other form of currency exchange be it cheque, DD, payment via credit or debit cards etc. Banks and ATMs have witnessed chaos and long queues as cash-starved people jostled to exchange and withdraw money, even as cash dispensing machines went dry soon after they were stocked due to heavy rush.

## **Section II**

### **Review of Literature**

The nation, of course, stands divided in its opinion on whether the drastic measure taken by the government - which has plummeted the country (temporarily, the government argues) into a financial paralysis - was an informed step. We have compiled a list of what some of the country's leading economists and experts have to say. Unsurprisingly, the views are divided.





**Experts and Economists who are against Demonetisation :**

Amartya Sen: Only an authoritarian government can calmly cause such misery to the people - with millions of innocent people being deprived of their money and being subjected to suffering, inconvenience and indignity in trying to get their own money back.

Kaushik Basu: Leading economist; Senior Vice-President and Chief Economist at The World Bank; Anyone seeking to convert more than Rs 250,000 must explain why they hold so much cash, or failing that, must pay a Penalty. This requirement, has already spawned led a “new black market to service people wishing to off load: Large amounts of illicit cash are broken into smaller blocks and deposited by teams of illegal couriers.

Arun Jaitley: Finance Minister of India; A lot of money that operates in the shadow economy will now become a part of the banking structure itself. Banks will have a lot more money to support the economy. Private sector investment, which was so far lacking, will now get back into the economy. The banks which were struggling because of the NPA problem will have a lot more money to lend for agriculture, infrastructure sector, social sector, trade and industry.”

Bibek Deb Roy: Member of the Niti Ayog; There have been several arguments pitched by economists as to why the different denomination notes vary in sizes. The difference in sizes are delaying the printing and therefore taking longer to circulate within the country.

Arvind Virmani: Former Chief Economic Adviser, GOI; This is a useful method of flushing out black money, given that a large percentage of cash holding is in these two denominations. The manner in which it was implemented is not surprising - such actions are always secret till announced, so that insiders do not take advantage of the information at the cost of the outsiders.

Urjit Patel-RBI Governor; The Demonetisation decision was taken after detailed deliberations and not in haste, while nearly Rs 11.85 lakh crore or 80% of junked notes have come into the system

Amit Shah: The demonetization move has given a hard blow to terrorism. The terror organisations have been left penniless. The country needed a surgery to cure it from the cancer of black money and the present Central government has done that.



Anna Hazare : This revolutionary step will curb black money, corruption and terrorism funding to a large extent. The previous governments never showed the will to crackdown on black money. The present dispensation has taken a bold step and this will strengthen the democracy.

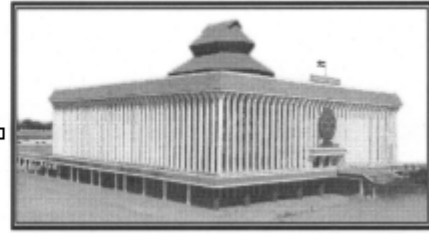
New York Times; The decision to scrap the old Rs 500 and Rs 1,000 notes had thrown the economy into turmoil. The Government did not appreciate the extent of the pain it would inflict. The government has begun circulating new 500 and 2,000 rupee notes, which means that cash based corruption and tax evasion are almost sure to return as people accumulate the new bills.

Venkaiah Naidu- Parliamentary Affairs Minister; The government recognises this is a problem but it is attempting to paper it over by invoking the spirit of voluntarism and sacrifice. We are told that a measure of “inconvenience” is necessary for the nation; temporary pain is “for larger gain .. “

### **Section III**

#### **Present status of demonetisation in India**

Historians will likely mark the current ‘cash chaos’ as one of the defining moments in independent India. Millions of Indians are making their way to banks to line up and exchange their useless Rs 500 and Rs 1000 notes; those in cities are luckier to find banks and ATMs within reasonable distance but they end up waiting for hours nonetheless. In rural areas, where 833 million Indians or 69% of the population lives, the journeys will be long and arduous. Three in four rural households have incomes less than Rs 5,000 per month but there is a strong likelihood that a majority of them have a Rs 500 note that they need to change. To take a different angle, India has around 248 million households. Even if you assume that 50 million households (200 million people at an average of four per unit) are too poor to have a Rs 500 note, that is still around 200 million journeys to the bank that need to be immediately made. Members of families will be going to banks more than once before the end of December; millions are thus setting off in India and trudging in different directions, looking for cash just because the government made them. This is a time when all of India is being socialised by everyday experience to understand, interpret and, in many cases, disapprove of the NDA’s policy of demonetisation.



## **Section IV**

### **Demonetisation Cost and Volume of Currency Notes**

As on March 31, 2016, 86% of the Value of currency notes issued were in demonetisations of Rs 500 (48% )and Rs 1,000 (38%) involving 1,571 crore pieces of Rs 500 and 633 crore pieces of Rs 1,000 denominaton respectively. Till the October 2016, the volume grew by 5.6% .So , that means the government’s measures of November 8 impounded about 1,658 crore Rs 500 notes and 668 crore of Rs 1,000 notes-a total of Rs 2,327 crore pieces of currency notes worth about Rs 15 lakh crore. When 86% of value of currency in circulation in an economy is impounded overnight ,the inevitable outcome is short term economic contraction .It happened in Indonesia when bank collapsed during the Asian currency crisis and It will happen here-as the hiatus caused by the impounding is unlikely to be short lived .

The production capacity of Bharatiya Reserve Bank Note Mudran Pvt. Ltd. (BRBNMPL) which used to produce Rs 1,000 notes and is now printing the new Rs 2,000 note-is 133 crore places a month on a two shift basis. Even if it can move to three shift working, the maximum output will be 200 crore pieces a month. So, the minimum time for it to replace the value of impounded Rs 1,000 notes by new Rs 2,000 notes will be about two months .That is, at best second half of December 2016.

Now the task of replacing the Rs 500 notes is harder. Security Printing and Minting Corporation of India Ltd- (SPMCIL) is printing the Rs 500 notes. Its capacity is believed to be Rs 100 crore pieces a month .Assuming that BRBNMPL , a combine resources with SPMCIL, after mid December, the time line to replace the existing stock of 1,658 crore pieces of Rs 500 notes will run into may 2017. Currency shortages will remain with us for many months and economic contraction will rule this period. At the end of the period , confidence will be at new lows and recovery will take time. This is aside from the human costs. Demonetisation , whatever its motives , will exact a sizeable and inescapable cost on the economy.



## **Section V**

### **Benami Assets- Transaction Act**

The Benami Act, provides that the benamidar, the beneficial owner and any other person who abets or induces the Benami transaction, shall be punishable with rigorous imprisonment for a period ranging from 1-7 years. The benami amount in the bank account deposited post demonetisation will be seized and confiscated and the accused will also be liable to fine which extends upto 25 per cent of the fair market value of the benami property.

Warning people against depositing their unaccounted old currency in someone else's bank account, the tax department has decided to slap charges under the newly enforced Benami Transactions Act against violators that carries a penalty, prosecution and rigorous jail term of a maximum seven years. In a related development, The department has detected over Rs 200 crore in undisclosed income after it conducted over 80 surveys and about 30 searches. Such instances where the suspicion is found to be true will be prosecuted under the Benami Property Transactions Act, 1988, applicable on both movable and immovable property, that has been enforced from November 1 this year.

The Act empowers the taxman to confiscate and prosecute both the depositor and the person whose illegal money he or she has “adjusted” in their account. The CBDT has asked the Income Tax department to closely monitor all such transactions.. Primarily, the notices will be issued in cases of huge cash deposits beyond the threshold of Rs 2.5 lakh but in cases where a suspicious report is received from the bank or the Financial Intelligence Unit below this threshold will also be investigated. Already some instances have been reported in this regard and the department is set to issue notices under the Benami Act.”

## **Section VI**

### **The Trouble with India's Demonetization Gamble**

The idea of demonetization is good but it has to be taken into consideration that most of the black money is kept in the form of land, buildings or gold or kept abroad. What is in cash constitutes only 4% of the total amount of black money on which taxes are not being paid. Out



of this, a lot of money is in circulation in everyday transaction like if someone is building a house; the bill is not paid through banks for sand, bricks etc. This money goes into the other systems though it has been drawn from bank. These things will come under control with this step. The country is in uproar following the bold and risky move.

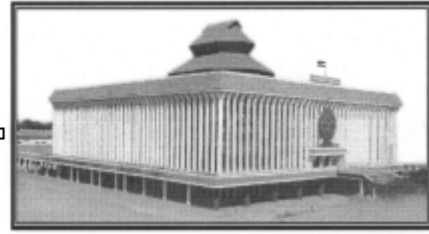
1. Small farmers, sellers, merchants, daily wage labourers and traders are suffering because of lack of proper planning, intelligence and foresight such as recalibration of ATM machines. There was need to pile up enough 100 Rupee notes and other smaller denomination notes in the market before taking this step.

2. Demonetization is an established practice in monetary policy to tackle black money. The Prime Minister has explained why this is a financial surgical strike. It was meant to be suddenly implemented

3. In the past, demonetization has taken place twice but it fails because the idea is to tackle the black money existing in circulation. This is not tackle corruption per se or the Government is not saying that 100% corruption will be tackled. If announcement and time would have been given, this step might not have been successful in controlling black money and counterfeit currency in circulation coming from Pakistan, Nepal or other countries.

4. People are facing problems because the limit of withdrawal has not been kept at a higher level. If this would have been kept at a higher level, there were chances that the recycling of black money might begin. The ideal money in circulation has to come to the banking channels.

5. It is also being said that what is being attempted is replacement of currency and not demonetization itself which was unnecessary. This is a terrible setback for the international standing of the Indian economy. At this time, the economy is struggling with slowdown. There is demand sluggishness in the economy leading to practically no private sector investment and stagnant industrial growth. If we look at the farm sector, this is the harvest time. Farmers generally deal in cash and India is also largely a cash economy. The cash transactions in this economy are far more than the total number of electronic transactions done on a daily basis.



