



# Transparency Review

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## Connectivity alone not enough for digital India

Dinesh C Sharma

The high voltage launch of the Jio service by Reliance industries has evoked great interest among people and media. Existing telecom players are worried about predatory pricing, while industry analysts have said that it would be difficult for the company to even reach subscriber figure of 100 million as claimed. Whatever may be the company's rollout plan and financial arrangement for offering cheap broadband and free voice services, the announcement is being seen as a turning point for the dream of Digital India. An endorsement of the new service by the prime minister himself – as depicted in front page advertisements of Jio – indicates that the government is leaning heavily on private players to fulfil its promise of digital empowerment of Indian citizens. However, to equate cheap connectivity with digital empowerment would be a fallacy.

The government has been moving ahead with its Digital India plan, but the progress has been slow. It is hoped that one lakh Gram Panchayats will be connected through optical fibre cable (OFC) to set up a network infrastructure to serve rural areas by March 2017. At present, about 48000 gram panchayats have been connected with fiber optic

by Bharat Broadband Network Limited. But there is no clarity yet on last mile connectivity. About 1.66 lakh common service centres or digital seva Kendra are supposed to be established under Digital India, and a variety of services are planned to be offered through these centres. The overall broadband connectivity in India is still very low.

We have one billion plus mobile phones, but internet connections are about 400 million and broadband users are 120 million. The teledensity in rural areas is about 50 percent. This means that of one billion mobile connections, a

bulk are in urban areas where teledensity is very high.

For years, the government has been sitting on a pile of money collected from private telecom players for what is called Universal Service Obligation Fund (USOF) which was to be used for connectivity in rural areas. As telecom secretary J S Deepak recently said that the Finance Ministry has been very conservative in allocation of funds under USOF. Despite Rs 70,000 Crore available under USOF, allocation of work is less than 40 per cent. During, 201-17, Rs 10,000 Crore will be spent from the fund, which is the highest in the history of USOF. The reluctance to use money

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**Editor: Dinesh C Sharma**

collected for rural connectivity is intriguing because this delay on part of the government has given leeway to private players to expand their services in viable areas only. Regions which still suffer from poor connectivity continue to do so.

India made early moves in digital era, at a time when words like e-governance and digital economy were yet to become commonplace. The passenger railway reservation system developed by the Computer Maintenance Corporation (CMC) at its Research and Development centre in Hyderabad for the Indian Railways was a landmark project. It was called a computerisation project at that time, but it was in reality an e-governance or digital service project.

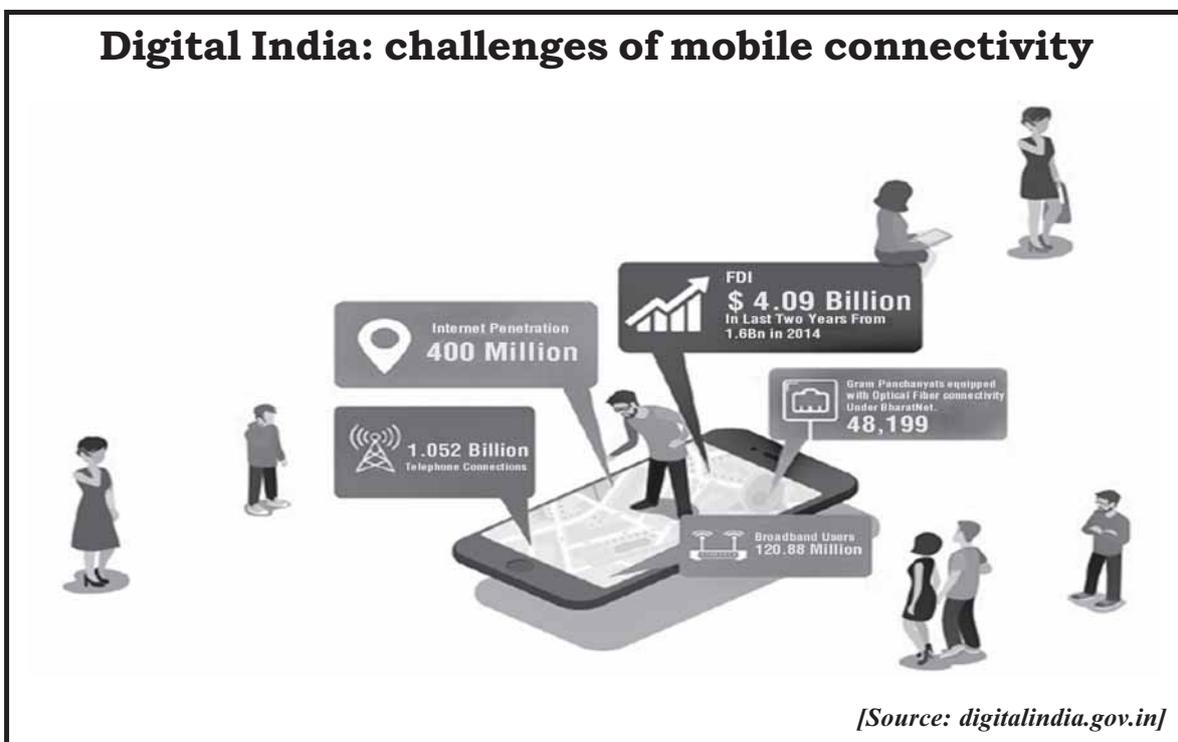
It was the first service to be computerised in which general public was the biggest beneficiary. People could access a government utility without owning a device or paying for a service – a computer or charges for data access. This showed

how the use of new technology could benefit all people equally. There was no need to own a device or subscribe to a service to take benefit of a better government service. The introduction of computers in banking sector too had a similar impact.

The idea of internet kiosks emerged from the need for providing equal access to government services and other information for the people who do not own a digital device and are not capable for paying for an internet connection. The idea has had limited success, for a variety of reasons. One of the main reasons was lack of relevant and useful content and services. This is a major problem in Digital India as well. We want people to be connected in rural areas. But if we can't provide relevant content and services, this may not be of much use. Digital empowerment is not just about connectivity and devices, but about useful services and information that will really empower citizens.

**Digital empowerment can't take place in a vacuum where citizens don't have access to basic services like drinking water, sanitation, electricity, roads, livelihood, access to education. In the absence of all this, digital penetration is only going to raise aspirations and lead to frustration when those aspirations are not fulfilled.**

*[This article first appeared in Metro India, September 4, 2016]*



# Moving towards real-time governance

Dr N Bhaskara Rao, Chairman, CMS

**R**eal-time governance is a recent concept. Its implications are something most countries wish to aspire for. It is even viewed as a desirable outcome in governance. In simple terms, in real-time governance one need not seek or apply for and wait to be attended to or look for a solution. Rather the system works proactively and resolves problems amicably in a pre-designed course without going through a process or chain of decisions, without discretionary interface. Real-time governance is much beyond online services. But infrastructure of online facility is a prerequisite for real-time governance.

Real-time governance is derived from maneuverability of constantly evolving information technologies for different field situations and governance issues. It incorporates auto-course correctives, availing predictive methodologies. In this approach, for example, farmers' suicides could be prevented. Crop insurance could be specific and simultaneous.

Analytics backed methodologies facilitate real-time processing. Real-time is not meant merely for demand-supply type situations, but meant to meet complex, peculiar instances and emergency situations going by auto feedback and feed forward in a loop and cyclical way. Real-time could be as much proactive as in response when an eligible person applies or seeks clearance or approval of an authorised agency as and when, where and how basis. Real-time governance in India at the moment is only an idea.

It had not been deliberated at any level until in August 2016 when the Chief Minister of Andhra Pradesh claimed real-time governance based on his management of 12-day Krishna river pushkara festival.

Reliable availability of state-of-the-art and affordable infrastructure particularly of information technologies is an important prerequisite for accessibility of real-time governance.

Andhra Pradesh could be a state to experiment even partially by 2020 if what is planned with regards to broadband connectivity with internet of things (IOT) facility materialises. Access to smart television sets (at Rs.150 per month in AP) and to smart mobile phone with even video or audio conferencing capability would double by then. Second, digitalisation process should get completed at least in some services and functions by then. Third, cloud computing technologies and GPS should be available widely. Fourth, availability of huge databases amenable for whirlwind analytic operations would be possible. Fifth is availability of specific

skilled support at different levels with visionary leadership. Sixth, reliability of hardware and constant upgrading of application software is a must. Seventh, linkage and coordinated functioning of various services and departments,

including public - private partnership operations. Eighth, sensitisation of people a way that at least one person in a family could access and avail information devices and get connected. Ninth, unambiguous criteria should be arrived at for eligibility of various state and union schemes and social justice programmes. Tenth, ease in availing information technologies, apps and software in regional languages and, eleventh, how well federal state and district level linkages have been recognised.

