STATE OF DEMOCRACY IN ASIA (SODA)
COUNTRY REPORT: INDIA

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Executive Summary

The 2014 parliamentary election, which brought in National Democratic Alliance to power under the leadership of Narendra Modi, is considered to be a free and fair election. Out of 814 million registered voters 66.38 per cent participated in the election, making it the highest turnout in the history of Indian election. A number of student's movements swept across colleges and universities in India, in the last couple of years. Students are rising as an irrepressible force in defence of not just their rights but of everybody who is a victim of majoritarian politics. The civic education is primarily driven by the civil society organisations (CSOs). The CSOs provide opportunities for young people to engage with social issues in a variety of areas. The courts are traditionally powerful and played an important role in the establishment of the Indian democracy. In recent years it has been actively engaged in redressal of human rights violations. However, a large number of cases are pending in numerous lower courts. Corruptions continue to be a major problem in democratic governance of the country. Despite, progressive constitutional provisions, the transfer of functions, functionaries, and finances to local governments is extremely slow. India has a vibrant and independent print and electronic media. In recent years, there have been incidents of violence against a number of journalists. The participation of women in social, political and economic spheres is increasing; however severe gender disparity exists. Economic growth has been impressive in recent years, but inequality is increasing.

1. Fair Elections

Since its independence in 1947 India has conducted 16 parliamentary elections. The 16th Lok Sabha (House of People) election conducted in 2014 brought the National Democratic Alliance[1] (NDA) into power at the centre with considerable majority under the leadership of Bharatiya Janata Party (BJP). A new government was formed replacing the Indian National Congress (INC) led coalition – United Progressive Alliance[2] (UPA). The leader of NDA, Narendra Modi, was sworn in as the Prime Minister of India on May 2014.

The election was held in 29 States and 7 Union Territories in the months of April and May 2014 in nine phases. The election conducted by the Election Commission of India (ECI) was generally regarded as free and fair. The six national political parties won in 342 seats out of 543 seats. A total of 8,251 candidates contested of whom only 8 per cent were women. There were 62 or 11 per cent women Members of Parliament (MPs) out of 543 MPs in the 16th Lok Sabha. An astounding 814 million voters were eligible as listed in the electoral list. This was about 100 million more than the 2009 election. Approximately 23.1 million or 2.7 per cent of the total eligible voters were aged 18–19 years as first time voters. 66.38 per cent of all eligible voters participated in the election, making it the highest turnout in the history of Indian election. There were 930,000 polling stations and 11 million officials supervised the election which was conducted by using Electronic Voting Machines (EVM).

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[1] A coalition of 45 political parties led by the Bharatiya Janata Party.
[2] In 2014 election, 13 political parties participated under UPA coalition led by the INC.

The 2014 election for the first time introduced "None of the Above" (NOTA)[3] option. Approximately, six million voters opted for the 'None of The Above' (NOTA) option, which equals to 1.1 per cent of the total votes polled in all 543 seats. The Lok Sabha election results were noteworthy because of two reasons. First, BJP single-handedly managed to win majority in the Lok Sabha which no party has achieved after 1984. Second, no party has received more than 30 per cent vote share after the 1991 Lok Sabha elections. In this election, BJP received 31 per cent vote while the incumbent INC managed to receive only 19.31 per cent vote.

According to Association for Democratic Reform's (ADR) flagship report 2014, out of the 8,205 candidates whose criminal background was analysed using the affidavits that the candidates had submitted with nomination forms, 17 per cent candidates declared criminal cases against themselves. The ECI was prompt in uploading the affidavits of candidates in each constituency on its website. Orders were given by the ECI to make affidavits available within 24 hours of nomination and the online uploading of these affidavits. Out of the 542 MPs (Lok Sabha) analysed by ADR, 34 per cent MPs had declared criminal cases against themselves. The ADR report also analysed the financial background of the candidates. Out of the 8,205 candidates analysed, 27 per cent were Crorepatis[4] and out of the 542 MPs analysed, 82 per cent were Crorepatis. 396 MPs who re-contested in 2014 election registered 145 per cent average growth of their assets between the Lok Sabha Elections of 2009 and 2014 and this figure registered at 137 per cent for 165 re-elected MPs for the same period. In the current Cabinet which was reshuffled in July 2016, 72 Ministers out of the 78 were Crorepatis, reported by ADR (2016).

