

## On Wages

A recent report of the World Bank has advocated a progressive reduction in government intervention in the matter of determining wages and other working conditions for employees in the formal sector. A strong governmental role in this area has led to a counter-productive 'politicisation' of industrial relations across the board.

The emoluments and service conditions set for the public sector by the government have influenced the material aspirations of the workers in the private sector. Their cause has been taken up by the trade unions which have mounted a strident campaign demanding that workers in the private sector be given the same salaries and benefits as their counterparts in the public-sector. As an ideal to be realised, this is certainly worth welcoming. But the fact of the matter is that many losing public sector undertakings can afford to buckle under their trade union pressures because the government has been virtually underwriting the bank loans which are artificially keeping them alive.

Leaving wages to be determined by free market forces is the wisest course open to us. We have learnt this the hard way.

There should be no confusion about the staff free market forces are made up of. Their rock-bed is the survival of the fittest. That is competitiveness in one word — competitiveness in the domestic as well as in the world market. We have to export to survive. So the whole world comes in. Even the region is involved, because if the domestically produced goods fail to compete in prices and quality with similar products of the neighbouring countries, we are done for — swamped by smuggling.

Vigorous internal competition will be complementary to our external marketability. More than that, it would be of central import to labour welfare and progress, and the protection of consumer interest which will be to the benefit of all people since everybody is a consumer. The rider here is that the public and private sectors must be on a reasonably level-playing ground to be able to compete with each other, freely and fairly. It is also important that within the private sector there is a rationalisation of the fiscal-cum-tariff structure.

So, our thrust on free market forces is for linking wages to productivity, profitability, viability and expansion-worthiness of industries in measurable terms.

## Give Law a Chance

The Sub-Judge Court of Rajshahi has come up with a historic judgement in that it orders a ban on private practice by a lady doctor of Rajshahi Medical College and Hospital — a government establishment. The prohibition comes because of her neglect of official duty resulting from an involvement with her private clinic. The plaintiff had complained of sufferings of patients and loss of state money caused by her absence in the hospital.

The beauty of this case is that it was filed in defence of a vital public interest and the court has given a verdict in favour of the citizenry. On this score, it is a precedent-setting court order that is expected to have a far-reaching impact not only on medical practice in the country but also in other areas of public life. Public interest litigation has been few and far between in our society, but in many areas of our life we quietly endure irritants which could be easily taken to the court, and remedied, with a lot of social good to follow. The problem is, not many people are either aware of the legal provisions or are unwilling to go through the troubles of litigation.

The Rajshahi verdict should bring a change in that mentality. In a country where people find their rights curbed or violated in very many areas, the legal provisions have hardly been used for righting the wrongs. Public demonstrations, rallies and other forms of protests call for massive organisational work. Not many are able to muster the art of such a public campaign. But individuals and small groups have ample opportunities to seek judicial rulings on issues affecting them adversely as citizens. Only that they need to be sufficiently motivated for this. Fortunately, people have started coming out of the shell to seek legal help in matters of public interest.

Let the verdict of Rajshahi Sub-Judge Court contribute its mite towards building a culture of public interest litigation in the country.

## Cong (I) on Tenter-hook

Indian Prime Minister Narasimha Rao is under pressure. His attempt to bring unity within the Congress Party through a cabinet reshuffle has virtually failed because of a storm of controversy raging over the arrest order issued against Chandraswami, the spiritual guru and adviser to Rao. Rajesh Pilot who ordered the arrest has promptly been removed from the internal security portfolio to the environment ministry.

A series of political debacles such as defection by stalwarts like Arjun Singh, losses to the Bharatiya Janata Party (BJP) in the state and by-elections and Sonia Gandhi's criticism of the prime minister show that the first prime minister from the south is having a rough ride.

The in-fighting within the Congress Party has further deepened with this row over the arrest order and the premier seems to be doing more harm to his party than to himself. The way his party is falling apart gives an indication of what may be expected of the coming 1996 general election so far as the party is concerned. The Congress appears to be working for the benefit of the BJP through such suicidal moves. With Congress reverses the Indian polity may not be the same again. The BJP appears to be a strong contender for power. That looks pretty much ominous.

# In the Name of Dynasty

*Indira Gandhi and Rajiv Gandhi died in harness. But the public is getting exasperated because there is an over exposure and over dose of the dynasty. The whole thing has gone beyond the point of endurance.*

## BETWEEN THE LINES

Kuldip Nayar writes from New Delhi

THE renaming of Connaught Place, a many-decade-old shopping plaza in New Delhi, as the Rajiv Gandhi Chowk does not surprise me. Such persons, who may not get even a parenthesis in history, need to be associated with some popular road or centre so that they stay in people's mind.