To move on into a real-time scenario, the education stream in the country should get linked to real time technologies. Real time model

**Online services provide access to facilitate quick attention, and may involve human interface. It is not so in real-time. Unlike in conventional model, real-time combines the stages of awareness, attention, access and availing almost in parallel. The idea of "beyond good governance" encompasses features of real-time governance.**

should take into account citizen and civic society groups as much and as often and invariably as a matter of course.

The academics should get into certain foundation courses like Artificial Intelligence, cognitive skills, scenario building technologies, outlook for envisioning futures, socio-economic demographic anthropological dynamic typologies, simulation models in real-time situations, data analytics, vision development, network technologies, etc. are some examples for parallel and continuing efforts. Capacity for critical thinking should not get lost in the anxiety to go for IOT and such other.

All this depends on the kind of democratic traditions. For example, the kind of transition in power from one political party or grouping to another at the end of a general election and shifts in policies, priorities and criteria, etc. if the definitions and criteria for example on eligibility is ambiguous one cannot expect the real time system works as smoothly. In a parliamentary democracy, based on federal system with checks and balance, real-time governance should not tilt balance or undermine any of the futures of the country's constitution.

External or independent audit of real-time strategies should be an essential component of real time governance. Also, issues like privacy, centralisation and equity concerns should not be ignored. The implications of real-time governance on employment opportunities need to be addressed. Some newspaper reports claims India is estimated to lose more than one lakh of jobs because of IOT. So this will remain a politically contentious issue.

Hacking is another threat looms around from any quarter any time to disrupt the governance itself. What alternative or standby arrangements could be provided for? Confidentiality remains an issue particularly because of access to codes of devices and hardware infrastructure and at critical times. What management controls countries like India has on IOT if at all to rely on

it for governance? Impediments in going for real-time governance include partisan politics. Some states under different political party rule may cause uncertainty. Real-time governance cannot happen without taking the idea seriously and followed up practically. If judiciary is not geared up, for example, it could jeopardise the very process.

But real-time governance becomes realistic more when it is in a bottom up mode from a village or district. Or, it could be specific to certain services, or functions or occasions as in the case of pushkara festival (which happens once in 12 years). Real-time could be operational in the functioning of textile sector, health service delivery or MNREGS operations where time series documentation is there for some years and digitalisation process is on. Analytics methodologies are not being availed to move in the direction of real-time governance.

In real-time governance, there is no need for a huge physical capital contrary to common perception. In fact, I advocated two years back a "digital capital" for Andhra Pradesh instead of a number of high rise

buildings in Amaravati. In real-time governance, if the government of the time does not heed and respect views of marginalised sections of society with correctives, benefits of real-time technologies will not alone be able to facilitate good governance.

Internet of Things is viewed in many quarters as the technology to usher in good governance with the help of real time operations. While IOT is credited with multiple advantages, associated concerns of people cannot be ignored. Over emphasis on tools at the cost of human touch and democratic principles in country of plurality and sensitivities may end up as a mere quantitative exercise. It cannot be a auto-pilot route. Nor is reaching and tracking large numbers in one go good enough for a real time regime! Good governance includes happiness, satisfaction and privacy of individuals as well

**Real-time governance could happen only in a step by step way. It can't be a one shot affair or something that a tenure-specific one government could accomplish. The process could achieve a threshold level only in a mission mode and with the support of political leadership.**

as security and belongingness of communities. Individual identities continue to matter and make a difference. How well real-time could be sensitive need to be seen.

Around the time chief minister of AP was claiming launch of real-time governance, there were reports of 'out of turn' ticket allocations even in online systems managed by Tirumala Tirupati Devasthanam (TTD). For some types of darshan, there is no discretionary quota. Yet there have been plenty of instances where people have circumvented strict online systems to their advantage.

Real-time governance requires addressing such lacuna or vitiating ways and short circuiting by interest groups. Another example is

digitalisation of land records. Despite availability of special software, there have been half hearted efforts on the entire digitization process and real time application of these technologies. Repeat leak of question papers of competitive examinations year after year can also not be explained?

Real-time governance need not be guarantee for good governance. It cannot be claimed as some kind of a "Ram -Rajya".

That is possible if only a holistic view and a sustainable plan is pursued, where political concerns and responsibilities are aligned and where pillars of the state including the media and civil society gear up and adopt the discipline of real-time methodologies.

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## Protecting journalists who expose corruption

In the 27 cases of journalists murdered for their work in India since CPJ began keeping records in 1992, there have been no convictions. More than half of those killed reported regularly on corruption.

The cases of Jagendra Singh, Umesh Rajput, and Akshay Singh, who died between 2011 and 2015, show how small-town journalists face greater risk in their reporting than those from larger outlets, and how India's culture of impunity is leaving the country's press vulnerable to threats and attacks. Here are recommendations from the special report published by the **Committee to Protect Journalists** in August 2016:

### Recommendations for the Central Government:

1. Bring together a group of experienced jurists, journalists, scholars, and experts

specializing in freedom of expression issues to submit draft proposals for a national-level journalist safety and protection mechanism and a method to federalize crimes against free expression, which is a guaranteed right under Article 19 of the Indian Constitution.

2. Study best practices used by nations facing similar threats to their media, including Colombia, where a national protection mechanism was set up to provide security, and Mexico, where a federal prosecutor's office was set up to

investigate attacks on the press and freedom of expression.

3. Provide sufficient resources and political support to improve the capacity of authorities—including the judiciary, the Central Bureau of Investigation, and the police—to conduct exhaustive and timely investigations and trials relating to crimes against journalists, including

**The government should Convene a parliamentary hearing on the issue of impunity in anti-press violence to identify shortcomings in providing justice and ways to overcome challenges of capacity in law enforcement and the judiciary.**

freelancers, bloggers, and those who publish news on social media.

4. Condemn publicly and unequivocally all killings of journalists.

5. Publicly recognize the International Day to End Impunity for Crimes against Journalists, held annually on November 2.

6. Respond with detailed information on the judicial status of all cases of killed journalists and the steps taken to address impunity, as requested by UNESCO's director-general for the bi-annual report on the Safety of Journalists and the Danger of Impunity. Make public the full responses.

#### **Recommendations for the Central Bureau of Investigation:**

1. Expediently complete investigations into the 2015 death of Akshay Singh in Madhya Pradesh and the 2011 murder of Umesh Rajput in Chhattisgarh; identify suspects and bring them before the appropriate court of law.

#### **Recommendations for the Uttar Pradesh state government:**

1. Immediately transfer the investigation into the 2015 death of Jagendra Singh in Uttar Pradesh from state police to the Central Bureau of Investigation.

2. Spread greater awareness of the safety hotline set up for journalists in the state and take steps to investigate promptly any reports of threats or attacks.

#### **Recommendations for the Chhattisgarh state government:**

1. Order the police to immediately cease any and all intimidation of journalists attempting to do their work. Ensure that any actors, including the anti-Maoist group Samajik Ekta Manch, who harass or threaten journalists, are held to account.

2. Release any journalists imprisoned in the state in connection to their work.

#### **Recommendations for the Indian media:**

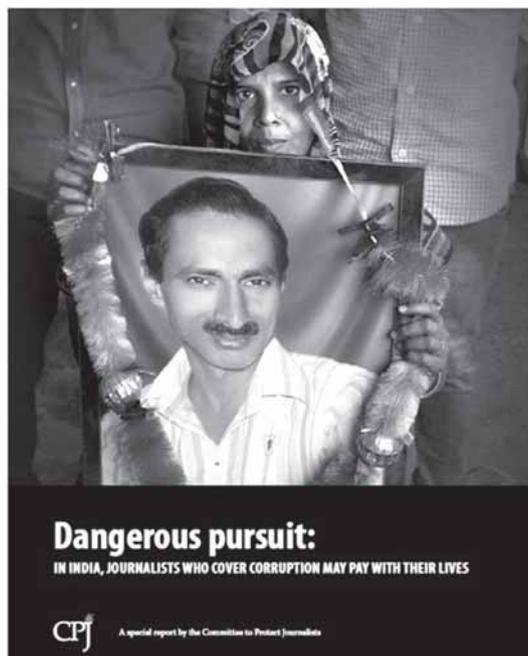
1. Better investigate and report on issues of anti-press violence, including individual attacks, threats, and harassment, regardless of the victim's media affiliation.

2. Sign on to and implement the principles put forward by the ACOS Alliance (A Culture of Safety Alliance) and provide appropriate security and hostile-environment training for

staff and freelancers; support journalists who are threatened or attacked; and hold police or other investigating agencies accountable for thorough investigations.