2. Political Participation

A number of student's movements swept across colleges and universities in India. From #Hokkolorob (make some noise) in West Bengal to #JusticeforRohith in Hyderabad, and to the latest #standwithJNU, students are rising as an irrepressible force in defence of not just their rights but of everybody who is a victim of majoritarian politics (The Economic Times, 2016).

Incidences of student agitation have increased in the last two years. Students from different parts of the country started protesting since a dalit student from one of the premier universities of the country (University of Hyderabad) committed suicide on account of alleged caste discrimination by the administration. This came in the wake of a long-drawn battle between students of Film and Television Institute of India (FTII) and the government over the surprise appointment of one television actor-turned-politician as Chairman of the institute by the Ministry of Information and Broadcast. The students of FTII and many in the film fraternity viewed it as instance of political largesse.

Simultaneous with these were protests against the government's decision to discontinue paid scholarships to research scholars. Then, the tension at Allahabad University where, the first woman president of the students' union, protested at an event where one of the BJP ministers, known to be a Hindu hardliner, was to

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[3] The Supreme Court of India, in September 2013, upheld the right of voters to reject all candidates contesting elections and directed the ECI to have NOTA option on the EVMs and ballot papers in a major electoral reform. NOTA gave voters, dissatisfied with contesting candidates, an opportunity to express their disapproval. Votes cast as NOTA are counted, but are considered as 'invalid votes'. Therefore, votes made to NOTA do not change the outcome of the election.

[4] Crorepati is an Indian term for a millionaire. One Crore is equivalent to 10 million. Crorepati means an individual whose net worth is equal to or more than 10 million Indian rupees.

address the students. The 'Kiss of Love' and 'Pads Against Sexism' campaigns which spread like wildfire throughout campuses last year. Jawaharlal Nehru University (JNU) has been the focal point of many protests, major recent flashpoints being the beef ban and screening of Muzaffarnagar Baaqi Hai – a documentary about events that led to the 2013 riots in Muzaffarnagar.

Despite student unions being banned in a majority of colleges and universities, there is an unprecedented mobilisation for a single pan-India issue – discrimination in higher education. This new wave of protests can be traced back to Occupy UGC which erupted when University Grants Commission (UGC) decided to stop the monthly research stipend known as non-net fellowship of Rs.5000 and Rs.8000 for M.Phil. and Ph.D. students respectively.

In the long term the present wave of student movement exercising their right to dissent by using their freedom of expression and association aims at reclaiming academia both from an exclusivist culture which permeates much of the academic institutions, and increasing influence of privatisation in higher education.

3.   Civic Education

The importance of civic education system in making responsible, informed citizens needs no reiteration. The youth of India today need knowledge to make decisions about policy choices and the proper use of authority, along with the skills to voice their concerns, act collectively and hold public officials accountable. Civic Rights Education is the process by which the youth could be made aware of social and political rights and responsibilities, as well as the principles and practices of action.

There are a number of Indian civil society organisations (CSOs) and institutions providing opportunities for young people to engage with social issues in a variety of areas. The strategies range from preparing young people for participation in local governance, to training them to run youth development organisations, to setting up youth resource centres. A key form of youth active citizenship is youth involvement in local government. Organisations such as the Community Development Centre in Madhya Pradesh and the Shri Bhuvneshwari Mahila Ashram in Uttarakhand, Participatory Research in Asia in several Indian states are working to strengthen local governance institutions and involve young people in the process of community development programmes and decision making. Additionally, organisations such as YUVA in Mumbai and Yuva Janaagraha in Bangalore are supporting youth participation in political processes by engaging young people in monitoring elections, helping young people identify civic and social issues that matter to them and equipping them to create change. Project Citizen gives students a chance to be competent and responsible participants in local and state government by implementing projects whereby students select an issue that matters to them, study the issue, meet with relevant government officials and devise an action plan or alternative policy aimed at addressing the issue.

Another approach to Youth Civic Engagement taken by organisations in India is preparing young people to become citizens through citizenship education, opportunities for exposure to social issues through volunteering, rural camps, internships, action projects and campaigns. For example, one Delhi-based CSO Pravah works with adolescents to build youth leadership for social change. It focuses on processes that build self-awareness and critical thinking, and that inspire young people to understand social issues and take ownership for common spaces. Many educational institutions have also started programmes to encourage student civic participation. St. Stephen's College in Delhi University for example, has an active Social Service

League. Its activities include sending volunteers during natural disasters, organising blood donation camps, evening classes for poor children, reading for the visually impaired, etc.