6. In the tribal heartland of the country, the poor people through middlemen are getting their currencies exchanged for Rs.300 or Rs.400 because of lack of proper information which is hitting them.

7. The stock of the black economy constitutes a major part of the GDP is significant. Even if 50% of this amount is withdrawn, the kind of relief that RBI will get on its liabilities and the sort of deposits commercial banks will get will lead to a rise in the deposit and later on there will be decrease in lending rates plus fiscal deficit.

8. The black money in circulation is like a steroid in the economy which keeps the demand going gives a feeling that everything is working well. The problem is that investment is not taking place in the economy and the rate of growth of capital formation is down. The only way to bring this up is to divert more funds into investments which will happen when the cost of capital comes down.

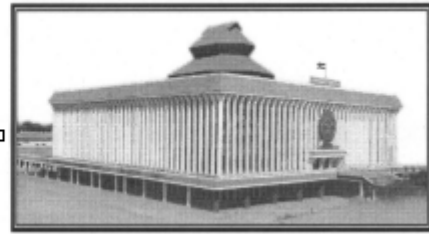
9. The next question that may be raised is the preparedness of the government and the banks regarding implementation of a move of this scale. The argument provided for why this move was announced and administered overnight is that it denies hoarders of black money the chance to dispose of it. While that may appear to be sound logic, it has also apparently impacted the banking system's ability to ensure a smooth transition.

10. Several ATMs across the nation continue to be useless by virtue of not having enough fresh notes, while the ones that are refilled are attacked by painfully long lines and eventually emptied at once.

## **Section VII**

### **Opposition of political parties and Bank Unions on demonstration move**

The chief ministers of the states of Bihar, Andhra Pradesh, Odisha, and Telengana have openly expressed both support and appreciation for this move in the long run, while the chief ministers of Uttar Pradesh, Karnataka, Maharashtra, and West Bengal have expressed varying degrees of criticism and worry at the potentially very harmful short term impacts. Members of the Congress and the Samajwadi Party have violently opposed this move as well. Some leading



Bank Unions have criticized the move as having been. improperly planned - resulting in a severe shortage of Rs.100 notes that in turn ensures that the large tender of the new Rs.2000 notes is rendered useless for routine everyday transactions.

### **Section VIII**

#### **Supreme Court Views on demonetisation**

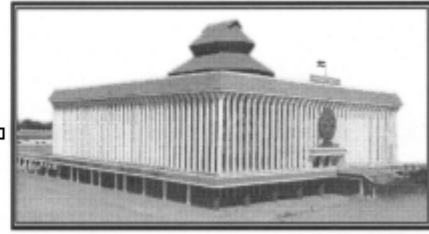
On November 15, the Supreme Court sat down to hear multiple petitions and four Public Interest Litigations regarding this move - some of which requested a complete rollback of this policy due to its severe impact on everyday citizens. The court decided not to stay the decision right then and instead will examine its legal validity before making a decision. After asking the government to file an affidavit justifying its notification, the court adjourned the hearing. Meanwhile, government authorities were also asked to ensure that the average citizen was not deeply impacted by this policy.

### **Section IX**

#### **Impact of Demonetization**

Growth in cash-intensive sectors such as real estate, construction and FMCG is likely to take a hit in the short term as consumers are deferring purchases. However, there is a positive side to the story: over the medium term, there would be benefits through higher government spending and greater financial inclusion. Also, the movement of household savings from physical to financial will help boost growth .. The near-term fall in growth on account of pending slowdown, could push inflation down. Also, an increase in fiscal headroom will allow the government to maintain fiscal discipline, which in turn will support inflation target in the medium term.

This in turn is the major question raised against this policy - who is affected the most? The removal of large sums of legal tender unquestionably affects all individuals who need to engage in cash transactions in some form. Those with access to plastic money are less directly impacted even in the short term, but in both the long and short term, specific sections have been disproportionately hit. Disenfranchised groups who lack the access to ID documents are chief among these.



## **1. Impact on rural people**

Farmers in a few eastern states expressed discontent over the drive. This is the sowing season and the farmers have been adversely hit by the cash crunch. Many of them do not have money to pay labourers. The government needs to come up with more measures to help them - including increasing the limit of Kisan credit card. The way the scheme has been implemented will hurt agricultural growth in our country, will hurt small industry, will hurt all those people who are in the informal sectors of the economy. After all, 90 per cent of our people work in the informal sector, 55 per cent of our workers in agriculture are reeling in distress. The cooperative banking system, which serves large number of people in the rural areas, is non-functional and has been prevented from handling cash. (Dr. Manmohan Singh)

The rural poor who lack the infrastructure to set up deposit accounts and who currently hold all their money in cash form have been directly hit. Even those who do have access to accounts among them struggle with ill prepared banks and post offices, small and dispersed in number, and the need to take off several crucial hours from work - sometimes in vain. The lopsided rural-urban spread of ATMs and bank branches has snuffed out economic activity in rural India, with micro, tiny and small enterprises finding it impossible to get cash in 100 rupee notes for their daily operations. Consider this statistic: every bank branch in a rural and semi-urban centre caters to more than double the number of people in an urban and metropolitan centre. According to a December 2015 Reserve Bank of India report on “financial inclusion in India”, each rural and semi-urban bank branch serves 12,863 people compared with an urban and metropolitan branch which serves just 5,351 people.

## **2. Impact on Refugees**

Refugees who lack the requisite documents to create accounts are also now seeing months of savings potentially vanish, as they still lack mechanisms to access the banking sector. Socially ostracized communities who are again disproportionately cut off from the banking systems - like transgender communities and sex workers - are other immediate victims. This is in addition to the fact that the government may have over-estimated the existing levels of connectivity to banking.





### **3. Impact on Real Estate**

In the short term some sectors such as retail and construction will be adversely hit. In some of the northern and western states, for instance, the construction sector has witnessed a revenue dip by up to 30%. The demonetization scheme is likely to provide the much needed transparency to the real estate sector thus leaving a positive impact on the buyers. As always said, roti, kapda makan being the basic demand for any human being, the housing sector of India, employing the second largest workforce and contributor to GDP, has felt the pressure of demonetization too owing to the huge amount of cash flows in residential, commercial and office space sector. On the flip side, demonetization will exert a bright and promising future.

Realty business works on high capitals as majority of cash is used in purchase of land and material costs. At times, it is also alleged that huge amount of unaccounted cash is traded between the buyer and the trader, especially, in the high end sale of properties. However, after the demonetization the realty companies in all probabilities have to turn towards funding from sources like FDI, non banking finance companies or private equity funding from institutions leading to transparency. FDI was allowed in the realty sector by the central government.

### **4. Impact on Naxal and Terrorism Funds**

Demonetisation will finish off Naxal funds. All the extortion money in Rs 500 and Rs 1000 notes that they have collected over the years will go waste now. A large part of the cash which they have kept with them will now become dead money. This will weaken the naxals in a big way financially and they will feel its impact while buying new arms and ammunition and also in planning future activities. Demonetisation is a big step towards ending Naxalism and Terrorism.

### **5. Impact on Tourism**

Foreigners are restricted to exchanging currency up to only Rs 5000 per week. They want to spend, but Rs 5000 is way too little for them. So, they are either postponing their trips or are cancelling them. There has been at least a 24-30% decline in both outbound and inbound travel. Demonetisation has also thrown up a whole bunch of obstacles for tourists travelling in India. For instance, lack of point-of-sale machines at monuments, long queues for forex at



airports due to fewer counters are some of the problems they have to face. Online tickets for monuments have to be scanned but there are no scanning machines installed in monuments, however, the situation is expected to get better by February-March 2017.

## **6. Impact on Inflation**

Illicit black money not only finances terrorism but also fuels inflation. There is a possibility that inflation will be contained through demonetisation, especially land and housing prices. Counterfeit currency and black money are largely used in the real estate sector (particularly in unorganised sector and for secondary sales), where prices continuously remained high, due to the presence of black money. It is a known fact that a sizeable portion of the transaction value of land and building is done through black money, which is in currency form. Though some have converted a part of this amount into real assets, demonetisation is a useful tool to address the amount that is kept in currency form. This will reduce the prices of land and houses and thereby act as a blessing to the poor and middle-income groups. Likewise, there are a number of intermediaries in the fishing sector, agricultural sector and service sector with unaccounted money in currency form. Arresting this phenomenon will be beneficial to the society. However, there should be proper institutional reforms to address these issues. Otherwise, demonetisation is not going to produce any wonderful results for the country's economy. Sometimes, a deflationary situation cannot also be neglected which will hamper the economy.

### **Section X**

#### **Black Money and India's Demonetization Project**

The decision to demonetize Rs 500 and Rs 1000 notes is misconceived and will not address the problem of black money for the following reasons:

1. If it is the Government's case that high value denomination currency is used to hoard black money, then the decision to reissue new Rs 500 and Rs 1000 notes does not make sense. Issuing even higher value Rs 2000 note is completely inexplicable and puzzling
2. Black money is generated through evasion of taxes on income from lawful activities and money generated from illegal activities. In the absence of steps to curb the generation of black



money, demonetization is a futile exercise, as it proved to be in 1978.

3. In the last 5 years, IT raids have found that only 5-6% of black money is kept in hard cash. Moreover, those who have amassed sizable black money are equipped to find ways around demonetization by converting their existing cash to bullion, gold jewellery, real estate and foreign currencies through brokers and middle-men. In fact, organized middle-men and touts have already emerged to convert black money into white for a commission.