3. Employers should provide up-to-date press identification cards to all media staff involved in newsgathering, including stringers and part-time employees.

4. Employers should establish clear mechanisms for staff and freelancers to report threats, harassment, or attacks, and offer appropriate support.



*[A special report published by the Committee to Protect Journalists in August 2016]*

# The need for transparency in judiciary

*A number of civil society activists and former information commissioners have written a letter to the Chief Justice of India urging him to ensure transparency in the functioning of the judiciary. They feel that the current state of affairs in the Supreme Court is eroding public trust.*

A number of activists and former information commissioners have urged the Chief Justice of India (CJI) T.S. Thakur to ensure greater transparency in judicial appointments. Their letter comes soon after Supreme Court Justice Jasti Chelameswar questioned the practice of not keeping records of collegium meetings, saying this hurts the judiciary's credibility.

In their letter to Justice Thakur, the activists, including Anjali Bhardwaj, Shekhar Singh, Aruna Roy, Nikhil Dey, Prashant Bhushan, Amrita Johri, Harsh Mander and Maja Daruwala, and former information commissioners Wajahat Habibullah, Satyanand Mishra and Shailesh Gandhi, have noted that it was a "matter of deep concern and anguish" that the Supreme Court "appears reluctant to be transparent and accountable to the citizens of the country".

Asserting that "opaqueness in the process of judicial appointments has been a matter of much public debate and discussion," they wrote that the 2015 judgment of the Supreme Court in the National Judicial Appointments Commission matter also "underlined the need to enhance transparency in the functioning of the collegium system".

Pointing out that "information about the process and basis of selection of judges is not disclosed to the citizens of the country," the letter also observed that "reportedly, minutes of collegium meetings are not maintained, making the proceedings of the collegium inaccessible not just to the public but also to history."

Referring to the objections raised by Justice Chelameswar, the letter said: "The refusal of Justice Chelameswar to attend meetings of the collegium on the grounds that it's functioning lacks transparency to the extent that even some members of the Collegium are unaware of the basis on which judicial appointments are made, points to

the deep malaise that afflicts the judicial appointment process. His views have been echoed by other legal luminaries, including former CJIs."

It went on to add that "such a state of affairs erodes public trust in the institution which billions of Indians look towards to uphold democratic principles and deliver justice."

Saying that the Supreme Court has held on various occasions that all judicial, quasi-judicial and administrative orders must contain detailed reasoning and that no order or decision is complete till its reasoning is recorded (for instance *Manohar s.o Manikrao Anchule v. State of Maharashtra and Anr*, 2012), the letter said "there can, therefore, be no possible justification for not recording the

reasoning for perhaps the most important decision the judiciary makes, namely, who should become a judge."

Further, it referred to how in numerous cases, the apex court has ordered that

appointments must be made in a transparent manner on the basis of rational criteria which are appropriately recorded. In the case of *Union of India vs Namit Sharma*, a review petition of 2013, the court had said: "We further direct that the Committees ...while making recommendations ....for appointment of ... Information Commissioners must mention against the name of each candidate recommended, the facts to indicate ...his experience in the particular field and these facts must be accessible to the citizens as part of their right to information under the Act after the appointment is made".

Similarly, the letter mentioned the case of *Centre for PIL Vs. Union of India*, 2011, related to appointment of P.J. Thomas as the central vigilance commissioner, where the Supreme Court had held that "...in cases of difference of opinion amongst the Members of the High Powered Committee...if one Member of the Committee dissents that Member should give reasons for the dissent and if

**The letter says that it is a "matter of deep concern and anguish" that the Supreme Court "appears reluctant to be transparent and accountable to the citizens of the country"**

the majority disagrees with the dissent, the majority shall give reasons for overruling the dissent. ... transparency would emerge which would also maintain the integrity of the decision-making process. ... The empanelment shall be carried out on the basis of rational criteria, which is to be reflected by recording of reasons ...”

In light of such landmark directions, the activists and former information commissioners demanded that necessary measures be taken to “ensure transparency in the process of appointment of judges”. They urged the CJI to act towards “making the eligibility criteria and process for selection of judges public”.

They have also demanded setting up a broad-based search committee along the lines of the search committee envisaged in the Lokpal & Lokayuktas Act, 2013 to assist the collegium in shortlisting appropriate candidates. “The search committee could predominantly consist of judicial members. The committee should issue an advertisement inviting eligible people to apply and should also have the freedom to employ other methods they deem appropriate to search out potential candidates,” the

letter suggested. Justice Thakur has also been urged to make the “names of short listed candidates public, along with all available details, including details of how they satisfy the eligibility criteria, why they were selected over those who were not, and their background details such as asset declarations etc., at least eight weeks before the collegium meets to finalise the appointment of judges. This would afford people an opportunity to send in relevant information or objections to the proposed appointments.” The activists have also

called for “putting in place an appropriate procedure to maintain minutes of all meetings of the collegium. The minutes must record reasons for decisions taken and dissenting opinions, if any.”

Also, they have demanded that “after the appointments have been made, the minutes of the meetings of the collegium should be made public in compliance with sections 4(1)(c) and 4(1)(d) of the RTI Act.” The taking of these steps, they hoped would “ensure sustained public trust in the judiciary and the credibility of this critical institution”.

[Source: *The Wire*]

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## **Justice Chelameswar and transparency in the judiciary: An Open Letter to CJI**

**Shailesh Gandhi**

**Subject : Justice Chelameswar and transparency in the judiciary.**

5 September, 2016

Justice T.S. Thakur,  
Chief Justice of India.

Dear Sir,

I am writing this letter in the spirit of seeking an improvement in the working of the judiciary, and not as an exercise of criticism. India has not been able to deliver the fruits of democracy as per the aspirations of ‘we the people’. I would submit that the responsibility lies with all the four estates as well as the citizens. One of the attributes on which we have been weak, is in recognizing citizen’s right to information. Despite Parliament passing a RTI Act which rates among the best five (Centre for Law and Democracy)

laws as far its provisions are concerned, our rating in implementation is at a poor 66 (The World Justice Project)..

It is well recognized that the first clarion call for transparency was given by Justice Mathew who said: – “The people of this country have a right to know every public act, everything that is done in a public way by their public functionaries. They are entitled to know the particulars of every public transaction in all its bearing. Their right to know, which is derived from the concept of freedom of speech, though not absolute, is a factor which should make one wary when secrecy is claimed for transactions which can at any rate have no repercussion on public security”.

The only restrictions on this fundamental right under Article 19 (1) (a) permitted by the constitution are those specified in Article 19 (2). The exemptions in the RTI Act cover all of these. Yet the performance of all three estates in implementation has not been very good. There was a hope that the judiciary with its pronouncements on RTI would be a role model and enforcer of this right. This hope has been belied. There are various instances which can be highlighted. To quote two:

1. The rules for RTI framed by many courts are not in consonance with the Act. Bombay High Court infact did not even frame the rules for a year, and some Courts have exemptions not in the Law. Some High Courts had kept 500 rupees as the application fee, while most other competent authorities charged 10 rupees.

2. The Supreme Court PIO challenged an order of the CIC in the High Court, and despite it being dismissed by a division bench it has been stayed by the Supreme Court. The Supreme Court has not heard this matter since 2010. As Aniket Aga wrote in ‘The Wire’: While the government often comes under fire for not effectively implementing the RTI Act, few have noticed that India’s highest court violates the Act routinely, and with an impunity that makes the government’s evasion of the RTI Act seem benign.’

This is also evident in the way the court refuses to share information about the process of appointments and the reasoning behind it. Charges and complaints against judges are not shared with citizens, nor are the results of investigations. Lack of transparency and accountability are justified on the grounds of maintaining the independence of the judiciary. The little man,-the citizen, – is considered immature by the powerful to monitor them. Ills that afflict the other estates are likely to be present in the judiciary as well. The best safeguard and disinfectant is transparency and the demand for accountability which follows. Justice Chelameswar has very boldly raised the issue of lack of transparency in the judiciary, and the nation is grateful to him. Please do not try to ‘sort it out’. You must take this opportunity to bring accountability and better governance to the nation. There is an urgent need to ensure that all judicial vacancies are filled by a a proper transparent process so that the faith of people in our democracy is restored. It is impossible that the judges can by themselves spare adequate time to select the new judges with proper diligence. You must be aware that the increase in backlog of cases is around 1.5% each year, whereas the vacancies in the judiciary are over 20%. This is the cause for pendencies. A proper process with adequate resource must do this job.