A further form is the development of youth resource centres. These centres are friendly, non-threatening spaces – often youth led – where young people can meet, discuss social issues, build skills, organise and implement collective action around an issue they feel strongly about. The Thoughtshop Foundation in Kolkata for instance has transformed traditional neighbourhood clubs into youth resource centres. Additionally, the media, arts and communications have huge appeal for young people. Drishti puts media in the hands of young people in grassroots communities and presents them with the opportunity to tell their stories, from their perspectives.

National Service Scheme, popularly known as NSS, under the Ministry of Youth Affairs and Sports Govt. of India, was launched in Gandhiji's Birth Centenary Year 1969. This is one of the largest governmental efforts on civic education for the students with primary focus on the development of personality of students through community service. Today, NSS has more than 3.2 million student volunteers in over 298 Universities and 42 Senior Secondary Councils and Directorate of Vocational Education all over the country.

4. Rule of Law

In the World Wide Governance Indicator scheme from the World Bank, which compiles information and assessments from various sources, scored India at -0.06 for the year 2015 in the category of "Rule of Law" points. -2.5 express really weak and 2.5 really strong governance performance. India has therefore a 55.77 percentile rank among all countries; where 0 (lowest) to 100 (highest) rank.

Courts in India are commonly regarded as independent from the executive. The Supreme Court is traditionally powerful and played an important role in the establishment of the Indian democracy. In recent years it has been actively engaged in redressal of human rights violations. In 2014, the new government introduced the National Judicial Appointment Commission (NJAC) for the appointment of the Supreme Court judges. Critics fear a greater influence of the executive on the Supreme Court, while other value the greater transparency of the new system. The exact effects of the new commission need to be seen. The lower courts however are functioning badly, mainly because they are chronically understaffed. Courts in India are commonly regarded as independent from the executive. The Supreme Court is traditionally powerful and played an important role in the establishment of the Indian democracy. In recent years it has been actively engaged in the persecution of human rights violations. In 2014, the new government introduced the National Judicial Appointment Commission (NJAC) for the appointment of the Supreme Court judges. Critics fear a greater influence of the executive on the Supreme Court, while other value the greater transparency of the new system. The exact effects of the new commission need to be seen. The lower courts however are functioning badly, mainly because they are chronically understaffed. According to National Judicial Data Grid (NJDG), there are more than 20 million cases pending in the Indian districts courts; two-thirds are criminal cases and one in 10 have been pending for more than 10 years. The data reveals that there is one judge for every 73,000 people in India and on an average, 1,350 cases are pending with each judge, who clears 43 cases per month (Firstpost, 2016). Almost 68 per cent of all inmates in the 1,387 jails in the country are undertrials, according to the latest figures released by the National Crime Records Bureau (NCRB) for 2014. Over 40 per cent of all undertrials remain in jail for more than six months before being released on bail. The NCRB data shows that there were 418,536 inmates in various jails against a capacity of 356,561 (The Indian Express, 2015).

Police violence is common and incidents of custodial deaths, torture and rape are reported. Especially affected are marginalised groups, such as dalits. The National Human Rights Commission (NHRC) reported 111 deaths in police custody in the last eight months of 2015. Corruption is common and bribes are often demanded for filing a First Information Report, which is necessary for further investigation (Freedom House Report, 2016).

Various human rights groups have alleged of extra judicial violence being perpetrated by the armed forced, which are engaged in fighting different insurgence groups mainly in Jammu and Kashmir, the North East and in Naxalite controlled areas. In so called "disturbed areas" the Armed Forces (Special Powers) Act (AFSPA) is in force, which grants security forces considerable freedom and protects soldiers from persecution. The armed forces have been accused of extra judicial killings, rape, torture, arbitrary detention, kidnappings, and destruction of homes. The persecution of the armed forces members requires a government approval, which is rarely granted. A number of other laws enable detention by armed forces by vaguely defined criteria.

According to a study by the University of British Columbia, every year 100,000 women succumb to death by arson – often committed as dowry crimes – and another 125,000 to the consequences of serious injury, rarely are reported as homicide. Notwithstanding these high figures, reported cases still represent only a fraction of actual cases, as under-reporting of sexual crimes remains a serious problem, especially for India's most vulnerable women. Sexual harassment, remains a significant problem in India. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act was enforced in December 2013. In addition to civil penalties for sexual harassment in the workplace, the Criminal Law (Amendment) Act of 2013 created a new offense of sexual harassment inserted in the Penal Code, and created voyeurism and stalking offenses.