4. As per the Indian Statistical Institute, Kolkata study done on behalf of the National Investigation Agency (NIA), Rs 400 crores worth of fake currency is in circulation in the Indian economy. This is only .028% of Rs 14,180 billion worth currency demonetised in Rs 500 and Rs 1000 notes

5. Experts including a former RBI Governor and the current Chief Economist of the World Bank have spoken against demonetization

6. 86% of currency in circulation is in Rs 500 and Rs 1000 notes. 97% of all transactions by volume are done in cash. Summary demonetization has created chaos all over the country with people unable to purchase daily essentials and, in many cases, life-saving goods and services, 5 persons, including one infant, have died as a direct result of the impact of demonetization

7. Only about 30% of the Indian population has access to the banking system as per data compiled by the banking division of the finance ministry. Moreover, the distribution of banks is highly skewed with a third of all bank branches in only 60 Tier 1 and Tier 2 cities/towns. Consequently, people in rural India who often also suffer from inadequate information have become the worst victims of demonetisation.

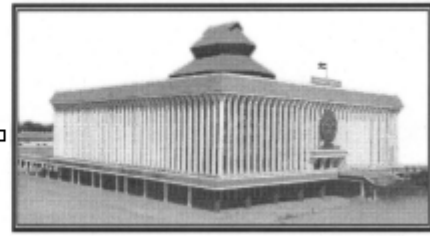
8. Reports have started coming in of digital payment systems unable to keep up with the new volume of transactions with credit and debit card servers also going down.

9. All currency has value only because of the inherent trust in the banking system. Summary demonetization has shaken this trust and will likely impact India's economy well beyond the initial and widespread chaos.



It is evident that demonetisation will not achieve its stated intent of inating black money but has thrown the entire country's economic system in disarray. Related developments also call into question Government's intentions and need clarification:

1. Rs 1.14 lakh crore of bad debts has been waived by Government banks in the last 3 years. At the same time, loans worth lakhs of crores of rupees are still outstanding. Why has the Government not made public the names of the beneficiaries of the waiver and the names of the big defaulters, both individuals and corporations.
2. A key campaign promise was to bring back black money stashed abroad and deposit Rs 15 lakh each from the proceeds in the account of every citizen. Why has the Government not made public the names held by it of Indian account holders in offshore banks?
3. Why did the Government announce that cash deposits higher than Rs 2.5 lakh will be scrutinised against the tax return with 200% penalty for any tax evasion? This appears to be intended to dissuade people from depositing money so that the Government can claim success of demonetisation and forewarn people to split their deposits among different accounts and different depositors.
4. All conversions can be done only after filling a form and attaching ID proof. This has led to major harassment of poor and illiterate people and those who do not have an identity card.
5. It has been estimated that the cost of replacing currency in circulation with new Rs 500 and Rs 2000 notes will be Rs 20,000 crore. Besides, far greater losses will be incurred by markets predominantly run on cash and the participants (wholesale markets, retail stores, street-vendors, transportation etc) and in lost productivity.
6. Even if the Government was intent on demonetisation, why was it not implemented after careful planning: new notes printed, arrangements made for distribution, ATMs recalibrated etc? [It has been seen that banks are running out of cash within hours of opening and most ATMs are still non-functional.
7. We are all concerned about the use of money power in elections. Why hasn't the Government proposed state funding of elections?



**Section XI**

**Basic Difference between 1946, 1978 and 2016 demonetisation in India**

There are both parallels and differences with 2016 episode.

- Similarities are all three were aimed at curbing black money. Though this time security is an added challenge.
- In the earlier edition, RBI was mostly against the exercise and was proven right. This time it seems RBI has welcomed the idea (though there could be initial differences which will emerge only later). So, will RBI be proven right or wrong given their current view?
- The big difference obviously is the size this time. Previous ones barely impacted common people but this one is huge with 85% of Currency out of the system.
- The first demonetization was a case of conversion. Second of cumulation. Third is projected as a demon but is more of a conversion. Will it be a case of demon? Only time will tell..

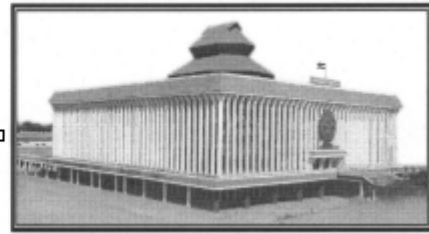
**Section XII**

**Demonetisation in India and its impact on GDP Growth Forecast**

The RBI cut its GDP growth forecast for this financial year to 7.1% , citing the governments demonetization exercise that sucked out 86% of the currency in circulation. Rating agencies and broking houses also cut their estimates of GDP growth.

**Table 1.0**  
**Gross Domestic Product Forecast**

<b>Institutions</b>	<b>Before Demonetisation (%)</b>	<b>After Demonetisation (%)</b>
RBI	7.6	7.1
Fitch	7.4	6.9
Morgan Stanley	7.7	7.4



### **FITCH Ratings**

Fitch Ratings lowered India's GDP growth forecast for this fiscal to 6.9 per cent from 7.4 per cent, saying there will be "temporary disruptions" to economic activity post demonetisation. It said economic activity will be hit in the October- December quarter because of the cash crunch created by withdrawal and replacement of 500 and 1000 rupee notes that accounted for 86 per cent of the value of currency in circulation. Indian growth has also been revised down to reflect temporary disruptions to activity related to the RBI's surprise demonetisation of large-denomination bank notes.

The US-based ratings agency also revised GDP growth forecast for 2017-18 and 2018-19 lower to 7.7 per cent from 8 per cent earlier. Gradual implementation of the structural reform agenda is expected to contribute to higher growth, as will higher real disposable income, supported by an almost 24 per cent hike in civil servants' wages. But the anticipated recovery in investment looks a bit less certain in light of ongoing weakness in the data," Fitch said in its 'Global Economic Outlook - November report.

Regarding currency ban, it said consumers do not have the cash needed to complete purchases, and there have been reports of supply chains being disrupted and farmers unable to buy seeds and fertiliser for the sowing season. Time spent queueing in banks is also likely to have affected general productivity. The impact on GDP growth will increase the longer the disruption continues," Fitch said, adding the medium-term effect of the currency withdrawal on GDP growth is uncertain, but is unlikely to be large. Most importantly, demonetisation is a one-off event. People who operate in the informal sector will still be able to use the new high-denomination bills and other options (such as gold) to store their wealth.

### **Section XIII**

#### **Digital Economy :-**

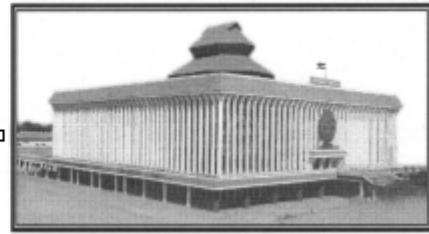
Cash was king in India, used in an estimated 78 percent of transactions, compared with 20-25 percent in industrialized countries like Britain and the US. Many people, in India, do not have bank accounts or credit cards, and even those who do often must use cash because many



businesses don't accept other forms of payment. India still one of the most cash intensive economies in the world with a cash to GDP ratio of 12%, about four times as much as other economies such as Brazil 3.93%, Mexico 5.3% and South Africa 3.73%, according to a report, "Cost of cash in India", commissioned by Master card. A boost of electronic payments is welcome as the spin offs include automatic audit trails, transparent accounting and minimising the risk and cost of handling cash. But India is a vastly unbanked country and many among the poor do not have bank accounts. To expect people in rural India to switch to plastic in a short span seems unrealistic. The government is looking to make India cashless economy. But with such transactions accounting for only 2% of total transaction and low ATM penetration the country has a long way to go.

**Table 2.0 : 'Cashless' around the Globe Countries that lead in cashless transactions and where India stands**

<b>Country</b>	<b>Cashless Transactions</b>
Singapore	61%
Netherlands	60%
France	59%
Sweden	59%
Canada	57%
Belgium	56%
UK	52%
USA	45%
Australia	35%
South Korea	29%
Spain	16%
Brazil	15%
Japan	14%
China	10%
India	2%



**Table 3.0 : ATM per 1,00,000 Adults**

Country	ATMs (in Lakh)
China	254.13
Canada	220.52
USA	172.98
Russia	172.97
Australia	164.62
UK	131.59
Brazil	129.25
Japan	127.64
India	19.71

Digital payment providers have mobilised hundreds of extra workers to enrol small merchants and offered their services for free, betting that severe cash shortages will prove to be the opportunity of a lifetime. The Prime Minister, whose government supports digital payments, brought in demonetisation to crack down on the shadow economy and improve tax collection. Why should India not make a beginning in creating a ‘less- cash Society?’ . Once we embark on our journey to create a ‘less-cash society’, the goal of ‘cashless society’ will not remain very far. The companies say results have been promising so far.

### **Payment and Financial Technology Companies**

Demonetisation has sent payment and Financial technology companies scrambling for talent to meet the unprecedented increase in digital payments. Since scrapping of high denomination currency notes on November 8, paytm, mobikwik, CapayU, Free Charge, ItZ Cash and other





digital wallet companies have been hiring peoples in key leadership positions. Most payment and fintech companies are reaching to merchant and helping them to go digital. Of about 40 million merchans in the country, only 3,00,000 - 400,000 - just one percent had adopted digital payment method before demonetization, which has now opened up a huge opportunity for growth. Over the last 15 days after demonetization ,millions of customers across India have tried mobile wallets as an alternative to cash.

### **Paytm**

Paytm, backed by Chinese Internet giant Alibaba Group Holding Ltd, has added 700' sales representatives since November 8, taking its number of agents to 5,000. The company, which has 4,500 fulltime employees, plans to double the number of agents to more than 10,000, as it aggressively expands its network. It says it has nearly doubled the number of small merchants signed up to its services to 1.5 million in the last few weeks and added eight million clients to the 150 million it had before the banknote ban. Paytm recently slashed fees until December 31, from a system of fees that ranged from 1 to 4 percent, with the most lucrative coming from telephone and utility bill payments.