Please recognize Justice Chelameswar’s signal contribution to our democracy, take this opportunity to bring transparency to the judiciary and accept that mistakes may be made in all fields. A democracy providing an equitable and fair nation will evolove, not by having infallible public servants, but by devising institutional mechanisms which will correct the foibles of men.

We have lost the balance of the checks and balances designed by our constitution.

I beseech you Sir, for the sake of our nation let us restore it with your authority and wisdom.

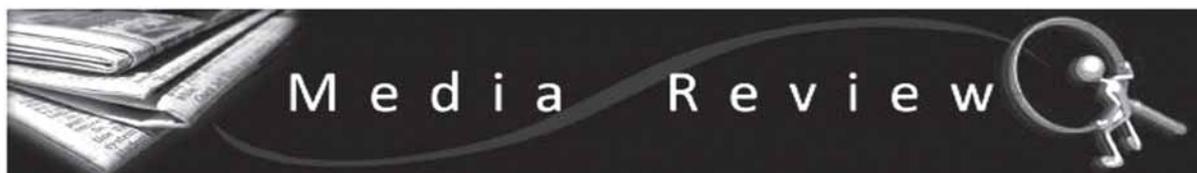
Yours truly

Shailesh Gandhi

Former Central Information Commissioner

PS.: I am hoping you would respond to this communication.

*[Source: Live Law.in]*



## Real-time tracking of RTI appeals soon

The Central Information Commission (CIC) plans to digitize its functioning. It would function like an e-court with all its case files moving digitally and applicants being alerted about case hearings through an SMS and email. CIC would start using new software which would make the hearings faster and more convenient, according to a report in **Economic Times**.

As soon as an RTI applicant files an appeal or a complaint, the person will be allotted a registration number and would get an alert on email and mobile phone about the case. The case would then be electronically transferred immediately to the concerned information commissioner's registry electronically. All this would be done within hours. At present, the process takes a few days. The new system would also alert the RTI applicant about the date of hearing. An automatic SMS and email would be generated. Apart from this, the applicant would get an email in advance listing out the records given by him to CIC and the government's submissions in his case.

The Commission would be able to expedite the processing of applications with the new software. At present, it also has to deal with complaints of loss of case files and non-registration of cases.

## CIC order on information about black money

The Central Information Commission (CIC) has asked the Prime Minister's Office (PMO) to reply to the RTI applicant, who wishes to know the status of black money that was supposed to be brought back in the country, as promised by the Prime Minister Narendra Modi during 2014 Lok Sabha election, says a report in **The Hindu**.

The direction came on the RTI application filed by Kanhaiya Lal from Jhalawar district of Rajasthan seeking information about the status of his representation with the PMO. Chief Information Commissioner Radha Krishna Mathur noted that in his representation sent to the PMO, Mr. Lal among other information had asked: "At the time

of election, it was announced that black money will be brought back to India and Rs. 15 lakh will be deposited in the account of each poor, the complainant wants to know what happened to that."

Mr. Mathur, citing the representation pointed out that the complainant also wants to know whether 40 per cent concessions in ticket given by the Congress government to the senior citizens travelling in the rail are going to be withdrawn by the present government.

It was also observed that the complainant wants an answer from the PMO that it was announced during the election that corruption will be removed from the country and wants to know when the new law will be made for the removal of corruption from the country.

Mr. Mathur pointed out that the response of CPIO is not on record. During the hearing via video conferencing, the complainant said that he had filed the RTI application on February 8, 2016 with the PMO but hadn't got a response. To this, the respondent (a PMO official) stated that they did not receive the RTI application, therefore, they did not reply the same.

## ICSE council not under RTI

The Council for the Indian School Certificate Examinations (CISCE) does not come within the purview of a public authority under Section 2(h) of the Right to Information Act, Kolkata High Court has ruled. Therefore, it is not bound to disclose information about evaluated answer sheets, according to reports in **Mathrubhumi** and **Catch News**.

The CISCE Board is not a Public Authority under the RTI Act, the HC said. A petition was filed by the father of a minor student - who appeared for the Class 10 examination - challenging an order that rejected the disclosure of information under the RTI by the CISCE. After receiving the statement of marks and pass certificate on 6 May, the petitioners claimed that the marks and grade awarded to the student was not up to the mark, considering the student's record. The petitioner

requested that they be allowed to view the original answer scripts.

The Court noted that CISCE was established in 1958 by the University of Cambridge Local Examinations Syndicate, with the assistance of the Inter-State Board for Anglo-India Education, and is registered under the Societies Registration Act No. XXI of 1860.

“The instant writ is directed against an order rejecting the prayer of the petitioner no. 2 for disclosure of information under Right to Information Act, 2005 on the ground that the respondent authority is not a public authority under the statutory scheme of Right to Information Act, 2005,” the HC said.

The board conducts the Indian School Certificate Examinations (ICSE) for Class 10 and Indian School Certificate (ICS) for Class 12.

## **High pendency of RTI appeals in Maharashtra**

Maharashtra has a huge backlog of cases relating to RTI. With 8,294 second appeals pending before the Pune bench of the State Information Commission as of July 2016, it has the second highest pendency in the state, the first being Amravati SIC bench having 8,340 appeals pending before it, according to a news report in **Indian Express**.

The SIC benches are practically the last stage of appeals for information seekers under the Right to Information (RTI) Act, 2005. Second appeals are filed after the information seeker has exhausted all efforts to obtain information with government offices. SICs have the power to fine/summon and order for information to be provided to the applicant.

Of the seven SIC benches in the state, positions in Nashik, Aurangabad and Amravati are vacant. Nagpur SIC V D Patil has been given the additional charges of Aurangabad and Amravati while Pune SIC Ravindra Jadhav has been entrusted with the additional charge of Nashik SIC. Both the commissioners are now shuttling between cities to hear appeals, which is being cited as one of the major causes of the pendency.

In July 2015, when all the SIC benches had full-time commissioners, the backlog was much lower. Records show that by the end of July 2015, the state had just over 3,666 second appeals pending. Back then, Pune bench had just 292 appeals pending, while the benches of Aurangabad, Nagpur

and Amravati had 291,152 and 845 pending appeals respectively. As compared to this, by the end of July 2016, Pune has 8,294 pending appeals while benches of Aurangabad, Nagpur and Amravati have 4530, 845 and 8340 pending appeals respectively. At present, the overall pendency in the state is 37,149, by far the highest such number for any July in the last four years.

## **Compilation of RTI success stories soon**

The Prime Minister will release success stories of Right to Information (RTI) Act in October to mark over 10 years of implementation of the transparency law enacted by the UPA government. The RTI Act, which was enacted in 2005, mandates time-bound reply to citizens' query on governance related matters.

The Department of Personnel and Training (DoPT), which acts as nodal authority for the RTI Act, has written to chief of Administrative Training Institutes of all state governments seeking success stories. The institutes impart training for promotion of the transparency Act. “RTI Act has been instrumental in ensuring greater and more effective access to information to all citizens of the country, especially the marginalised sections of the society,” it said.

On the occasion of completion of more than 10-years of implementation of the RTI Act, the Central Information Commission is going to hold annual convention in October, the DoPT said. “To mark this event, the Commission proposes to bring out a volume titled ‘success stories of the Right to Information Act, 2005’, which would be released for public by the Prime Minister during the annual convention,” it said. The state administrative training institutes have been asked to forward all the documented success stories maintained by them, the directive said.

## **Aruna Roy delivers Narain Verma Memorial Lecture**

The landmark Right to Information (RTI) Act, which has over six million users in the country, has made governments recognise their own mistakes, to RTI activist Aruna Roy observed while delivering the annual lecture in the memory of late Narayan Varma, an RTI activist, in Mumbai. Calling the RTI Act as an initiative of not the middle class but the working class, she delved on its capacity to audit the government. The RTI Act,

she said, happened due to demand of people for information to have accountability and transparency. “Without that their lives would have been in shambles. There was a time when there was no information on accounts. We did not know what is there. Now that has changed. It has changed the power equation,” said Roy.

She added, “There was a time when questioning did not exist. People who questioned were given all sorts of names from Maoists to now terrorists. RTI in essence is the process of auditing and it has brought in social audit where in government has to listen because we tell them what they have shown us.”

She also spoke about the series of attempts previous government made to amend the RTI Act. “Over 10 lakh signatures went against it,” she said adding that the scope of social audit through RTI increased its ambit with the Comptroller and Auditor General (CAG) forming a committee which now looks to access if the public funds were used in the right place.

Roy said that the political class which has still not brought itself under ambit of RTI is still wary of it. “We wanted all those who get public funds be it political parties or NGOs to be brought under the RTI Act. Now the government has come out with a law to check NGO funding,” said Roy.