With regards to discrimination based on sexual orientation, in 2013 the Supreme Court overthrew a decision by the Delhi High Court, which had decriminalised consensual homosexual activity. Homosexual activity has thereby been made illegal and may be punished with life imprisonment. The so-called third gender, a term ascribed to a social group whose members are neither male nor female, received legal recognition in 2014, an improvement in anti-discrimination law.

5. Decentralisation

The 73rd and the 74th Constitutional Amendments (now better known as Part IX and IXA of Indian Constitution) brought in 1993 provided the Constitutional framework for constituting democratically elected governance mechanisms at the local level. The provisions in these Amendments have had some far reaching implications with respect to democratic governance and local development. By providing one-third reservation for women and proportionate reservation for other socially excluded and deprived sections (tribals, dalits etc.), the Constitutional framework for local governance mechanisms in India provides enormous potential for affirmative action. One of the most important roles for these local governance institutions is to plan for local development and ensure social justice in consistence with the citizens' needs and aspirations. The system of local self-governance established in India has the following broad features:

- There are three tiers of elected bodies in rural areas - *Gram Panchayat* at the village level; *Panchayat Samiti* at the block level and *Zilla Parishad* at the district level. This three-tier system is known as Panchayati Raj Institutions (PRIs).

- The village assembly of all adult voters is identified as *Gram Sabha*.
- At all tiers of elected representatives, one-third of all seats is reserved for women. Like-wise, reservation for socially oppressed (dalits and tribals) has also been mandated.
- Regular elections every five years have been constitutionally mandated.
- State Election Commissions have been constitutionally formed to conduct elections for the local bodies.
- The Constitution lists a number of development areas for which the Panchayats and Municipalities have responsibility.
- The constitution of District Planning Committee (under Part IXA of the Indian Constitution) has been mandated for the purpose consolidating all the bottom up planning processes undertaken at various levels of Panchayats and integrating rural and urban planning processes at the district level.
- State Finance Commissions have been constitutionally required to allocate budgetary resources and the power for mobilising revenue to local bodies.

One of the most profound institutional spaces created by the State through 73rd Constitutional Amendment Act included "Gram Sabha" in the rural areas. This Amendment guaranteed the creation of three-tier Panchayati Raj Institutions (PRIs) in rural areas as the institutions of local governance. The institution of Gram Sabha was envisaged as a space for participatory governance with regard to planning, monitoring and evaluation of development programmes to be implemented by PRIs. There are an estimated 237,539 Gram Panchayats in the country with each having a Gram Sabha. However, the effectiveness and democratic functioning of Gram Sabha as an inclusive institution continue to be an area of concern. In most cases, the participation of dalits, women, minorities and other marginalised groups in the decision making is ignored, repressed, and discouraged.

In the context of urban India, the 74th Constitutional Amendment Act was a milestone as it gave Constitutional validity to Urban Local Bodies (ULBs), codified the procedure for their constitution and defined their structures, functions and resource generation capabilities. The Act aimed at greater clarity between states and urban local governments in terms of devolution of adequate powers, authorities and resources to enable the latter to function as vibrant institutions of local self-governance. The launching of Jawaharlal Nehru National Urban Renewal Mission (JNNURM) in 2005 also reinforced the commitment towards devolution of responsibilities at the local level, since access to Mission funds was linked to compulsory fast-track urban reforms for greater autonomy among municipal governments, in accordance with the 74th CAA. Its aim was to encourage reforms and expedite planned development of identified cities with a focus on efficiency in urban infrastructure, service delivery, citizen participation, and accountability of ULBs towards citizens. The NDA government in the last two years launched a host of new urban programmes – Atal Mission for Rejuvenation and Urban Transformation (AMRUT), Smart Cities Mission, Housing for All, and Heritage City Development and Augmentation Yojana (HRIDAY).

The current scenario in India's cities, however, shows that devolution has made little progress with multiplicity of issues plaguing decentralised urban governance. These include lack of clarity between state and local functional domains leading to overlapping of functions; encroachment of local functional domain by para-statal structures; limited fiscal domains and autonomy at local level due to state control over local revenue sources and rates; lack of technical capacity and orientation at the local level towards developmental works; ineffective devolution of welfare and planning functions; and last but not the least, weak role of municipal elected bodies in municipal management.