### **MobiKwik**

MobiKwik, whose backers include U.S. venture capital firm Sequoia Capital and American Express, said it had increased its agent base to more than 10,000 from about 1,000. Merchants on its platform have risen to 250,000 from 150,000 previously. MobiKwik had started offering wallet-to- wallet transfers, though not all rivals were on board. The challenges raise questions about whether the business models of mobile payments providers are sustainable. MobiKwik is not charging fees until March 2017. The company will hire for key services and management positions such as product management, business heads and function heads.

### **ItZCash**

ItZ is looking for talent across level, with profile in technology product and sales. If the overall business growth forecast happens at 40-50%. ItZ will have to grow his team at 10-20%.



## **Credit Suisse**

Credit Suisse estimates more than 90 percent of consumer purchases are made in cash, as millions still do not have bank accounts. Those who do have bank cards mainly use them to withdraw from cash machines. Sales of cheap smart phones have boomed in recent years, but internet networks remain patchy, especially in rural India. Financial literacy and technology usage also remain low. Many businesses have traditionally opted for cash transactions because they are hard for the tax man to trace, given sales taxes are typically at least 10 percent. Concerns also remain about the infrastructure for mobile payments, as customers or merchants from one platform cannot transfer payments to another.

## **Section XIV**

### **Micro ATMs in Rural and Semi Urban Areas ;**

Government is pushing for Micro ATMs in Semi and Urban Areas to ease the cash stress. About two lakh micro ATMs will come to the rescue of people as the government has directed banks to activate nearly 1.1 lakh such ATMs in rural areas and nearly 90,000 in urban and semi urban areas.

### **Adhar enabled Micro ATM**

With nearly 70,000 transactions being conducted on Adhar enabled Micro ATMs every week, the government is hoping that this will reduce some stress on the bank branches and ATM network. Micro ATMs can be extended in the shortest possible time and the more cash-in, cash out points are there, the more it will help the public.

Micro ATMs are hand held devices enabled with GPRS and some have a finger print scanner attached to them, making them Aadhar Compatible. All that a customer has to do is use the debit card as he would in an ATM and the moment the card is swiped, the Micro ATM connects it to the core banking system and money is either debited or credited from the scanner. The government is planning to increase the number of micro ATMs that will be available in rural and urban areas. In another six months 1.5 to 2.0 lakh new points will be added, So, in another one year government will reach the 4 lakh figure.



### **PDS- shops as Business Correspondents**

Government also plan to make all ration -PDS-shops as business correspondents which are around 5.5 lakh in number.

### **Postal Payment Banks**

The finance ministry is also banking on the soon to be launched postal payment banks as all its 1.5 lakh points across India will also be designated as business correspondents.

## **Section XV**

### **Report of the Special Team of Bureaucrat on Demonetization**

A special team of bureaucrats sent to states for an on-the-spot assessment of the demonetisation drive informed the government that though there was massive support from the people, the implementation was patchy. Cash crunch in banks and ATMs, shortage of smaller denomination and Rs 500 banknotes, ATMs not recalibrated and post office network not optimally used were some of the key problems that the central team flagged in its report submitted to the Union finance ministry. The team was set up to assess the implementation of central measures in the wake of Prime Minister Narendra Modi's November 8 announcement that Rs 500 and 1,000 banknotes - which accounted for about 86% of the currency in circulation - will no longer be legal tender. Barling some areas in states such as west Bengal and Bihar, where farmers expressed discontent, the central team found that people by and large supported the Prime Minister's decision with the hope that it would weed out black money and rein in corruption. People in rural and urban areas in states, including Uttar Pradesh, Rajasthan, Himachal Pradesh, north-east, said they are willing to suffer the inconvenience as they feel the end result will be good." said a member of the team that visited a northern state.

## **Section XVI**

Modification in Income tax laws Intensifying its black money hunt, the government tabled a Bill to amend the Income Tax Act in the Lok Sabha to impose more tax, penalty and surcharge on deposits made after the demonetisation drive was launched on 8<sup>th</sup> Nov 2016. The amendments provide a window to black money holders by proposing to levy a total tax, penalty and surcharge



of 50 per cent on the amount deposited post- demonetisation, while higher taxes and stiffer penalty of up to 85 per cent await those who don't disclose but are caught. The money from the scheme would be used for projects in irrigation, housing, toilets, infrastructure, primary education, primary health and livelihood so that there is justice and equality, said the Statement of Objects and Reasons of the Bill. The key points of the New Taxation Amendment Bill, tabled by Finance Minister in Lok Sabha are:

1. 30 per cent tax and 10 per cent penalty on undisclosed income
2. 33 per cent «33 per cent of 30 per cent» surcharge for Pradhan Mantri Garib Kalyan Deposit scheme
3. 75 per cent tax and 10 per cent penalty in case those ,who don't disclose but are caught

## **Section XVII**

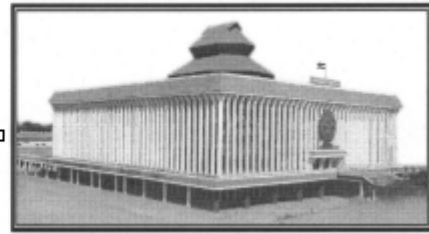
### **Demonetization of Currency Notes in other countries**

With the ban of Rs.500 and Rs.1000 currency and introduction of new notes, India is coping with demonetisation. The measure isn't new, however, as several other countries have embraced it in the past. Some met the purposes, whereas some failed miserably. Here are 11 countries that tried demonetisation before India.

1. In 1996, Australia became the first country to have a full series of circulating polymer bank notes after replacing all paper-based notes, which the government systemically made non-tender for legal purposes. To stop widespread counterfeiting, the Reserve Bank of Australia had released the world's first long lasting and counterfeit- resistant polymer (plastic) banknotes.
2. To deter counterfeiting, Switzerland has a reserve series of notes. A series of Swiss Franc 10 notes were printed by the Swiss National Bank in 1984. But the notes were never issued and the notes are currently still in reserve.
3. Due to chronic hyperinflation in Zimbabwe, the government was at one point printing a currency note with a face value of one hundred trillion dollars. This obviously rendered lesser demonetization obsolete, which were taken out of circulation quickly in 2010.



4. In 1969, Richard Nixon, the then United States president, had, in one go, demonetised \$10,000 and \$1,000 bills. He kept only \$100 as legal tender
5. Pakistan has decided to phase out all currency notes with old designs with a notification dated 4th June 2015. However, its citizens have nearly a year and half to exchange old notes. The country had earlier demonetised 5 and 500 denomination notes. And from 1st December 2016 it has been decided to phase out all remaining old design banknotes of Rs 10, 50, 100 and 1,000.
6. Nigeria - During the government of Muhammadu Buhari in 1984, Nigeria introduced new currency and banned the old notes. However, the debt-ridden and inflation hit country did not take the change well and the economy collapsed.
7. Ghana - In 1982, Ghana ditched their 50 cedis note to tackle tax evasion and empty excess liquidity, This made the people of the country support the black market and they started investing in physical assets which obviously made the economy weak.
8. North Korea- The demonetisation that happened in North Korea in 2010 left people with no food and shelter. Kim- Jong Il introduced a reform that knocked off two zeros from the face value of the old currency in order to banish black market.
9. Soviet Union- Mikhail Gorbachev ordered to withdraw large-ruble bills from circulation to take over the black market. The move didn't go well with the citizens which resulted into a coup attempt which brought down his authority and the led to Soviet breakup.
10. Myanmar- In 1987, Myanmar's military invalidated around 80% value of money to curb black market. The decision led to economic disruption which in turn led to mass protests that killed many people.
11. Zaire- Dictator Mobutu Sese Seko's administration laid out back to back currency reforms along with a plan to withdraw obsolescent currency from the system in 1993. The reform was not well received by the public and resulted in increasing economic disruptions. Mobutu was ousted in 1997.



## Section XVIII

### **Demonetization and Black Money :**

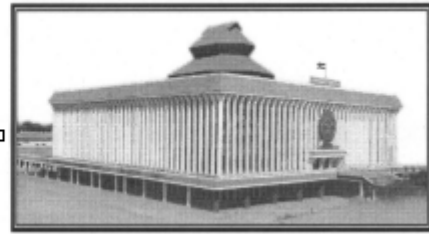
Recently Indian government has demonetized the high value currencies i.e currency notes of 500 and 1000 with objective to unearth the black money, and to curb the corruption, counterfeit currency as well as terror financing. This decision was considered as biggest cleanliness drive against the black money in the history of Indian economy. But there is various view of experts on demonetization, as some argues that it will hit the black money and other argued in negative.

#### **How it will curb black money**

- In India all sections of the society are accustomed to use cash transactions, and this habit is unscrupulously misused by some bad elements of the society. Such habit resulted in even people with accounted money are started using cash transaction for high value transactions.
- It is resulted into parallel economy with unaccounted money, even much stronger than regular economy. The parallel economy black money, corruption, counterfeit currency and terror financing. These issues hampered growth and development of the economy
- In this background demonetarisation of Rs 500 and Rs 1,000 currency notes as a master stroke, as the move will address issues like black money and corruption and also help the economy become more digital.
- The move will either unearth the black money slashed in the form of cash or forces to destroy those unaccounted currencies. Demonetisation will curb the menace of black money and will help check stashing of funds to a large extent.
- Similarly it has major impact on corruption that exists in India and also on financing of terror activities in India. Hence it was considered as courageous step in the fight against unaccounted money.

#### **Some argues against of it**

- Currently high-value currency notes accounts for the value of 86% of the notes in circulation in India.