“The government promised us a lot of things but not given them. Although I do not agree to the popular narrative that nothing happened in India except for the last two years, there is much more to come,” said Roy.

*Courtesy: DNA, Mumbai*

## **RTI activist arrested for demanding bribe**

A joint team of Dehradun police and Vigilance arrested an RTI activist for allegedly accepting a bribe of Rs 20,000 from the complainant, who is a forest department employee. The activist had claimed that he had some important documents related to the forest department employees and threatened to make them public, according to **Times of India**.

Shafeeq Ahmed, a forest beat officer, told the cops that he had been receiving phone calls from a person who introduced himself as activist Vinod Kumar Jain. He had claimed that he had documents which could prove that Ahmed had got a promotion on forged certificates. A resident of Rishikesh, Jain demanded Rs 1 lakh from Ahmed to hand over

the documents, which he claimed that he had got through RTI. After several rounds of negotiations, the matter was settled for a bribe of Rs 20,000.

Jain was arrested while he was accepting the amount, said SSP Dehradun Sadanand Date. It emerged that Jain used t to collect information about employees from various government departments.”

## **Official fined for denying information under RTI**

The Punjab Information Commission (SIC) slapped a penalty of Rs 25,000 each on four public information officers (PIOs) for delaying information under the Right to Information (RTI) Act, 2005, says a report in **Hindustan Times**.

An official spokesperson said that the penalty was imposed by the single bench of S S Channy, chief information commissioner (CIC) Punjab. The spokesperson said Rohit Sabharwal of Ludhiana had sought information from municipal corporation on December 24, 2015, under the RTI Act. The information sought was to be provided by the PIOs, Bhupinder Singh, Danesh and Ankit Midha of the municipal corporation and Navneet Khokhar a building Inspector-cum-APIO, also from the MC. Failing to get any information within 30 days as mandated under Section 7(1) of the RTI Act, 2005, the appellant had filed first appeal.

## **40% of new ministers in Gujarat have criminal cases**

Following the change of leadership in Gujarat, a new council of ministers has been sworn in. Gujarat Election Watch and the Association for Democratic Reforms have analysed self-sworn affidavits of all 25 ministers including the newly nominated Chief Minister in the state.

The analysis shows that 10 (40%) out of the 25 ministers have declared criminal cases against themselves. Out of the 10 ministers who have declared criminal cases, 5 have declared serious criminal cases including murder, attempt to murder, robbery and dacoity.

As regards financial backgrounds of the ministers, data filed by them shows that 21 out of 25 ministers are crorepatis. The size of their average assets is Rs 7.81 crores. The minister with the highest declared total assets is Solanki Parshottmbhai Odhavjibhai from Bhavnagar Rural constituency with assets worth Rs. 37.61 crores. The minister with the lowest declared total assets

is Tadvi Sabdsharan Bhailalbai from Nandod (ST) constituency with assets worth Rs. 23.76 lakhs.

A total of 15 (60%) Ministers are graduates or have higher degrees while 10 (40%) Ministers have education qualification of 12th pass or below. Nine ministers have declared their age between 25 to 50 years and 16 Ministers have declared their age to be between 51 and 70 years. The youngest minister is Radadiya Jayeshbhai Vithalbai aged 30 years from Jetpur constituency. The ministry has just one women representative - Dr Nirmalaben Vadhvani from Naroda constituency.

ADR and the National Election Watch (NEW) have also analysed self-sworn affidavits of current ministers in state assemblies and Union Territories across India. A total of 609 Ministers out of 620 have been analysed across 29 State Assemblies and two Union Territories. Out of the 609 ministers analysed from state assemblies, 210 (34%) ministers have declared criminal cases against themselves. Out of the 78 Union council of ministers analysed, 24 (31%) have declared criminal cases against themselves. About 19% state ministers have declared serious criminal cases including cases related to murder, attempt to murder, kidnapping, crimes against women etc. Out of 78 ministers analysed from the Lok Sabha and Rajya Sabha, 14 (18%) have declared serious criminal cases against themselves.

## **RTI test for Delhi government employees**

With a view to encourage its officers and staff to get acquainted with the provisions of the Right to Information Act (2005), the Delhi government has decided to hold a comprehensive test on the matter in November this year, according to a report in **Asian Age**. All officers working with the Delhi government, its sub-ordinate offices or undertakings and local bodies can participate in the test.

The test will be confined to the provisions of the RTI Act and will contain 100 objective or subjective questions. There will be separate papers for each category — one for LDC and Group D and their equivalent, second for UDCs, Assistants and their equivalent and the third for superintendents and their equivalent and above.

Each incumbent who secures 50 per cent and above marks would be given a certificate and cash award on the basis of his or her performance.

Those who will secure 80 per cent or above will be paid a cash incentive of Rs 1,500, ones who secure 70 per cent to 79 per cent will be paid Rs 1,000, those getting between 60 per cent and 69 per cent marks will be given a reward of Rs 800 and ones securing 50 per cent to 59 per cent will be paid Rs 600.

In addition to the cash prizes, those who will secure the first three positions by getting 80 per cent and above marks in their respective categories will be paid additional cash incentives. The toppers will be paid an additional cash prize of Rs 1,500. Those securing second position will be rewarded Rs 1,000 and the ones who get third position will be paid an additional amount of Rs 500.

All that one is required to do to participate in the test is to submit a one-page application giving details about his or her designation and department. The applications have to be submitted latest by September 30.

The information related to the test has already been conveyed to all the principal secretaries, secretaries, HODs, district and sessions judges, all MDs and chairpersons of local bodies, commissioners of municipal bodies, police commissioner and chairpersons of NDMC and DJB.

## **SC orders transparency in police work**

The Supreme Court has upheld the right of an accused to information and has put a check on the authority of the police to deprive a person of his or her liberty. The court has ordered states and Union Territories to upload on police or government websites all First Information Reports (FIRs) within 24 hours of their registration in police stations.

The bench of Justices Dipak Misra and C. Nagappan observed that an accused had every right to know what he or she was accused of. “Where liberty of a person is at stake and the criminal law is set in motion, the accused should have all the information,” the bench observed. Access to FIR would help the accused prepare his defence and “seek redressal of his grievances.” The court order came on a writ petition by the Youth Bar Association of India earlier this year seeking such a direction.

However, the court has exempted publication of FIRs in certain cases including cases of insurgency, child abuse, sexual offences and terrorism. The

FIRs registered in these categories would continue to be away from the public eye owing to issues of privacy and national interest. The decision to not post the FIRs in such cases would be taken by a police officer not below the rank of a Deputy Superintendent of Police or the District Magistrate, either of whom would have to communicate the decision to the jurisdictional magistrate.

In case of complaint against such non-publication of FIRs, the Superintendent of Police in rural areas

and Police Commissioner in metros, will form a committee of three officers, which will decide on the complaint in three weeks. In areas where Internet access is limited, the Bench extended the deadline for publishing the FIR on websites to 48 hours, which can still further be stretched to a maximum of 72 hours. Accused persons cannot take advantage of delay in uploading of FIRs and seek anticipatory bail on that ground, the court specified.

*[Compiled from press reports]*

## **ACB wants to remain out of RTI ambit**

**T**he Anti-Corruption Bureau (ACB) has written to the government seeking permission to be exempted from the purview of the Right to Information (RTI) Act.

The request was made a few months ago and was a step toeing the Central Bureau of Investigation and the State Criminal Investigation Department, which are out of the purview of the RTI Act.

K.V. Gagandeep, Additional Director-General of Police, ACB, said it was very unlikely for the State government to give the green signal for their request.

Apart from this request, another one pending government sanction is the permission to conduct investigation into cases against government officials in which preliminary investigation has been completed. Mr. Gagandeep was addressing

mediapersons here on Wednesday to announce searches in the offices and homes of three government officials.

The ACB sleuths searched the house of Srinivasa Reddy, Deputy Director, Commerce and Industries, Chintamani, Chickballapur district, and his office in Kolar; house of Sampath Krishna, Deputy Director, Mines and Geology Department, at R.T. Nagar here and his office in V.V. Towers; and house of G.T. Srinivas, second-grade clerk, Chickballapur Taluk Office.

“We seized documents, and investigation is on,” said M.A. Saleem, Inspector-General of Police, ACB. About the luxury watch case involving the Chief Minister, he said they were awaiting information from the Customs and the Enforcement Directorate.

*[Source: The Hindu]*

## **12 PIOs fined for RTI Act violation**

**T**here were 12 numbers of penalties imposed on officers during the year 2015 for failing to provide the required information under RTI Act as per the 10th annual report 2015 of Meghalaya Information Commission tabled in the Assembly on Friday.