In 2015, the Prime Minister launched one of most ambitious urban development programme – Smart Cities Mission in 100 Indian cities. The Prime Minister also announced that each city has to engage with its citizens in the visioning and planning for smart city proposals. In many million plus cities, a massive number of citizens provided their suggestions and expressed their development choices through a variety of online and face-to-face consultative mechanisms. It was for the first time in the history of Indian cities such massive civic engagement was tried. However, it was again the urban poor living in thousands of slums and informal settlements who got left out. The format, mechanism and methods chosen for citizen engagement left more than half of the cities excluded.

6. Gender Equality

According to the Human Development Report (HDR) 2015, India ranks 130 out of 155 countries in the Gender Inequality Index (GII) for 2014, behind Bangladesh and Pakistan that rank 111 and 121 respectively. The index captures inequalities in gender-specific indicators: reproductive health measured by maternal mortality ratio and adolescent birth rates, empowerment quantified by share of parliamentary seats and attainment in education, and economic activity measured by labour market participation rate. According to UNDP, over the last couple of years, India's GII values have marginally improved from 0.61 to 0.563. The reason for the improvement is mainly due to improvements in maternal mortality rate and women's representation in parliaments in this period though other indicators have remained stagnant.

Women's economic participation in India has been declining over the past decade. A World Bank analysis shows that women's labour force participation has declined from 37 per cent to 27 per cent between 2005-2012. This rate of female labour force participation is lowest among all G20 countries (except Saudi Arabia) and puts India in the bottom 10 per cent among the 187 countries of the world. The faster rate of decline has occurred for rural women in the country. This trend is even more surprising in the face of growing enrolment and completion rates in primary and secondary education for women.

Women face large wage differential in India, especially among unskilled workers. A barely literate man will earn nearly twice as much as a woman with similar skills. The difference decreases somewhat with education, especially in services. The gender wage gap has been shown to influence unequal distribution of unpaid work at home, often leading the woman to stay at home. Khera and Nayak (2009) in a survey in rural areas find that many women do not engage in paid work because of the low wage. With large wage differentials the value of non-market goods production at home can be larger than the market production wage. This may have been reflected in the drop of rural women from unpaid or low paid self-employment, as discussed above, as more men found wage jobs. The rural employment programme (Mahatma Gandhi National Rural Employment Guarantee Programme) that offers women equal pay and quotas in rural work programmes, has helped raise women participation.

The Report on the Implementation of Beijing Declaration and Platform for Action, gender is the most pervasive form of inequality that operates in India across all classes, castes and communities, posing a big challenge despite the progressive education policy. Primary and secondary school enrolment and attendance rates are lower for girls than for boys, indicating son preference in regard to access to education. The lack of provision for facilities for girls, such as toilets, reinforces this issue.

Women in India face issues like malnutrition, lack of maternal health, diseases like AIDS, breast cancer, domestic violence and many more. India has one of the highest rates of malnourished women among

developing countries. The lack of maternal health contributes to the economic disparities of mothers and their children. Poor maternal health not only affects a child's health in adverse ways but also decreases a woman's ability to participate in economic activities. Therefore, national health programmes such as the National Rural Health Mission (NRHM) and the Family Welfare Programme have been created to address the maternal health care needs of women across India. Although India has witnessed dramatic growth over the last two decades, maternal mortality still remains high as in comparison to many developing nations – 20 per cent of all maternal deaths worldwide between 1992 and 2006. The primary reasons for the high levels of maternal mortality are directly related to disparities of economic conditions and cultural constraints limiting access to care. However, maternal mortality is not identical across all of India or even in a particular state urban areas often have lower overall maternal mortality due to the availability of adequate medical resources. For those states where there is higher literacy and growth rates tend to have greater maternal health and also lower infant mortality.

Violence against Women is a major issue in India. As per reports of India National Family Health Survey III (2005-2006), 31 percent of all women reported having been the victims of physical violence in the last 12 months. However, the actual number of victims may be much higher. The study found that the poorest women faired worst among middle and high-income women. 'Honour' killings remain a serious problem in India, particularly in the states of Punjab, Haryana, and Uttar Pradesh, with one report estimating that more than 1000 women and girls are killed this way each year. Women and girls were killed for marrying or being in relationships without their families' or village elders' consent, or for marrying outside their caste. Sex-selective abortions are a criminal offence. According to the Census 2011, birth sex ratio for its States and Union Territories of India, in 0 to 1 age group, indicated Jammu and Kashmir had birth sex ratio of 128 boys to 100 girls, Haryana of 120, Punjab of 117, and the states of Delhi and Uttarakhand to be 114.