- According to some estimates the size of the black economy in India range from 20% to 60% of GDP and more and the currency in circulation is just 12% of GDP.
- Even if more than 50% of money in circulation is black money, but most of it will find its way back to the banking system one way or another, and be recycled as new notes.
- According to some experts, the black money holders, tax evaders and corrupt official may not slash these money in cash in their homes due to sheer scale of logistics.
- Generally many viewed that tax evaded income mostly invested in companies, real estate and these people may not be affected due to demonetization.
- Hence these experts argue that, demonetisation may not yield desired results against black money, rather it creates inconvenience to the general people..

## **Section XIX**

### **Sources of Black Money and Demonetisation.**

Black money is accumulated through different sources. The three main sources of black money are corruption, hawala and crime. Among these, corruption is the chief villain.

#### **Corruption**

Corruption is generally defined as the ‘misuse of public office’ to extract an illegal rent. It is a major political and economic issue in India. There was widespread corruption at the top, middle and bottom levels of governance in India during the import substitution regime. Economic reforms could be a source of huge one-time rents to politicians in power, for example, privatisation of public monopolies. This reduces their ability to use the public sector for political patronage in the future. The sources of corruption can be traced to scarcity, property rights and their enforcement, transaction costs and information asymmetries, and political position (Patibandla and Sanyal, 2009).



Corruption through scarcity is generally seen in terms of a mismatch between demand and supply. In the case of goods, the market structure of an industry (monopoly versus competition), price regulation, quantity limits, zoning and differential tax treatment in different states result in scarcity, which creates opportunities for rent (corruption). In the case of service sector, a supplier or a government body may refuse to provide a service, unless a bribe is paid. In the post-reform era, some sources of scarcity-related corruption have been magnified, owing to weak property rights and high transaction costs of enforcement. As a result, corruption has been part of the society, including the pre-reform period. In 2011, Corruption Perception Index ranked India 94 among 176 countries with a score of 36. India's rank has now improved to 76. It is not at a satisfactory achievement, as it is evident that cross-border flow of money derived from criminal or corrupt activities is around \$1.5 trillion annually. Nearly \$40 billion of this is accounted for bribes paid to public officials in developing countries.

### **Hawala**

Money transfer without money movement is an easy definition of hawala. Hawala works by transferring money without actually moving it. It is estimated that an amount ranging from \$100 billion to \$300 billion flows through informal remittance systems globally every year. 'White hawala' is used to refer to legitimate transactions. 'Black hawala' refers to illegitimate transactions, specifically hawale money laundering (associated with some serious offence such as narcotics trafficking and fraud). In the case of India, Interpol estimates the size of hawala at possibly 40 per cent of the country's GDP. In India, hawala is only a civil offence and persons violating its provisions are penalised with fine up to three times the amount detected in a contravention. This is a grossly inadequate deterrence to terrorists indulging in hawala for their sustenance and operation. There is fake currency circulated through the hawala system. Hence, demonetisation would help check the flow of hawala money.

### **Crime**

Criminal offence includes drug trafficking, gunrunning, money laundering and extortion, murder for hire, fraud, human trafficking, poaching and prostitution. Many criminal operations engage in





black markets, political violence, religiously motivated violence, terrorism and abduction. Other crimes are homicide, robbery, assault etc. Property crimes include burglary, theft, motor vehicle theft and arson. Demonetisation will be effective to the extent these activities are carried out with Indian high-denominated currencies. A sizeable volume of business is done by way of high-denominated currencies, though no scientific data is available in this respect.

### **Section XX**

#### **Indian Currency Demonetization : Advantages and Disadvantages**

The demonetisation of currency after a long period of 38 years was a welcome and bold step taken by the Government of India on November 8, 2016. The last demonetisation was implemented in 1978 by withdrawing Rs 1000, Rs 5000, and Rs 10,000 notes that were in circulation. Every reform will have its merits and demerits. The question is whether the merits outweigh the demerits. A careful analysis is required to answer the question. Here are some advantages and disadvantages of demonetization:

1. This move will help the government to track unaccounted black money or cash on which income tax has not been paid.
2. Individuals who are sitting on a pile of cash usually do not deposit the amount in the bank or invest anywhere as they would be required to show income or submit PAN for any valid financial transactions. They would hide it somewhere and use it as and when necessary.
3. Banning high-value currency will impact people who will have no option, but, to declare income and pay tax on the same or destroy the cash somehow.
4. Banning high-value currency will halt illegal activity as the cash provided for such activities has no value now. Black money is usually used to fund the illegal activity, terrorism, and money laundering.
5. Fake currency circulation will come to a halt in a single shot. Corrupt officers, money launderers are under threat as Income tax department is taking all the measures to track such people.



6. Most of the businessmen who have been hiding some income are ready to pay advance tax as current year's income. Tax payers who have been hiding some income can come forward to declare income and pay tax on the same.

7. Individuals are required to submit PAN for any deposit above Rs 50,000 in cash, which will help tax department to track individuals with high denominations. Also, deposit up to Rs 2.5 lakh will not come under Income tax scrutiny.

8. Now individuals are depositing enough cash in their Jan Dhan accounts which they were reluctant to do so a few days back. The amount deposited can be used for the betterment of the country.

### **Disadvantage**

1. It may cause inconvenience for initial few days for those who have to start running to the banks to exchange notes, deposit amount or withdraw the same. The situation can turn chaotic if there is a delay in the circulation of new currency.

2. Individuals who have an upcoming wedding are the ones who have to make alternative arrangements to make payments. However, the government has given higher withdrawal limit in such cases.

3. After the news" Many individuals have burnt their cash and discarded the same, which is a loss to the economy. The government has to bear the cost of printing of new currency and its circulation. It makes sense when benefits of demonetization are higher.

4. There are only advantages of demonetization in the long term. The government is taking all the necessary steps and actions to meet the currency demand and ensure the smooth flow of new currency.

### **Conclusion**

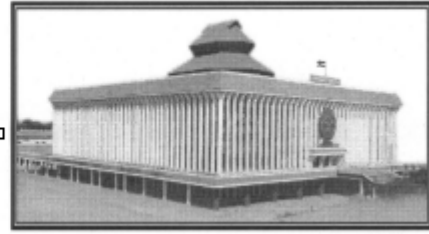
In conclusion, whoever expects that the demonetisation process will be a great success is mistaken. The inherent limitation of demonetisation has to be kept in mind, while evaluating it. To make the final point, the effects of demonetisation can be split into three periods, such as very short, short and long periods. In the very short period (three to seven days or less than one



month), there will be some adverse effects, especially for the poor and middle-income groups. Hence, it will be in a pain economy. In the short period (less than a year), it will produce positive outcomes, barring a few limitations. This period will naturally be in a pleasure economy. In the long period, counterfeit currency and black money (which is not the result of demonetisation but bad governance) may make a comeback, unless proper institutional measures are taken. This coupled with the spread effect of the positives in the short period will usher in a 'neutral economy'. No doubt, demonetisation will not produce bad outcomes in the long run, except a few hardships faced by low-income common men for three to five days. The possibility of some positive outcomes like bringing all the black money out of hiding and throttling terrorfunding in due course cannot be neglected. So far, it can be said that this is a historical step and should be supported by all. One should look at the bigger picture which will definitely fetch results in the long term. This is what the people have been asking for a long time which has finally happened.

SAJOSPS,  
JAN-JUNE 2017.





## A Policy Let Down

**National Health Policy 2017 leaves the poor in the lurch as it passes on to the private sector the responsibility for providing quality, affordable health care, instead of putting the onus on the state.**

**T.K. Rajalakshmi**

In February this year, The Union Finance Ministry asked a premier government medical institution in the national capital to review and revise the fees it charged for registration in the outpatients department, bed rentals, radiology tests, diagnostic tests, and so on. The Centre had expressed its inability to supplement the finances of the institution, and it was argued that the user charges were last reviewed 20 years ago and a fresh revision was due. There was also a proposal to have a VIP counter at the institution, which was subsequently abandoned following opposition by the faculty. The upward revision in user fees comes at a time when there is widespread awareness of the high out-of-pocket expenditure incurred on health in the country.

In an admittedly unconnected incident, a court in Chhattisgarh recently acquitted on technical grounds a doctor who was accused of botching up sterilisation procedures that led to the death of 21 women, most of them young tribal persons. Such incidents reflect the overall nature of the dystopia that is the country's health care system, something that rarely finds adequate attention in policy documents.

National Health Policy (NHP) 2017, unveiled on March 16, was a much-awaited policy document and one long over due since the last one was released in 2002. The one before that had come in 1983 and had hoped to provide health for all by 2000. Curiously, the media were not given the policy document when the Union Minister for Health and Family Welfare held a press conference on NHP 2017 on March 16. It was uploaded on the Ministry's site one and a half days later.

It was hoped that the new policy document, coming as it did after a gap of 14 years, would mark a distinct departure in approach. All it does, however, is reframe and reposition the issues



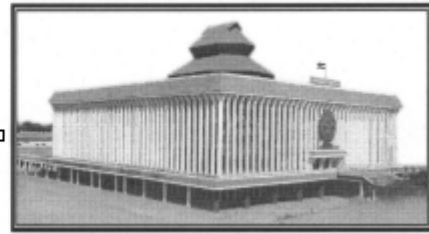
that were flagged in the 2002 policy document. The commitment to raise the health expenditure to 2.5 per cent of the gross domestic product (GDP) comes at the fag end of the Twelfth Five Year Plan (2012-17), and that too only by 2025.