The Commission has been empowered to impose penalties in accordance with the provisions laid down under Section 20 (1) of the RTI Act, 2005.

The amount of compensation paid ranged from Rs 1,000 to Rs 25,000. The public information officers who were fined are D Khongiong, T.M Pyngrope, C.P Gotmare and O Ropmay from the Education Department; and L.L Mawnai from the Health Department.

The Non-conventional and Rural Energy development agency of the State government at Mawpat has been slapped three penalties between Rs 1,000 and Rs 4,500.

The joint director of food and civil supply, the DSP of CID (Shillong headquarters), K Prasad of East Khasi Hills, Singseng A Sangma were also fined. However, the department that got the highest penalty is the Khasi Hills Autonomous District Council in Shillong at Rs 25,000.

The RTI Act states that the Central Information Commission or the State Information Commission is liable to penalty if they provide incorrect, incomplete or misleading information.

*[Source: The Shillong Times]*

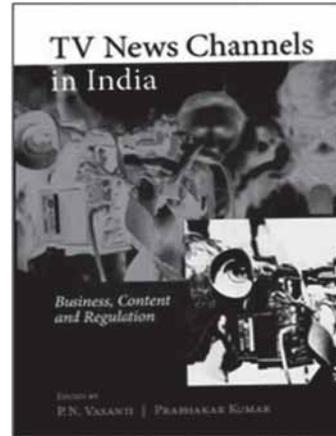
# BOOK SCAN

## A peep into world of television news

The television industry in India has grown at a phenomenal pace in the past two decades. With multiplicity of channels and languages, the satellite and cable TV industry presents a vibrant landscape. The growth of news channels too has been rapid in all regions of the country. However, data about the content of news channels has been lacking. There has been hardly any systematic study of recent trends in television news content and related issues. Whatever data is available it lacks credibility as various sources paint different pictures whether it is related to ownership, business or content.

“TV News channels in India” is the first book based on empirical data available through decade long research on television news content. The CMS Media Lab has developed a databank of TV news content and has generated a statistical history of news content trends based on nearly 90,000 hours of news programmes. The data comes from monitoring of programmes of prominent TV news channels - Aaj Tak, ABP News, Zee news, DD News, CNN-IBN and NDTV 24x7 – during prime time. In 2008, the two Hindi News Channels, Sahara Samay and NDTV India, were replaced with English channels- CNN-IBN and NDTV 24x7. This is the first book on TV news in India providing perspectives of 11 authors with a statistical history of trends in news content.

The book examines the era of explosive growth of TV News channels in India from the eyes of TV news professionals, critics, researchers and academicians with national and international perspectives. It provides insights on policy and regulation and investigates important aspects of ownership of Indian TV news channels. It highlights structural issues of TV news in India and presents analytical case studies on the coverage of entertainment and corruption in TV news channels. CMS Media Lab analyzed the trends in the coverage of TV news on the basis of time spent on issues every day in these news programmes. The change was made to gauge the English news channels’ trends as well. Availability of such rich time series data motivated us to bring



*TV News Channels in India: Business, Content and Regulation*

*P N Vasanti and Prabhakar Kumar (Editors)*

*Academic Foundation*

*200 pages, Price Rs 995*

out the present book and enrich the discussions towards further improving television news content. Besides content, ownership, business and regulation of TV news in India have been included. To have voices of different stakeholders, perspectives of industry experts, professors, editors and researchers were invited to contribute in this publication.

For easy reading and focus on critical components of television news channels, the book is divided into five sections. The first section, Overview provides the existing scenario of TV News where Bhaskara Rao has highlighted the Indian picture while DayaThussu presents it from the perspective of an international viewer of Indian news channels. The second section on Policy and Regulation, where in GeetaSheshu has contributed a chapter on television and regulation based on extensive research of media policies. While Anuradha Raman, in this section has highlighted critical and crucial issues related to ownership of TV news channels.

The section on regional scenario has commentaries on south Indian TV news channels by Arul Selvan and on north east India by Mrinal

# BOOK SCAN

Talukdar. They have provided information and analysis which is hardly recorded and discussed in public domain. In the section covering content formats, senior journalists - Sonia Singh, NK Singh and Shraavan Garg – have written about different aspects of television news. Garg deals with

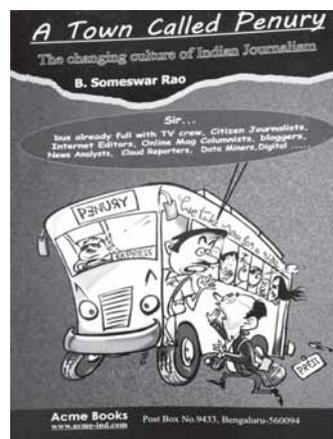
trivialization of news content, while N K Singh has critically examined the role of presenter in a discourse.

Sonia Singh has written about the structure of TV news content and analyzed the reasons of increasing ‘talking’ syndrome.

## Memoirs from a bygone era of Indian journalism

The book is a memoir of veteran journalist, Bhagwat Someswar Rao, whose journalism career spanned almost half a century. During this period Rao worked with several newspapers and news agencies in different capacities – *Nagpur Times*, the *Times of Deccan*, the *Western Times*, *Gujarat Herald*, *The Motherland*, *Skyline* and *Indian Express* - in central, western and south India. The book is a collection of anecdotes and remembrances about eminent journalists and editors of different periods. It is not a chronological history of any newspaper or of Indian journalism, but provides a unique perspective on working of Indian newspapers in decades up to 1980s. In the process, readers are treated to some unheard of events, situations and personalities.

The title of the book is intriguing and like everything else, this too has a story connected with it. It was in the late 1950s when Rao was a teenage reporter in *Nagpur Times*. Since he felt that a journalist should know every aspect of newspaper production, he decided to work voluntarily on the news desk after completing reporting duties during daytime. On one night, his senior colleague who was sifting teleprinter copy came across a story. It was titled ‘Gama dies in penury’. Gama was a world-renowned wrestler and body builder of India who had, after partition, migrated to Pakistan. The senior copy editor asked Rao : “Som, where is this place Penury?” Rao had a good laugh and told his colleague that penury - which means abject poverty – was not a place name. Rao thought if his senior colleague with many years of experience thought that ‘penury’ was a place name, there would be many others in the same category. Rao was right, as he discovered the next day. A rival English daily



*A Town Called Penury: The Changing Culture of Indian Journalism*

*B Someswar Rao*

*A CME Books, Bangalore*

*200 pages, Price Rs 250*

had the same news story about Gama but had penury with a capital P. That day Rao decided that if he ever wrote a book on Indian journalism, its title would be “A Town Called Penury.”

The book provides an insight into poor working conditions of journalists, poor salaries and attempts by newspaper owners to avoid paying wages as prescribed in different wage boards. Because journalists were poorly paid, central and state governments extended to them facilities like subsidized travel, affordable housing or plots and priority allotment of telephones and vehicles. This was considered a way to ensure that they do not succumb to temptations from vested interests and stray from the ethical path. However, over a period of time these measures came to be misused and became allurements. “The loss of idealism in

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accepting sops soon led to outright corruption. A press post became a passport to prosperity,” Rao observes and cites a number of examples to prove the point.

In the chapter titled ‘Giants of a bygone era’, Rao has given brief sketches of editors and columnists who don’t figure most text books on Indian journalism. The list includes Shoebullah Khan, C Y Chintamani, K Punnaiah, Kotamraju Rama Rao, K Ishwara Dutt, Gnesh Shankar Vidyarthi, Vidyabhaskar, Durga Das, N B Parulekar, M Chalapati Rau, S Sadanand, Sham Lal, Frank Moraes, V K Narasimhan, B G Verghese, D R Mankekar, A D Gorwala, C P Ramachandran

and Ajit Bhattacharjea. The author laments that “little is known about the growth of the Indian newspaper, radio and television world” beyond references to the role played by newspapers of Lokmanya Bal Gangadhar Tilak and Mahatma Gandhi in the freedom struggle. He says: “with little ‘institute-industry interaction’ in India, most journalism teachers have not worked long enough in a newspaper to imbibe the spirit, humour, romance and the heartbreaks of the profession.”

Rao’s insightful book fills a great void in the contemporary history of Indian journalism. It is an insider’s account and reflects changing mores of journalism practice in India.