While the global average for Women in Parliament stands at 22.4 per cent, India is at the 103rd place out of 140 countries with a mere 12 per cent representation. Within Asia, India is at the 13th position out of 18 countries. Women's representation in Lok Sabha and state legislative assemblies is a source of huge disappointment. Women occupy just 66 seats in the 543 member Lok Sabha, which is a mere 12 per cent. The scenario for women Members of Legislative Assemblies (MLAs) across all state assemblies in India is even worse, with the national average being a pitiable 9 per cent. The best among them, Bihar, Rajasthan and Haryana have 14 per cent representation while the worst states are Pondicherry and Nagaland, which have no women MLAs at all.

Women in India are much better represented in the Panchayati Raj Institutions (local governance institutions in rural areas) as compared to the Parliament. As per the Ministry of Panchayati Raj, in 2013, there were 1.3 million Elected Women Representatives (EWRs) in PRIs which constituted 46 per cent of total elected representatives. This is a direct result of the 73rd Constitutional Amendment Act, 1992, which mandated the reservation in at least one-third of the seats of all Panchayats and one-third of the Pradhan (head of the Panchayat) positions for women was a landmark for women's political empowerment. In addition, Bihar became the first state to reserve 50 per cent of seats for women with Madhya Pradesh, Chhattisgarh, Rajasthan and Himachal Pradesh following suit. 54 per cent of elected representatives of PRIs in Bihar are women.

Women turnout during India's 2014 parliamentary general elections was 65.63 per cent, compared to 67.09 per cent turnout for men (Election Commission of India, 2014). Increasing women's political participation and representation in Indian politics requires electoral and parliamentary reforms. Engaging more Indian women

voters has been mentioned already. The number of women standing for elections also needs to increase. The Women's Reservation Bill, therefore, is a crucial first step towards both electoral and parliamentary reforms.

7. Corruption

India may be the world's largest democratic society but that doesn't mean that fighting corruption is easier. Corruption has now settled into almost every corner of India's vast bureaucracy. It's got so bad in recent years that now nearly half of India's population has had first-hand experience in paying bribes (Mulberry, 2012).

The government's performance on tackling corruption did not seem to create substantial impression on public perception last year, given that the country's score on the Corruption Perceptions Index (CPI) remained unchanged in 2015 compared to 2014. India was placed at 76th position out of 168 countries with a score of 38 out of a possible 100 in Transparency International's CPI 2015, improving from its position of 85 and 94 in 2014 and 2013, respectively (Livemint, 2016).

The Chief of Central Bureau of Investigation (CBI) on February 13, 2012 acknowledged that Indians are the largest depositors of illegal money in banks abroad. With an estimated US$500 billion, close to US$40 billion in lost revenue, the money has been hoarded in tax havens (Mukhopadhyay, 2012).

According to the Global Corruption Barometer Survey conducted by the Transparency International in 2013, 86% of respondents felt that political parties were corrupt/ extremely corrupt, 65% of respondents felt that parliament / legislature was corrupt/extremely corrupt; 45% of respondents felt that judiciary was corrupt/ extremely corrupt; 75% of respondents felt that police was corrupt/extremely corrupt; 65% of respondents felt that public officials and civil servants were corrupt/extremely corrupt.

The lower levels of the judiciary in particular have been rife with corruption, and most citizens have great difficulty securing justice through the courts. Corruption is entrenched in the law enforcement system (Freedom House, 2016). Political corruption has a negative effect on government efficiency and economic performance. Though politicians and civil servants at all levels are regularly caught accepting bribes or engaging in other corrupt behaviour, a great deal of corruption goes unnoticed and unpunished. This is particularly the case in the energy and construction sectors and in state infrastructure projects more broadly.

Domestic and international pressure has led to legislation aimed at addressing corruption. The Lokpal and Lokayuktas Act, 2014, creates independent bodies tasked with receiving complaints of corruption against public servants or politicians, investigating claims, and pursuing convictions through the courts. The Right to Information (RTI) Act 2005 is widely used to improve transparency and expose corrupt activities, though there are questions about its enforcement and the government's ability to protect the RTI activists (ibid).