NHP 2017 also promises to increase state sector spending to 8 per cent of the budget by 2020. Interestingly, the 99th Department Related Parliamentary Standing Committee on Health and Family Welfare (demands for grants 2016-17) made a pertinent observation in the context of spending on health by States and the Centre’s plea that the States would gain from the new devolution formula. It noted that “despite the enhanced share in Central taxes divisible pool, all States and UTs [Union Territory] have not increased their budget in 2016-17”. While some State budgets registered a negative growth, others registered a marginal increase in their health budgets. “The assumption that the enhanced share of States and UTs in the Central divisible pool would compensate for the sharp reduction in the Central allocation of health has not been validated,” noted the committee. In fact, the Twelfth Plan document had recommended that core health expenditure was to be raised to 1.87 per cent of the GDP by 2017, but it was increased only up to 1.4 per cent in 2016-17, according to the Economic Survey. Interestingly, draft NHP 2015 stated that global evidence showed that “unless a country spent 5-6 per cent of its GDP on health and major part of it from government expenditure, basic health care needs could not be met”.

### **NO UNDERPINNING OF GOVERNMENT ROLE**

NHP2017 does not underpin the government’s centrality in providing health care to all. It does acknowledge, however, that the “right to health cannot be perceived unless the basic health infrastructure like doctor-patient ratio. patient-bed ratio. nurses-patient ratio are near to three: hold levels and uniformly spread across the geographical frontiers of the country”. This clarification comes in the context of a demand to make health a fundamental right.

A comparison between the 2002 policy and the latest one does not generate much optimism. The 2002 policy accepted at the outset that “if the decentralised public health services are to improve significantly. there is a need for the injection of substantial resources into the health



sector from the Central government budget”, NHP 2017 makes a commitment to increase the health budget, yet there is little acknowledgement of the discrepancies in allocation *vis-a-vis* projected outlays in the annual health budgets. Its very first assumption that health priorities are changing is a matter for scrutiny apart from its other assertion that maternal and child mortality has declined rapidly. Its broad optimism is not shared either by a Department Related Parliamentary Standing Committee report or by a document accompanying the policy titled “Backdrop to the National Health Policy” 2017.

The Department Related Parliamentary Standing Committee on Health observed that India’s health care fell far below the benchmark and that the country was seriously lagging behind in health goals on maternal and infant mortality, It also observed that India’s level of public spending on health was one of the lowest in the world: at 1.15 per cent of the budget, it is much below the global average of 5.99 per cent. The squeeze on public finance, has led to high out-of-pocket expenditure, which constitutes 64 per cent of the total health expenditure pushing 7 per cent of the population into poverty according to the 71st round of the National Sample Survey Office survey. India ranked 183 among 192 countries in terms of high out-of-pocket expenditure as a percentage of the total health expenditure and was better than only Bangladesh and Afghanistan among its neighbours. The Standing Committee noted that out-of- pocket expenditure was much lower in countries with economic indicators similar to India’s: Brazil (25 per cent), Russia (46 per cent), China :32 per cent). South Africa (1.6 per cent), Sri Lanka (42 per cent) and Thailand (0.8 per cent). According to the document on “Situation Analyses”, over 63 million people are pushed into poverty each year because of health care costs.

A close look at the policy reveals that it talks about preventive and promotive health care and universal access to good-quality health care without anyone having to face a financial hardship as a consequence. It also talks about increasing access to improving the quality of and lowering the cost of health care delivery. One of the key policy principles is equity, for which the policy says it would mean greater investment and financial protection. The Department Related Standing Committee had to say this on investment: The Twelfth Plan is concluding by) 2016-17 but India



is nowhere near the target of 2.5 per cent health allocation. Only 47 per cent of the funding envisaged for the National Health Mission (NHM, combining the National Rural Health Mission, and the National Urban Health Mission) was allocated in the Twelfth Five Year Plan that ends in 2017. The committee observed that had the government allocated the entire amount for the NHM, the country would have seen much better health outcomes in terms of quality primary health care services and reduced out-of-pocket expenditure. Describing the budget estimate of Rs.26,690.70 crore for 2017-18 as grossly inadequate against the projected demand of Rs.34,315.66 crore, the Standing Committee on Demands for Grants recommended an increase of Rs. 4000 crore for the NHM. It observed that in comparison to the Revised Estimate allocation in 2016- 17 of Rs.22,197.95 crore, the increase in the Budget Estimate of Rs.4492.75 crore for 2017-18 was insufficient.

The policy document acknowledges that catastrophic health care expenditures, those that exceed 10 per cent of total monthly consumption expenditure, are unacceptable and yet does little by way of prescribing stringent regulation of drug pricing, maximum retail pricing, and hospitalisation charges, including for frivolous tests and investigations, which constitute the bulk of health care costs. It does speak about eliminating corruption in health care systems but falls short of suggesting a framework for the regulation of those systems in a highly privatised medical education as well as health care scenario.

### **ADVOCATES DEPENDENCE ON PRIVATE SECTOR**

Interestingly, while it talks about improving health status through concerted policy action through the public health sector, the part to do with the “public” aspect seems to have been whittled away in a gradual way. The gradual dismantling of the five pharmaceutical public sector units over the years and the Union Cabinet’s decision to close down the largest public sector pharmaceutical units, Indian Drugs & Pharmaceuticals Limited and the Rajasthan Drugs and Pharmaceuticals limited, along with two others, do not speak of any honest government intention to strengthen the public component of health care. The emphasis on free comprehensive primary



health care does not come close to addressing the high costs of secondary and tertiary health care. The commitment to universal coverage does not accompany a guaranteed increase in health care services at all levels. The policy document advocates optimum use of existing manpower and infrastructure and collaboration with the non-government sector on a *pro bono* basis for the delivery of health care services. The nature and the specifics of the *pro bono* service have not been fleshed out. Likewise, it states that improved access to and affordability of quality secondary and tertiary care services will be provided through a combination of public hospitals and “well measured strategic purchasing of services” in health care deficit areas from private care providers, especially not-for-profit providers.

Given the tax regulatory mechanism for the private health care system, the policy should have emphasised regulation in areas involving private partners. According to the policy, the private sector is to be enabled to meet public health goals and make health care systems more effective, rational, safe, affordable and ethical. But it is silent about tightening the regulatory framework relating to the private health care sector, in all its dimensions. The government’s inability to make mandatory a universal code for ethical marketing practices by pharmaceutical companies indicates the mismatch of intent between departments and Ministries of the government. The new slogan of “Health in All” as part of the policy thrust falls flat in the absence of inter ministerial or inter-departmental synergy.

The document lists goals such as increasing life expectancy and reducing total fertility rate (TFR) to 2.1 by 2025. The goals for population stabilisation are laudatory, as is the plan to focus on male contraception and the moving away from the “camp approach” of family planning. Yet, by and large the actual government policy on population control is still tilted more towards female contraception, including the use of injectables and other options such as intra uterine devices.

Likewise, the reduction of under-five mortality to 23 by 2025, infant mortality rate to 28 by 2019, maternal mortality rate to 100 by 2020, the rate of still births to one digit by 2025, and neonatal mortality to 16 are all laudable objectives. But these are not accompanied by a robust





publicly funded nutritional policy. There does not seem to be any section on the hunger and nutritional challenges, given that India ranks high on the global hunger index, other than a segment on malnutrition with a strong focus on micronutrient deficiency and food fortification. There is no mention of strengthening the public distribution system, which indicates a lack of understanding of all the crucial determinants of health affecting all ages of the population.

It is widely known and accepted that there is a serious shortfall as far as the coverage of health services is concerned. An average sub-centre caters to 5,000 people in the plains areas and 3,000 people in the hills. The policy sets out targets for greater antenatal care coverage and attendance by skilled birth attendants. Ironically, while the policy strives for universal health coverage, the approach appears to be targeted as far as the health outcomes are concerned. The United Progressive . Alliance government had identified an Empowered Action Group of States (a euphemism for backward States) for target interventions. A further decentralised form of targeting has since been evolved, aiming at high- priority districts. Available evidence suggests that targeted interventions never achieve their objectives, for the “targets” do not benefit from such micro-focussed interventions. The policy purports to provide by 2020 health infrastructure and human resources such as paramedics, doctors and community health volunteers and establish primary and secondary care facilities, in accordance with the norms, in high-priority districts.

The policy envisages a greater role for the linchpin of the NHM, the nine lakh accredited social health activists (ASHAs) who will be expected to provide community or home-based palliative care and mental health services and work for primary prevention of non-communicable diseases. There is little in the policy about providing any long-term financial or economic security to ASHAs, with the government insistent on retaining the label of “activists” for such women.

The policy says that while ASHAs would be “mainly voluntary and remunerated for the time spent”, those who obtain qualifications “could be given” more regular terms of engagement. The approach towards these women workers who are the backbone of the health delivery system in rural India and are engaged in multifarious government duties and targets is indicative of the *ad hoc* approach that the government has to health outcomes.



The policy document does not offer guaranteed free and affordable health care. The emphasis on a gradual or progressively incremental assurance in the area of free drugs and diagnostics and making financing for additional infra structure or human resources contingent on utilisation does not inspire confidence. The wider determinants of health listed in the policy do not include access to adequate nutrition. In fact, the recent decision of making Aadhar compulsory for mid day meal entitlements for students is an illustration of the strange policy contradictions within the government. There is a cursory mention of inadequate calorie intake and nutrition status in the context of reproductive and sexual health in the subsection on child and adolescent health. The focus on malnutrition is restricted to addressing micronutrient deficiencies through micronutrient interventions, ignoring overwhelming evidence of declining per capita calorie intake in the population, especially in the economically vulnerable sections.

There is a school of thought that advocates dietary diversification as a viable option to deal with malnutrition and micronutrient deficiencies. Unfortunately, much of what used to be consumed on a daily basis has gone out of the reach of the common individual for reasons of economic affordability and changing agricultural patterns. Yet many in the scientific community consider dietary diversification as the most rational approach to tackling malnutrition, both child and adult. But the policy's focus is on micronutrient interventions as it justifies another evolving project of the government, that is, food fortification, and absolves the government from creating the conditions that allow for a diversified diet. The policy says: "While dietary diversification remains the most desirable way forward, supplementation and fortification require to be considered as short and medium term solutions to fill nutrient gaps." Clearly the commitment to dealing with malnutrition is half-hearted in the policy, though the situation analyses report emphasises that "micronutrient malnutrition requires renewed focus on food fortification".