Prime Minister Narasimha Rao and his cohorts, responsible for it, do not realise that tomorrow when they are out of power, the effacement of names will be with a vengeance. In democracy, nothing can be imposed for long without the popular backing.

Yet, the most reprehensible part is the arrogance of power it reflects. There was no public debate. Nor was the elected government of the Delhi state consulted. Its chief minister Madan Lal Khurana has said: "Nobody talked to me. I had no idea of this decision." The central government's own guidelines, as old as 1984, were violated. They have laid down: "The renaming of streets, roads, etc. not only creates confusion for post offices and the public but also deprives the people of a sense of history."

The Home Ministry officials say that they were not aware of the file which, according to them, was dealt with by the prime minister during the holidays. The announcement was sent to newspaper offices through an unsigned fax message. Why this hush-hush procedure when the decision was to come before the public?

Obviously, the prime minister did not want anyone to know before it was a fait accompli. True, he has come to develop contempt for public opinion and lives in a world where he shuts out criticism and admits sycophancy. Still, old in public life as he is, Rao would have anticipated cynicism on the part of the people.

There must be some pressing reason for not bothering about the reaction. The general impression that Rao wanted to placate Sonia Gandhi may be true. She has been unhappy with him over

the way he crowded out Arjun Singh from Congress and forced him and ND Tewari to form a new party. Her rapprochement with Maharashtra leader Sharad Pawar must also be worrying him. But changing the name of a business complex is too small a price to win her over.

The other impression, which is more weighty, is that the government has received from the Swiss court the list of names of persons and parties who got the kickbacks in the Bofors gun deal. Rajiv Gandhi's complicity through an Italian recipient has been confirmed. Before the names become public and Rajiv Gandhi's image is tarnished beyond redemption, Rao thought it politic to okay the proposal.

But he has committed the same mistake as Finance Minister Manmohan Singh did when he announced the allocation of Rs. 100 crore to the Rajiv Gandhi Foundation. Manmohan Singh had to withdraw the proposal because of the uproar in parliament and public. Rao is too haughty to bow before the wide criticism but he should realise that people will have their say in the Lok Sabha elections, due in six months.

Another member of the dynasty, Indira Gandhi, did not need another chowk in Delhi as the Connaught Circus has been rechristened. She is already all over. Poor Jawaharlal Nehru, who gave name — and all — to the family, has been cornered to a building at Tin Murti. Some argue that it is only the name of a Britisher, Connaught, that has been removed. This is not the point at issue. Why members of the dynasty are always preferred to other national leaders?

What Rao and his Congress party do not realise is that their overdoing has injured even the normal respect and affection for Mrs Gandhi and Rajiv Gandhi. The surfeit of the dynasty is evoking a feel-

ing of disgust against them. Today, the party is in power and can get away with anything. Tomorrow, when others are in office, they will even point at the precedents set by Congress to cover up their excesses. It will look petty when the Congress successors retaliate and I wish the party had stopped at some decent limits.

I do not underestimate the sacrifices of the dynasty. It has made a substantial contribution to the country. Indira Gandhi and Rajiv Gandhi died in harness. But the public is getting exasperated because there is an over exposure and over dose of the dynasty. The whole thing has gone beyond the point of endurance. Perhaps, Sonia Gandhi should herself intervene and put a stop to at least the government's doings and tell it not to use the dynasty's name without rhyme or reason.

While on the subject of the dynasty, the Rajiv Gandhi Foundation should be more transparent on how it collects money and how it spends it. Some of its programmes are wasteful; for example, seminars. Many foreigners, who have participated in them, are talking about the lavish style in which they are held. One American participant told me that he got a business class air ticket and was put up at a five-star hotel, with a limousine at his beck and call.

Apart from the status symbol, these seminars are of no value to the nation. And outside India, none has either any interest or inclination to pursue what is concluded at the meetings. Lakhs of rupees thus wasted

can be spent on schemes like sanitation, health centres, schools and clean water supply in villages. This will be a better way to perpetuate the Rajiv Gandhi memory than to rename a business complex or a road after him.

In the midst of controversy over the changing of names comes the news that Rahul Gandhi, Rajiv Gandhi's son, may join Congress. The party's spokesman, VN Gadgil, has already welcomed the entry. This may at least settle one thing: Sonia Gandhi will not support the breakaway Congress if she is not able to effect unity, which is said to be on the top of her agenda.