8. Economic Inclusiveness

Despite global economic upheaval, India registered robust growth of 7.2 per cent in 2014-15 and 7.6 per cent in 2015-16. It has thus becoming the fastest growing major economy in the world. According to IMF, India's share in world GDP has increased from an average of 4.8 per cent during 2001-07 to 6.1 per cent during 2008- 13 and further to an average of 7.0 per cent during 2014 to 2015 in current PPP terms.

The contribution of agriculture and allied sectors has been declining. The growth rates in agriculture have been fluctuating at 1.5 per cent in 2012-13, 4.2 per cent in 2013-14, and (-) 0.2 per cent in 2014-15. The uncertainties in growth in agriculture are explained by the fact that 60 per cent of agriculture in India is rainfall dependent and there have been two consecutive years of less than normal rainfall in 2014-15 and 2015-16. The industrial sector has continued to perform well. The growth of the industrial sector comprising mining and quarrying, manufacturing, electricity, gas, water supply and other utility services, and construction is 5.9 per cent during 2014-15, as against 5.0 per cent during 2013-14. The services sector remains the key driver of India's economic growth. India's services sector growth in the pre-crisis period (2001-8) was 9.3 per cent which declined to 8.6 per cent in the post crisis period. Services sector growth in India accelerated to 10.3 per cent in 2014-15 from 7.8 per cent in the previous year (Economic Survey 2015-16).

Despite this impressive economic growth, India is also one of the most unequal countries. According to the 2016 Global Wealth Report of the Credit-Suisse, the top 1% of Indians own 58.4% of the country's household wealth, defined as the value of financial assets plus real assets like housing owned by households, minus their debts. The bottom half owns less than 3% put together. Its net Gini index of inequality (based on income net of taxes and transfers) rose from 45.18 in 1990 to 51.36 in 2013.

One of the main reasons for India's lack of productivity is the high proportion of its population in informal employment. The informal non-agricultural employment as a percentage of total non-agricultural employment in India is 83.6%. The reasons for high income inequality include disproportionate returns to education for the well-off, the capture of subsidies by the rich and the rural-urban income gap, apart from the initial heavily skewed distribution of wealth, of course (IMF, 2016).

A vast number unskilled workers in India are mainly engaged in less productive informal sectors. According to the NSDC (National Skill Development Corporation), there is a severe quality gap and lack of availability of trainers in the vocational education and training sector. By 2017, the skill gap within the vocational training sector including both teachers and non-teachers will be to the tune of 211,000. The workforce requirement is projected to increase to 320,000 by 2022. A host of measures are underway. As for example, the Pradhan Mantri Kaushal Vikas Yojana aims to offer 2.4 million Indian youth meaningful, industry-relevant, skill-based training, 438,000 persons have successfully completed training throughout India (Economic Survey 2015-16).

Government is also taking a host of measure to improve financial inclusion. Financial inclusion refers to universal access to a wide range of financial services at a reasonable cost. These include not only banking products but also other financial services such as insurance and equity products (Planning Commission of India, 2009). There is considerable increase in the opening of basic savings bank deposit accounts during 2015-16 in view of the government's initiative under the Pradhan Mantri Jan Dhan Yojana. For creating a universal social security system for all Indians, especially the poor and the underprivileged, three schemes were launched in 2015 in the insurance and pension sectors – the Pradhan Mantri Suraksha Bima Yojana, the Pradhan Mantri Jeevan Jyoti Bima Yojana and the Atal Pension Yojana.

9. **Freedom of Expression and Media**

The constitution of India does not specifically mention the freedom of press. Freedom of press is implied from the Article 19(1)(a) of the Constitution. Thus the press is subject to the restrictions that are provided under the Article 19(2) of the Constitution whereby this freedom can be restricted for reasons of

sovereignty and integrity of India, the security of the state, friendly relations with foreign states, public order, preserving decency, preserving morality, in relation to contempt of court, defamation, or incitement to an offence. Laws such as the Official Secrets Act and Prevention of Terrorism Act (POTA) have been used to limit press freedom. POTA was repealed in 2004, but was replaced by Unlawful Activities (Prevention) Amendment Act, 2012.

Since Independence, state control over the media has been a major constraint to press freedom. This culminated in the 1975 Emergency. With liberalisation in the 1990s, private control of the media increased leading to greater scrutiny of the government. The Prasar Bharati Act significantly reduced government control over media.