The policy does not see overall morbidity and mortality as a function of either disparities in purchasing power or the declining ability of the majority of the population to have access to a diversified diet. The singular obsession with targets either in terms of reaching the millennium



development goals or in terms of achieving the ideal fertility rates, at the cost of a declining child sex ratio, narrows the vision of the policy.

The draft NHP 2015 had observed that if countries like Thailand and Brazil were close to achieving Universal Health Coverage for the population, there was no reason why India could not accomplish the goal. The point is not just universal health coverage; it is about affordable, equitable, quality and accessible health coverage, the provision and ensuring of which should remain a government priority and not outsourced to non-profit or private health care providers. Health cannot be a matter of assurance alone; it should be guaranteed even without a legislative backing.

**Frontline,  
14 April, 2017.**





*BOOK REVIEW*

## **A Judicial Heritage**

*(A review of the book 'Courts of India, Past to Present' by Supreme Court of India)*

**This is a significant work that has a careful selection of cases and rare photographs to narrate the history of the Indian Judicial system.**

**Kaleeswarm Raj**

The history of the judiciary is not just its legal history alone. It required the well-known architectural historian Chris Miele to sketch the legacy of the United Kingdom's Supreme Court (*The Supreme Court of the United Kingdom: History. Art, Architecture*, Merrell Publishers, 2010). Ruadhan Mac Cormaic has edited a comprehensive work on the Irish Supreme Court (*The Supreme Court*, Penguin Ireland, 2017). Bernard Schwartz chronicled the legacy of the United States Supreme Court by covering all the "extralegal" facets of the institution (*A History of the Supreme Court*, Oxford University Press, 1994). *A People's History of the Supreme Court* by Peter Irons is another compendium on the U.S. Supreme Court that adopts a different approach. Fowler V. Harper described, in 1929, the work *The Business of the Supreme Court (1928)* by Felix Frankfurter and James M. Landis as "an attempt to reveal the story of political and economic strife which lies hidden beneath the technicalities which govern the jurisdiction of the federal courts".

In India, several High Courts have brought out independent volumes on their traditions. However, the latest book in this genre, *Courts of India: Past to Present*, is a fabulous one, which deals with the Indian judicial heritage as a whole. Very often, one finds books that do not live up to their exaggerated titles. The volume under review is an exception, with an understated title that allows the contents to shine through.

Sandra F. Joireman, while referring to "the evolutionary and adaptive nature of common law", has rightly said that "since Independence, India has changed its judicial system, within the



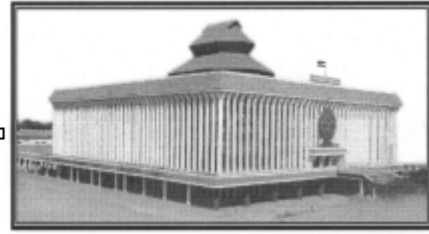
bounds of the common law in ways that make the system quite different from (the) common law practised in England and America” (“The Evolution of the Common Law: Legal Development in Kenya and India”, 2006). To understand this fairly accurate statement on contemporary Indian law, one needs to study the history and evolution of legal institutions, formal and informal, indigenous and foreign. The volume under review is a comprehensive narrative on the past, leading to the present.

### **AN EMBLEMATIC WORK**

This emblematic work contains splendid photographs but does not compromise on the text. It contains the history and, at times, the historiography, of the Indian judicial system. This is a collaborative effort of some of the best minds on the bench, the Bar and the intelligentsia from across the country. There is no single chronicler, but a collective creativity is writ large on the work. The editorial board consists of three sitting judges of the Supreme Court, Justices Sharad Arvind Bobde, Uday Umesh Lalit and Rohinton F. Nariman; Justice Ravindra Bhat of the Delhi High Court; and legal luminaries such as Raju Ramachandran, Sanjay Hegde, Indu Malhotra, K. Parameshwar, Madhavi Diwan and Gautam Bhatia. The contributors are experienced lawyers and researchers. The effort to associate young talents with the work is applaudable.

Although Justice T.S. Thakur, the former Chief Justice of India, has described the volume as “a modest beginning in the process of tracing the history of our judicial system”, it is a giant project that has, of course, kept a safe distance from contemporary controversies. However, there are dispassionate references to the latest judgments on judicial appointments in 2015 that resurrected the collegium system.

The book does not fall prey to institutional flattery. It treats even the Supreme Court as a court that is not infallible. As stated in the introduction, the volume endeavours “to present a well rounded overview, tapping into the institutional histories of numerous existing courts (in India)”. Judicial institutions are politically designed. More important than the court building is what takes place inside it. This volume, fortunately, attempts to deal with both. Its 10 chapters take the reader across a broad spectrum of history.



The first chapter clarifies “some of the basic philosophical foundation of ancient and medieval legal systems in India” by dealing with Hindu, Buddhist and Islamic traditions. Folio manuscripts of the *Rigveda* and the dharmashastras and copperplate charters have been vividly photographed and presented. Stone sculptures, coins, portraits and paintings have been arranged to explain the Islamic juristic tradition. Administration of justice in certain tribal areas is dealt with separately. The reader is apprised of the structural hierarchy that prevailed in the Delhi Sultanate, the provincial Hindu Kingdom in Assam, the Maratha region, the Hindu dynasties in Kashmir and other dispensations during the Mughal period. Tables, charts, symbols and photographs have been imaginatively used throughout.

The second chapter deals with colonial conquests. The “diverse amalgam of religious codes, royal edicts and local customs (in India)” was confronted with the imported judicial systems of the imperial powers, the Portuguese, the French and the English.

The third chapter is on the trinity Courts of Calcutta, Bombay and Madras from 1726 to 1860. The Mayor’s Court in Calcutta, Bombay and Madras were set up in 1753 on the strength of a royal charter issued by King George II. Copies of the proceedings and judgments in the volume include even handwritten verdicts. The lithograph of Sadar Diwani Adalat (1772), obtained from the High Court of Calcutta, is another illuminating piece. The depictions of Fort St. George and the Supreme Court of Madras are epitomes of a sporadic stream in India’s judicial history.

The fourth chapter explains “the slow death of diverse local customary practice and the reification of text-based, inflexible personal law”. The views of the High Court at Lahore, the courtroom where Bhagat Singh’s trial took place in 1930, and the edifice built from 1937 to 1940 are all exhilarating. The descriptions of the judicial systems in the princely states and the courts in other parts of India make for curious reading.



## **PRIVY COUNCIL AND FEDERAL COURT**

The Privy Council in England had been the appellate body for cases from India since 1726. The decisions of the far away court were always unanimous. Questions of access to justice had a geographical and physical facet in terms of distance, and this principle applies to the Indian Supreme Court even today. One finds that the problem of acute pendency of cases is also rather universal. Institutional decentralisation is a valid judicial concept. The passages on the origin and evolution of the Privy Council in the fifth chapter are instructive.

The Privy Council had upheld the abolition of Sati after hearing Raja Ram Mohan Roy, who travelled to England to participate in the hearing. He was “seated prominently when the petition was heard”, it is said. Such glimpses into history make the volume distinctive. More importantly, the Privy Council “helped in the introduction of the concept of Rule of law” and led to the “introduction of common law in India”. Though common law is a hybrid system of customary practices and authoritative precedents, one can see that colonialism impacted the countries in South Asia that shared a common cultural history quite differently. A brief account of the Federal Court, which was the apex court in India., and its judges is equally illuminating.

The new judicial order created by the Supreme Court and the High Courts is discussed in the sixth chapter, which devotes considerable space to the Constituent Assembly debates. In 1921, Hari Singh Gour backed the demand for a national court head-quartered in India to replace the Privy Council. This demand found a place in the Motilal Nehru Report.

Notations on the Constituent Assembly in the volume are precise and scholarly. The pages carry rare and precious moments in history, with pictures showing Jawaharlal Nehru delivering the historic “Tryst with Destiny” speech and scenes from the first day of the Constituent Assembly. Another picture of the members taking the oath in the Constituent Assembly in 1949 is equally captivating. Under the title “The opening of the Supreme Court”, there is a striking photograph of President Rajendra Prasad examining a prototype of the Supreme Court. Chapter Seven talks about the Supreme Court, “the conscience keeper of independent India”. Although



the book describes the achievements of the court, it does not hesitate to indicate its institutional failures as well. The analysis, however, may call for a critical reading. The book implies that the rationale of the judgment in *ADM Jabalpur*; which validated the suspension of the fundamental rights during the Emergency, was corrected by the apex court in *Ramdeo Chauhan* (2010) in its introspective judgment. However, such doctrinal corrections seldom satisfy the democratic requirements of the country. The people wanted the Supreme Court to protect their fundamental rights when the state's excesses were an immediate political reality. The court's insensitivity during critical historical moments is bound to be the thematic premise for a political history of the Supreme Court.

### LANDMARK JUDGMENTS

The editors have done well to highlight landmark judgments through news- paper clippings. The clippings from *The Hindu*, *inter alia*, include the report on the judgment that struck down the move for the nationalisation of banks, the judgment in the Shah Bano case dealing with Muslim women's right to maintenance, and the infamous judgment in *ADM Jabalpur*.

The report in *The Hindu* on April 28, 1976, had a striking title: "By 4-1 Majority, Supreme Court Rules: Detenus Can't Move Court for Enforcement of Rights During Emergency". Justice H.R. Khanna was the only judge on the bench who upheld the non-negotiability of the fundamental rights by way of his monumental dissent. *The Newyork Times* filled up the blanks of history: "(D) India ever finds its way back to the freedom and democracy that were proud hallmarks of its first eighteen years as an independent nation, someone will surely erect a monument to Justice H.R. Khanna of the (Indian) Supreme Court." As Chief Justice Charles Evans Hughes of the U.S Supreme Court said, dissent on the bench is often "an appeal to the brooding spirit of law, to the intelligence of a future day".