Rahul's induction is on his own but, unlike Mrs Gandhi who was launched by Nehru, or Rajiv Gandhi, who was nominated as successor by Mrs Gandhi, Rahul's entry, if it comes about, will be at a time when the fortune of Congress has hit the bottom. Probably, his sister, Priyanka, would have made a bigger splash because she is compared to Mrs Gandhi. It is too early to say how he would fare.

He could be like Sanjay Gandhi, a ruthless person, whose only quality was how to arouse the mob. He could be like his father, Rajiv Gandhi, who started as Mr Clean but proved to be one of the most corrupt politicians India has had. Rahul must be given a fare chance and judged on the basis of what he does and not on what Mrs Gandhi and her sons did.

I personally think it is too early for Rahul to be a parliament member. He should join politics, if he is so inclined, and get the necessary

# Retirement Age

*Bangladesh has a large population of young persons and a high rate of educated unemployment, and if their elders do not retire, they will have a hard time on the job market even if the entry point recruitment age is raised*

HERE is much controversy about the retirement age among government servants in Bangladesh, though only as an undercurrent. But it is likely to surface and take a virulent form if the present status quo is disturbed either way through government action. This subject, therefore, deserves thorough discussion. This is attempted below.

Normal retirement is on completion of 57 years of age. This means that an official can either take straight retirement, or go on leave preparatory to retirement (LPR) at 57. In the latter situation, the official receives full salary for six months and half salary for the remaining six months without having to work, and then at 58, he or she is fully retired. Then there is voluntary retirement, which can be taken normally only after 25 years of service. The government also has the right to compulsorily retire a government servant after 25 years of service without assigning any reason.

One opinion on the normal retirement age is that it should be raised to 58 but cutting out the LPR. The main argument here is that since the official is being paid a salary during LPR, he or she might as well be made use of. Also, since the normal retirement age in Bangladesh is the lowest in the subcontinent (if being 58 in India and 60 in Pakistan), there is a strong reason for increasing it, particularly when there is an acute shortage of experienced officers at the highest levels. There are two arguments against raising the normal retirement age. First, Bangladesh has a large population of young persons and a high rate of educated unemployment, and if their elders do not retire, they will have a hard time on the job market even if the entry point recruitment age is raised.

Secondly, the present shortage of experienced officers at the higher levels may be made up through selective merit-based lateral entry from among professionals in their early 50s. This may affect the morale of the middle level officers but not the junior officers who have been generally recruited through competitive examinations. On the other hand, an increase in normal retirement age will adversely affect the morale of officers across the board. On the balance, I would support the status quo in this regard.

because the demoralisation is likely to take on an agitational form and cause unnecessary trouble. Indeed, if temporary difficulties can be met through temporary solutions, it is best not to seek permanent ones. Indeed, the government is already resorting to selective extensions to address the shortage of qualified officers at the top levels. However, selective extension has several problems. Firstly, the way it is now being done does give cause for misunderstanding among officials. Secondly, an officer on extension is essentially a lame duck whose involvement with the government has already been greatly eroded. For him,

officials. Since a change in these would also be decided, it is best that government has some ready-made instrument at its disposal to deal with corrupt, inefficient and undisciplined officials. Thirdly, the compulsory retirement age needs to be brought down to 20 years of service so that it may be applied for getting rid of undesirable officials. But, of course, such a move is likely to be strongly resisted from the beginning. However, it is likely to be appreciated in the long run by the vast majority of officials if it is really used for the right purpose. This means that adequate screening measures will have

achievement by easing the pension procedures though perhaps some operational problems still remain. This cell could also address these problems. Finally, the government may advise the nationalised banks to be liberal particularly with those who have taken early retirement in sanctioning investment loans, provided the normal conditions are met. Perhaps some special schemes could be devised in this regard.

## Making Government Work

by Analyst

it is basically a "mark time" situation. On the other hand, merit-based selective lateral entry will bring in fresh blood from outside the government, and as long as there is no politicisation, it will be easily acceptable to other government servants.

The voluntary retirement age needs to be brought down to 20 years of service from the present 25 years in order to allow officers to seek other professions while they are still young to take a risk. (In India also, it is 20 years of service). On the other hand, 25 years of service means an officer is either 50, or nearing 50. In our country, at this stage of life, people tend to follow the beaten track rather than face challenge and adventure.