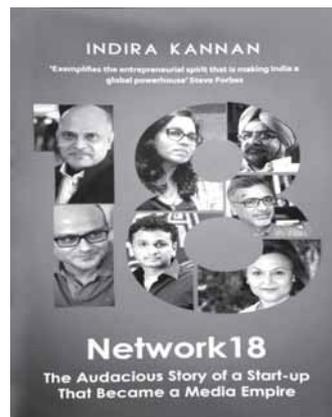
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## Story of a startup that became a media giant

**A**s Indians got their first taste of satellite television during the first Gulf War, Raghav Bahl saw his future in the signals flickering across the small screen. Armed with burning ambition, keen business sense and amazing audacity, he assembled a group of talented professionals and rank beginners to launch one of India’s earliest start-up success stories.

Starting from a small room in New Delhi’s Safdarjung Enclave, Television Eighteen (TV18) grew into Network18, one of India’s biggest media conglomerates spanning television, print, films, the Internet, business and general news, drama and entertainment.

In less than two decades filled with excitement, adventure and frequent crises, Network18 launched pioneering properties, television and film careers and racked up partnerships with blue-chip media brands like CNBC, CNN and Viacom. But a mix of hubris, overreaching and external factors set it up for a free fall. This is a story of brilliant ideas, severe setbacks, naked aggression,



*Network 18: The Audacious Story of a Start-up That Became a Media Empire*

*Indira Kannan*  
*Penguin Random House India*

*352 pages, Price Rs 699*

spectacular victories and fatal flaws. It’s a story of a media empire that could only have been Made in India.

# Freedom of Information Act turns 50

The Freedom of Information Act of America has turned 50 this year. It is from this law that Right to Information laws in many democracies drew their inspiration. The American law gives anyone the right to file a written request to obtain records from the federal government without explanation, as long as those records don't fall under nine exceptions, like jeopardizing national security, that prohibit their release.

FOIA and its analogous state records laws have made possible news stories revealing the inner workings of government through politicians' correspondence, policy memos, internal reports and other texts compiled without the input of press secretaries and other handlers. The laws are at the center of the 2016 presidential race, too.

Even as FOIA remains vital and relevant, cultural shifts in the past 50 years have exposed its shortcomings, sometimes in ironic ways. Bureaucrats need only cite an exemption to reject a FOIA application, which can lead to costly and lengthy court cases. Court decisions have interpreted the law in ways that tend to expand or protect privacy rights. Those interpretations have occurred as the government itself has electronically surveilled citizens without their knowledge or permission and individuals willingly share intimate details of their lives on Facebook and other social media.

President Barack Obama has signed a bill that significantly reforms and improves access to public records under FOIA. One of the most notable provisions is the law's mandate for agencies to operate from a presumption of openness, ensuring that information is withheld only under one of FOIA's nine exemptions. The bill codifies Obama's

2009 memorandum sent on his first day in office — which ordered federal departments to operate under this presumption.

The law also paves the way for the creation of a single online portal to accept FOIA requests for any agency, similar to FOIAonline, already in use by 12 agencies and offices. The Office of Government Information Services (OGIS) will also be strengthened with the reforms, permitting it to make recommendations for improving FOIA without necessarily seeking input from other agencies.

Under the new reforms, FOIA exemption 5, which allowed agencies to withhold privileged information indefinitely, will limit the withholding of "deliberative process" documents — such as memoranda, letters and drafts — to 25 years.

Agencies' consistent overuse of the provision had caused open government advocates and journalists to refer to the exemption as the "withhold it because you want to exemption." The new law also requires agencies to submit annual FOIA

**As the US government struggles to keep up with archiving technology and the explosive growth in digital information, media start-ups and private groups are developing innovative FOIA requesting and cataloging technologies to make the process faster and more efficient.**

processing statistics a month earlier so they are available for Sunshine Week in March. "[OGIS] is a very small office with a huge mandate," said Rick Blum, coordinator of the Sunshine in Government Initiative, a coalition of media groups, including the Reporters Committee for Freedom of the Press, which lobbied for the reform.

President Lyndon B. Johnson originally signed FOIA into law on July 4th, 1966, despite his misgivings and years of congressional hearings on the need for a disclosure law. The law has been amended roughly every 10 years to adapt to technological advancements and to improve government transparency.

*[Compiled from reports published in CJR and Niemen Reports]*

# Media representation of disability

Nookaraju Bendukurthi

In the wake of mushrooming mainstream and alternative media in the country and constant cutting edge developments occurring in online media platforms at the global level, disability representation in media is becoming an important area to explore. There has been very little interest in Indian academia, particularly in media studies, to study disability representation either in terms of studying meaning and interpretation or to work towards theorizing disability representation. Against this background, my recently completed doctoral study was aimed at understanding disability representation in Indian media based on an analysis of news narratives on disability and on the media's preparedness to include persons with disabilities (PWDs) in the process of media production through its policies and practices.

I argue that the nature of disability representation in the news serves neo-liberal objectives which are mirrored in the production practices of news organizations. News articles present people with disabilities as having *use value* in society and ready to be offered for *exchange value* in the market, which is what I call *political economy of disability coverage of the media*. At the second level, my thesis aimed at understanding the construction of disability representation through different print media content and design elements. At the final level, the study aimed to understand the perceptions of media producers on the inclusion of people with disabilities in media production. Additionally, the study attempted to understand how PWDs as media consumers perceive the same issues.

The juxtaposition of these various arguments allowed me to understand the levels of media's commitment and preparedness to accommodate PWDs in media production as well as the expectations and apprehensions of the disability

groups in intervening in the media production process.

## A few key findings:

- Indian (print) media representations emphasise disability as a dependency category. It is a category that is presented through media messages akin to other marginalised identities such as gender, sexuality, caste, ethnicity, and race. Though it was presented as an omnipresent category along with other marginal sections in society, the underlying representation seems to be one that emphasizes disability as a problem that requires a solution. Getting social acceptance for what they are (with impairments) and assistance to ensure accessibility of things and places which they use/need to use to lead a life they want are the solution/s that these stories

evocatively stress. Further, media through the photo-journalism substantiate this and also re-introduce PWDs as people with use value to the ableist world. More than 70% of news stories collected as part of

**Though disability is presented in media as an omnipresent category along with other marginal sections in society, the underlying representation seems to be one that emphasizes disability as a problem that requires a solution.**

the study reiterated this.

In both the above images 1 & 2 PWDs are presented as people with worth or people with *use value* as they are demonstrating their skills to the (normal) world through media lens.

- In case of disability representation, media tends to project disability in relation to conflict or complex events or as an issue within a larger social conflict, or an issue that negotiates for and on behalf PWDs. Media images, as seen below, further highlight the relentless battle the PWD community continuously engages with either to question/demand/plead/pressure the state in getting their constitutional/legal entitlements.

News story titles such as "It's a challenge for them to get their due", "Make disabled rights violation penal offence", and "Disabled Rights

Group quits civil aviation panel” reinforce the fact that media organizations, to a large extent, constantly engage in activities related PWDs are political in nature. Stories of this kind also imply that the issues of PWDs and PWDs themselves are caught up in the political crisis. These presentations would always be suggesting through their construction that disability is political construct and it is the political solution to the problems that they have been going through in society.

- Disability representation through news articles pitches in for the need of social acceptance of PWDs by highlighting their abilities/skills or use values and at the same time presents the case of industry requirements of people with acquired skills through different framing techniques. By framing pattern/techniques, what I mean, is news designing practices being followed by media producers such as page in which the story positioned, the way story is placed, for instance, a lot disability related stories are given as stories in boxes as they look different from all other stories in the page, colours used in the headlines, type of fonts and size of fonts in the title of the story, punctuation marks used in the titles – a good number of disability news story headlines, as observed in the study, ended either with exclamatory mark or question mark, backgrounds used behind the photograph used in the story, and so on.

- There were different types of editorial formats within which news related to disability appeared to generate the ‘feel good’ sense about the PWDs among the audience. Through the use of specific language such as “differently-abled” and “visually impaired”, and “Specially gifted” are a few expressions to mention, aimed at generating an inclusive and positive impression,

the media aimed to indicate their support to PWDs and also draw in the support of the audience.

- It was observed that there was a distinctive framing pattern (editorial and design techniques of news) being followed by media in their regular usage of existing frames such as *Human Interest, Conflict, Responsibility* and *Economic Consequence*. The distinction between the picture frame – focusing more on the impairment than face of the impaired person or highlighting the part of the impairment on the human body through different camera techniques, as well as the frame stories – placing or positioning the PWD stories at different pages of news paper,

presenting the story in boxes (as boxed news item), etc., in their saliency, particularly, in coding certain disability related matters pushing the expansion of these existing frames to lead to the emergence of new news frames.