Amartya Sen once said: "Debates about justice-if they are going to relate to practicalities-cannot but be about comparisons" (*The idea of Justice*, Allen Lane, 2009). Taking one's cue from Sen's words, one is tempted to compare the account of post-independent judiciary in the book with a few chapters in a contemporary work on the judiciary in our neighbourhood,





brought out by the Oxford University Press-*A History of the Judiciary in Pakistan* (Hamid Khan, 2016). In India, barring the short pestiferous period of the Emergency and a few instances of “disturbing” judgments, by and large, post-independent judiciary has tried to maintain the constitutional ethos.

Constitutionalism is always comparative, and its success or failure is tested in relative terms. It is its objectivity that elevates this book from being a ritualistic rhetoric of an official publication to being a people’s read.

Profiles of personalities are often narratives of the political situations and the legal contexts in which they functioned. No wonder, then, that a recent collection of the profiles of the Chief Justices of India is essentially a survey of the landmark judgments they authored (*Chief Justices of India in Profile*, R.C. Yaduvanshi, Universal, 2016). This book is more than a celebratory work. It is not just a descriptive work as is courteously stated in the introduction. It is open and organic even while dealing with historical and political situations.

## **HIGH COURTS**

The High Courts in India are older than the Supreme Court, and their institutional grandeur was, therefore, acknowledged. In a celebrated decision in *L. Chandra Kumar* (1997), the Supreme Court accepted the submissions made by Shanti Bhushan that “the High Courts had been in existence since the 19th century and were possessed of a hoary past, enabling them to win the confidence of the people” and “this prompted the framers of our Constitution to vest such constitutional jurisdiction in them”.

Justice V.R. Krishna Iyer had exclaimed at a full squad of the judges of the Allahabad High Court, about 80 in number, at a function: “This is not court; this is population.” So is the magnitude of the Allahabad legacy. The section on High Courts starts with Allahabad, by displaying its pre-independence emblem. The photographs of the spectacular buildings are impressive because of their clarity and size. There is a risk of the reader getting captivated by the panoramic views of these architectural wonders and, in the process, missing out on the instructive pieces of history



scattered in the text-be it on public interest litigation or labour movements- held in the voluminous dockets of the various High Courts.

Theodore Roosevelt said that patriotism meant not only standing by one's country but also opposing its misgovernance. Mark Twain put it more vividly: "Loyalty to country always. Loyalty to government, when it deserves it...".

### **FAMOUS TRIALS**

Chapter Nine, which deals with famous trials of "cases that made history", includes cases of patriotism as well. The tragedy of Bahadur Shah Zafar, the last emperor of the Mughal dynasty, who was captured, tried and sentenced without due legal representation, is unparalleled. The writer-emperor had the pen name "Zafar", meaning "the winner", an ironic suffix. He died in Rangoon (now Yangon) in solitude. History is perhaps created by losers, rather than by winners. After Bhadur Shah's trial, there are narrations of the trials of Bal Gangadhar Tilak, Gandhi and Bhagat Singh. Other cases highlighted include the Alipore Bomb case, the Bhawal Sanyasi case, the Indian National Army (INA) case, the Nanavati case, the Mathura rape case, the *Lady Chatterleu's Louer* case and, finally, the Bombay blast case (1993).

The 10th chapter deals with the current court system and the legal profession. The significance of the world's most powerful apex court is quite appropriately described, along with the High Courts. Notes on the subordinate judiciary and the tribunals create a federal imprint for the work. Prof. Upendra Baxi's view that the district judiciary is not a subordinate judiciary is quite appropriately quoted.

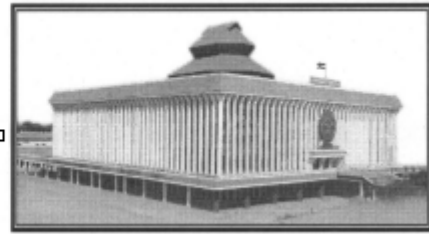
The synergy between the photographs and the text and the arrangement of events, including seminal judgments, is excellent, making a perfect blend of the job carried out by the editors, the photographers and the writers. No monumental work of this nature can be the result of anyone person's work. The importance of editing and photography and their impact on the final outcome are clearly visible



The convoluted language of law is a matter of serious concern. The plain language movement, advocated by Michele M. Asprey, carries a strong plea for simplifying law in all its facets (*Plain Language for Lawyers*, Universal, 2002). Richard A. Posner, in *Law & Literature*, prescribed the “language test” pithily: “[To provide] way into law that should be congenial to non-lawyers, as well as a way into literature that should be congenial to lawyers” (Universal Law Publishing Co., Indian Reprint, 2011). This book, clearly, satisfies Posner’s benchmark. The language of the book is simple and straightforward, for which the team of authors and editors deserves praise. Books, like monuments, are sometimes made to outlive the centuries. *Courts of India* satisfies this test.

**Frontline,  
14 April, 2017.**





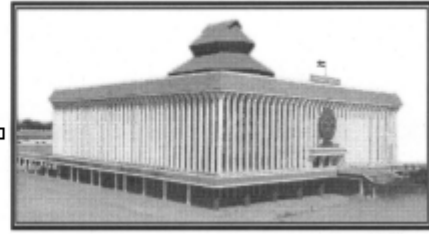
**RESUME OF BUSINESS TRANSACTED DURING THE 14TH SESSION OF  
THE 12<sup>th</sup> HIMACHAL PRADESH LEGISLATIVE ASSEMBLY**

The 14<sup>th</sup> Session of the Himachal Pradesh Legislative Assembly commenced on the 1<sup>st</sup> March, 2017. The Session Commenced with established convention of playing of the National Anthem. This being the Budget Session, major business before the House was presentation, Consideration and passing of the Supplementary Budget (First and Final Batch) for the year 2016-2017 and the Budget Estimates for the financial year 2017-2018. The House had 17 sittings in all.

On the opening day, this being the first sitting of the year, Acharya Devvrat, His Excellency, the Governor of Himachal Pradesh addressed the House on 1<sup>st</sup> March, 2017 at 11.00 A.M. Thereafter, the discussion on the Governor's Address started on 3<sup>rd</sup> March, 2017 and lasted for 4 days. The Motion of Thanks to the Governor's Address was passed on the 8<sup>th</sup> March, 2017.

Shri. Virbhadra Singh, Hon'ble Chief Minister presented the Budget Estimates for the financial year 2017-2018 on 10<sup>th</sup> March, 2017. The general discussion on Budget was held for 4 days. In all, 39 Members participated in the debate which was replied by the Hon'ble Chief Minister in detail on 17<sup>th</sup> March, 2017.

During the recess period from the 18<sup>th</sup> March, 2017 to 26<sup>th</sup> March 2017, various Departmentally Related Standing Committees considered the Demands for Grants of various Departments, who after series of meetings submitted their reports to the House on its resumption on the 27<sup>th</sup> March, 2017. The discussion and voting on Demands were held for four days and the Budget Estimates for the financial year 2017-2018 were passed on 30<sup>th</sup> March, 2017. Two appropriation Bills were introduced, considered and passed.



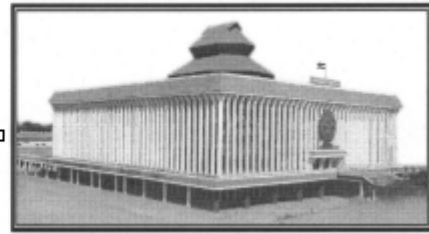
The Question Hour, as usual, remained lively throughout the Session. During the Session, the Government provided answers to 422 notices of Starred Questions and 179 notices of Un-Starred Questions. The Government also apprised the House of the latest position of 7 matters of special mention raised by Members under Rule-324. Seven notices of Calling Attention to the matters of urgent public importance under Rule-62 were discussed. Three Private Members' resolutions were discussed and out of these two were replied by the concerned Minister. One resolution was discussed in the I-house which would be replied by the Minister during the next Session.

During the Session, the documents relating to Annual Administrative Reports, Annual Accounts/Audit Reports etc. of various Autonomous Bodies/Corporations of the State Government, Recruitment & Promotion Rules of various Departments and including the Reports of the Comptroller and Auditor General of India for the year 2015-2016 (Civil/Revenue/Financial/ Appropriation Accounts) were laid on the table of the House. 56 Reports of the House Committees were also presented and laid on the Table of the House.

The Secretary, H.P. Legislative Assembly laid on the table of the House a copy each of the Bills passed during the Thirteenth Session and assented to by His Excellency the Governor of Himachal Pradesh.

In the sphere of Legislative Business, the following Bills were introduced, considered and passed by the Legislative Assembly:-

1. The Himachal Pradesh Appropriation Bill, 2017 (Bill No. I of 2017);
2. The Himachal Pradesh Appropriation (No.2) Bill. 2017 (Bill No.2 of 2017);
3. The Himachal Pradesh Court Fees(Amendment) Bill, 2017 (Bill No.3 of 2017);



4. The Himachal Pradesh Medicare Service Persons and Medicare Service Institutions(Prevention of Violence and Damage to Property Amendment Bill. 2017 (Bill No.4 of 2017); and
5. The Himachal Pradesh Early Childhood Care and Education Centres (Registration and Regulation) Bill, 2017 (Bill No.5 of 2017).

In order to keep the House informed, the Hon'ble Chief Minister and other Ministers made Suo Moto statements on various important issues in the House during the Session.

The House was adjourned sine-die by the Hon'ble Speaker on 31<sup>st</sup> March, 2017 and also prorogued by His Excellency, the Governor of Himachal Pradesh on 5<sup>th</sup> April. 2017.