There are officials who strongly oppose the provision for compulsory retirement without showing any reason on the ground that it is sometimes used for victimisation. I do not buy this.

Firstly, the solution is not total abolition of this provision but ensuring that victimisation does not take place. In any case, the victimisation argument is likely to be more applicable in an autocracy than a democracy. Secondly, the disciplinary rules are such that it takes years to punish wrongdoers among

to be taken so that there is no settling of personal scores or political victimisation while this is being implemented. Indeed, if this happens, there will be disaster.

Finally, although I support a rather strict line on normal and compulsory retirement, I strongly hold that we should make a much better use of retired officials than we are presently doing. Several measures may be suggested in this regard. Firstly, a roster of retired officials should be maintained by the Establishment Ministry and the line Ministries indicating area of specialisation and skills, and accordingly, they should be utilised in post-retirement work such as in permanent and temporary commissions and committees, consultancies, etc. Secondly, the government may also circulate their CVs to local consultancy firms, international organisations, NGOs, etc which may be able to employ them. Thirdly, a unit could be set up in the Establishment Ministry, for counselling and assisting retired officials on their post-retirement problems and pursuits.

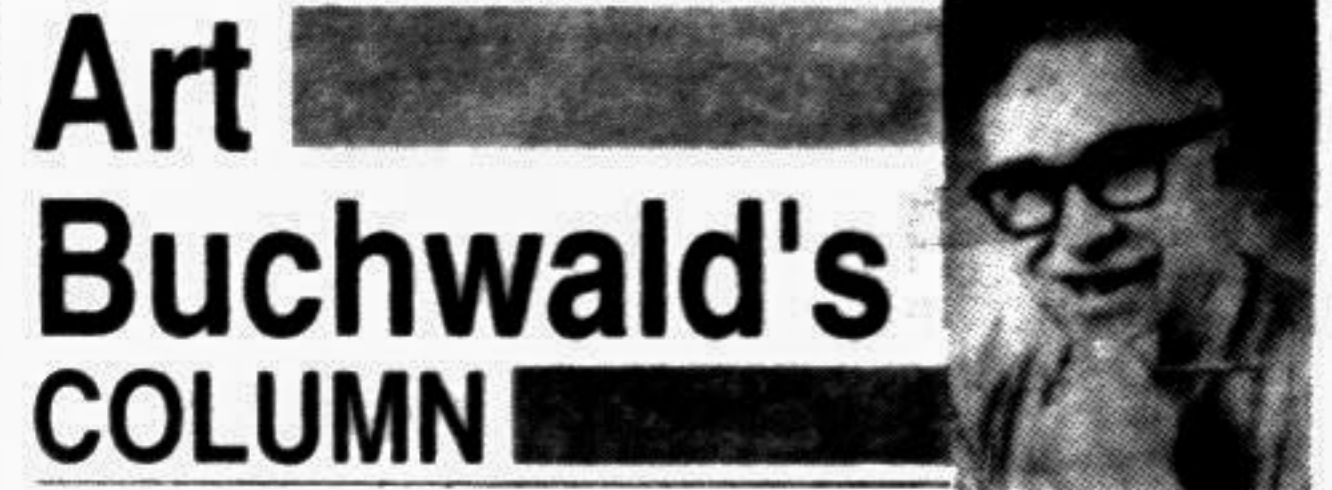
In this regard, the cooperation of the Retired Government Officials Association would be most valuable. The government has already made a singular

grounding before becoming an MP. The rough and tumble of politics is necessary for a new entrant, more so for a person who has led a sheltered life. He must prove himself. Nehru initiated Mrs Gandhi in the Congress party first, not in parliament.

That he wished she would be the prime minister goes without saying. But he knew that soon after his death, it would not be possible because leaders like Lal Bahadur Shastri, Morarji Desai and K Kamaraj occupied the

attention of the party and public much more than her. But ultimately she made it.

Rahul has the advantage that the Amethi Lok Sabha constituency has been more or less a preserve of the dynasty. Petroleum Minister Satish Sharma, MP from Amethi, has said more than once that he is keeping the seat warm for the family. But Rahul should forego the temptation and first make name for himself as a party worker. The problem with the dynasty members has been that they have been too pushy, too ambitious. If they had inherited even a fraction of Nehru's qualities, they would have deserved his mantle on merit.