Upon categorizing collected news stories considering their nature of presentation, it was identified that media organizations

need to incorporate other set of new frames which I call as *Charity Frame* and *Achievement Frame*. Stories grouped under *Charity Frame* would be reinstating the philosophy of Charity Model of disability where PWDs or the organizations/people working for/with PWDs seeking some or other kind of charity in more unsaid manner. News stories carrying *Achievement Frame* would be celebrating the success of PWDs. These stories are what they call it in disability studies as “*inspiration porn*” – presenting PWDs achievements as inspiration to normal world.

- While representing disability issues through their narratives, media are aggressive in presenting the abilities of PWDs as unused or



Source: *The Hindu*, 23 September, 2012

in waiting or PWDs as people with different abilities to gain social acceptance or to be part of the mainstream work force or combination of both, whereas in the case of accepting or including PWDs in media production, media organisations are not sure in the same abilities. News representations of disability, in other words, were observed, to be more geared towards fulfilling the economic/productive needs of the labour market than fulfilling the social needs of PWDs.

Through their meticulous constructions or presentations particularly emphasising on/about the abilities of the PWDs, media fetch or introduce labour with difference or with different skill-sets that are to incorporate into the

productive activities of other private entities. Thus media are fulfilling the labour needs of industries and marketing the abilities of disabled people through their variety of representation techniques and strategies.

One of the major findings from this research was that the level of interest that the media organizations demonstrated in covering PWD issues sharply contrasted with proportion of interest expressed by media producers in including PWDs as part of the production process. Despite the media's 'presentation' of PWDs as a "reserve army of labour", as was shown in my political economy analysis, with their abilities showcased for the market, the media itself makes little use of these abilities.

**[The author is assistant professor of communication at the Central University of Kashmir. He is a Ph D from the University of Hyderabad]**

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### About CMS Transparency

The CMS Transparency team focuses on issues of good governance, raising awareness about the Right to Information Act (RTI) and empowering citizens to benefit from the legislation. CMS Transparency has been providing significant database and momentum to create responsive governance systems in our country.

The team will continue to establish links with civil society groups and design campaigns for RTI to further social objectives like transparency in elections, exposing corruption and improving civic services.

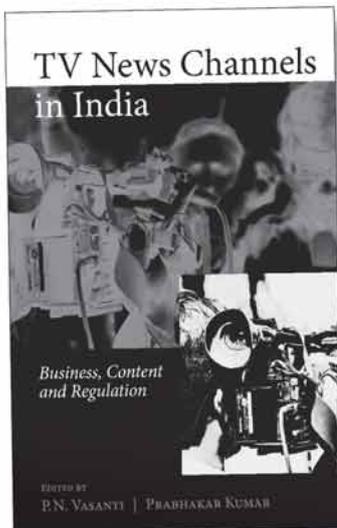
*"I am happy to note that Centre for Media Studies (CMS) has been carrying out the exceptional good work in various areas having substantial public interest. One of their initiatives is the study on corruption in the country in particular in certain geographical areas or on a theme."*

...K.V.Chowdary, Central Vigilance Commissioner, Central Vigilance Commission (2015)



**CMS Transparency**  
Towards Responsive Governance

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## TV News Channels in India

This is the first book on **TV news in India** providing perspectives of **11 authors** with a statistical history of **10 years of TV news trends**. The book is based on CMS Media Lab's data bank of nearly **90,000 hours of prime time programmes of prominent TV news channels**.

The book examines the era of explosive growth of TV news channels in India from the eyes of **TV news professionals, critics, researchers and academicians** with national and international perspectives. It provides insights on policy and regulation, and investigates important aspects of ownership of Indian TV news channels. It highlights structural issues of TV news in India and presents analytical case studies on the coverage of entertainment and corruption in TV news channels.

“

This book delves deep to track the hip-hop journey of TV news in India mired in controversies, it's content crisis, shouting anchors and vanishing reporters, the great debate tamasha and so on. A sincere effort and worth read, though few questions remain unanswered and most prominent among them is why TV news is "TV news!"

— **Q.W. Naqvi** Former News Director, TV Today Network

This book is the first attempt to examine and analyse trends of TV news, contents based on first hand database, showcasing TV news in India. As it has highlighted the major issues of TV news, the book has significant implications for global TV news industry, particularly for a neighbouring country like China where TV news is undergoing fundamental changes in the digital era.

— **Guo Ke** Professor and Dean,  
School of Journalism & Communication, Shanghai International Studies University, China

Whether a lay reader, a concerned citizen, a media official, an entertainment executive, a policy-maker, or a nation builder, the insights contained herein capture the complexity of collecting, sifting, and presenting of valuable news and information on one hand, and its low-balling and trivialisation on the other!

— **Arvind Singhal** Marston Endowed  
Professor of Communication, University of Texas at El Paso, USA

The book is the need of the hour for an industry which is still passing through an evolutionary stage, from that of an idiot box to an intelligent and intellectual medium. With the fast emerging social media and an enlightened citizenry increasingly raising questions on the credibility of news content, it is pertinent to have credible empirical data and reliable research for a substantive overview.

— **K.G. Suresh** DG, IIMC

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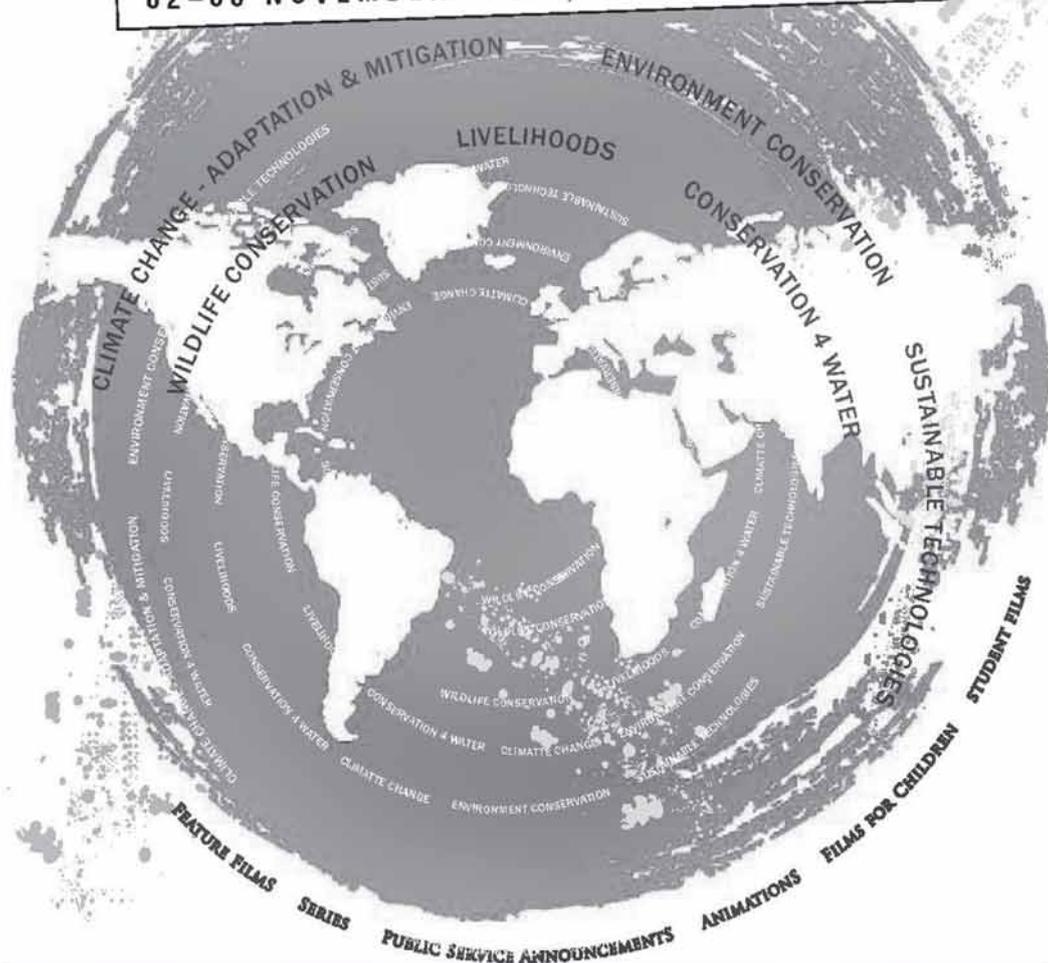
#### Corruption Reporting in TV News Channels in India

ALOK SRIVASTAVA

Email: [library@cmsindia.org](mailto:library@cmsindia.org) or call **98999 79153** to get special discount.

The book is also available to purchase on Amazon <https://www.amazon.com/TV-News-Channels-India-Regulation/dp/9332703256> or you could send a DD/ Cheque favouring [CMS Support Services (P) Ltd.] payable at New Delhi, along with a cover note.

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