Art Buchwald's COLUMN

## Mum's the Word

A recent survey reveals that the only people who have no idea about what's going on in the O J Simpson trial are the jurors. Sequestered for months, not permitted to hear the legal arguments or study any of the evidence because of objections from opposing sides, the jury has spent most of the trial locked up in a hotel suite watching reruns of "I Love Lucy" and sticking their tongues out at each other.

I didn't realize how much they were out of the loop until I ran into one of the jurors in the courthouse men's room.

"How's it going?" I asked. "I'm not supposed to talk to you," he said, "but I'm lonely. For months now the judge has kept sending us out of the room. We've heard only about 15 minutes of testimony in total. I wish they'd let us watch Court TV so we knew what Kato was really up to."

"The entire O J Simpson case is too important to be heard by a jury," I told him.

"So that's what's going on. Every time we ask the bailiff who's on trial, he says it's none of our business."

"Knowing too much about the defendant could bring about a mistrial," I said. "What you have to understand is that in order to come to a decision it's much better not to have any idea what's happening in the courtroom. The public knows everything, but it doesn't have to call the shots."

I then asked, "What do you enjoy most about the trial?" The juror replied, "Watching the defense lawyers when they huddle together. They look like the USC football team. I also enjoy it when everyone gathers around Judge Ito whispering angrily in his ear. What I hate is whenever the defense screams, 'Foul,' and the prosecution says, 'Liar, liar, your house is on fire,' the judge insists on us leaving the room."

I tried to cheer him up. "Maybe you can get a book contract out of it."

"I have nothing to write because I don't know anything. We don't even know if Fuhrman drove the white Bronco or if he was the one who harassed the women in Sen. Packwood's diary. So far we only know that a dog barked around the time of the murders, but they won't tell us if it barked at Lee Bailey or Alan Dershowitz."

I told him, "Being on this jury is a dirty job, but somebody has to do it. I understand that the wheels of justice have turned slowly in this trial, but in years to come people will say, 'That jury did the best they could with what they had to work with. If they had known all the facts in the case, they wouldn't have been able to sleep at night.'"

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## OPINION

### Hartal

Alim-ur-Rahman Khan

country; then what has happened? Did we select the wrong people to power? Or is it that we just produce people like this who, when reaching the offices of power will be either corrupt or useless? Or devoid of realities, are we imagining things against the elected people? Or are we ungovernable? Do we have any chance of putting the right people in places of authority?

Many people are of the opinion that we are to be kicked in the back if we are to be made to work? Is this true? Do we have to hire "Mamluks" to kick us daily and to make us work in an organised manner? Well, we had Turkish slaves running us from Delhi or even Abyssinian ones running us in Bengal. Why not try the method again? Let Sultans or Commanders-in-Chief run the country through batons and bayonets and then, when they become old or weak or inefficient, we shall kill them and replace them with others. This has happened in the past during the glorious days of our history; perhaps that is our natural system, why fiddle around with democracy, a Western idea where "...people are counted but not weighed."

I am digressing. Let me get back to hartals. I enjoy the hartals. Living in the older part of town, I hate traffic jams and the polluting smoke; being impotent, when it comes to doing anything to stop the downward slide of conditions, I take shelter in hartals. I can read, I can write, I can joke. I can even think a bit. I wonder if we could think out a permanent system of hartals, when armed trains would come from Uttara, Baridhara, etc to the city during hartals so

that one may work peacefully in one's guarded office and go back home in the evening. This may be a solution to the traffic problem of the city. Useless people will not move around creating obstructions nor would there be a flow of the unemployed from the village side to pull a rickshaw in the city.

The hartal this time has also created a new dimension. We shall soon have "streakers" in the city. Not the ordinary "mad-man" who goes about without clothes or even a mad-woman sometimes. These will be genuine streakers, we just have to have some more hartals and stripping government officials of their clothes publicly. We shall get used to the idea of seeing naked men or women. In a round about way, this can be considered progress also. After all nudist colonies exist in advanced countries only. We can catch up. A great step forward. In a predominantly Muslim country, to strip anyone of his clothes was unheard of before but then who knows, even such norm may be going through a progressive evolution in Bangladesh.

Whatever my opinion may be about the political parties and specially politicians in this country, I do not believe anyone would order this stripping in public. It has to be an idea of a few irresponsible persons but this could not have happened even five years earlier. The police-raping in Dinajpur and the officer-stripping at Dhaka, are giving me some kind of an apprehension about the future. I hope the prolonging of hartals have nothing to do with this evolution of the society... or may be there is a link. To a better head than that of mine, I leave this point to ponder upon. On my part, I am just looking forward to the next 96 hour hartal.