The Freedom of Press, India Country Report (2015) report states that while India's vibrant media remained the freest in South Asia, press freedom was threatened by several factors like legal actions against journalists and editorial interference by media owners in the run-up to the May 2014 parliament elections. According to the report, the continued violence against journalists, attempts at surveillance, and blocking of news channels, among other forms of censorship, were issues of concern during the year. India ranks abysmally low at 133 among 180 countries in the latest annual World Press Freedom Index. The report says, "Journalists and bloggers are attacked and anathematised by various religious groups that are quick to take offense. At the same time, it was difficult for journalists to cover 'sensitive' regions such as Jammu and Kashmir".

In April 2013, the government announced the launch of a new program, the Centralised Monitoring System, which for the first time would provide the government with centralised access to all communications data and content that travel through Indian telecommunications networks. The system would enable the government to listen to telephone calls in real time and read text messages, e-mail, and chat conversations. As noted by the Committee to Protect Journalists (CPJ), the new system, coupled with lengthy jail sentences for failing to comply with a government decryption order, could be used against journalists who routinely rely on encryption and privacy to conduct their work.

Section 66A of the Information Technology Act 2000 (IT Act) criminalises online information intended to cause "annoyance or inconvenience," among other loosely worded criteria, and arrests under the provision continued to occur in 2014 and 2015. However, in 2015 by a landmark judgment, the Supreme Court struck down Section 66A of the IT Act following a public uproar over threat to privacy. In September 2015 the government withdrew the draft encryption policy which made it mandatory for storage of all messages, including social media, for 90 days.

Implementation of the landmark Right to Information (RTI) Act 2005 has been mixed, with the majority of requests blocked due to the law's broad categorical restrictions on the release of information. The RTI Act's success has also been hindered by an overall lack of awareness of the rights it guarantees, a large backlog of appeals and requests, and widespread inefficiency within state and local governing bodies. As on 1 August 2016, 34,524 complaints and appeals were pending with Central Information Commission alone, besides the number of pending cases with all the State Information Commissions.

The Press Council of India (PCI), an independent self-regulatory body for the print media that is composed of journalists, publishers, and politicians, investigates complaints of misconduct or irresponsible reporting, but does not have punitive powers. The News Broadcasters' Association, an industry body that primarily represents the television sector, issued a new set of self-regulatory guidelines in 2009, covering topics

including crime, violence, and national security in the wake of the 2008 Mumbai terrorist attack. Politicised interference in editorial content and staffing decisions remain a concern and it appeared to increase in the months surrounding the May 2014 national elections. Meanwhile, critical journalists and commentators also faced pressure in the form of online harassment and threats.

As per the latest report by the worldwide organisation, "Reporters without Borders", India is among the top three most dangerous countries for journalists, ahead of both Pakistan and Afghanistan. "Indian journalists daring to cover organised crime and its links with politicians have been exposed to a surge in violence, especially violence of criminal origin, since the start of 2015," 'Reporters without Borders' states. One more journalist association, 'Patrakar Halla Virodhi Kruti Samiti', working for the protection of journalists, also states that the number of attacks on journalists is rising by the day in India. Members of the press are particularly vulnerable in rural areas and insurgency-racked states such as Chhattisgarh, Jammu and Kashmir, Assam, and Manipur, where they continue to face physical violence, harassment, and censorship from the government or militant groups seeking to slant coverage in a certain way.

A senior journalist was shot dead in July 2016 at Siwan town of Bihar. He had covered Siwan politics and crime extensively and had penned several reports on court proceedings against a former Member of Parliament of Siwan. In February 2016, journalists in Mumbai protested against the ongoing violent threats and attacks on them for questioning the government policies. In the same month, hundreds of journalists in the national capital marched from Press Club of India to the Supreme Court. They were protesting against the violence against media persons at the Patiala House Courts during the bail hearing of the President of Jawaharlal Nehru University Student Union.

10. Minority Protection and Rights

India is the home to diverse religious and ethnic groups. Members of these diverse groups enjoy their basic civil and political rights, and freedom to pursue their beliefs. But unfortunately, that is not always the case. Tensions do exist, and for varying reasons, sometimes these tensions devolve into violence. Tensions may be aggravated by struggles over access to limited resources, particularly land, or by political rivalries. Sometimes localised incidents – street fights, local crime – can escalate. Muslim form a big part of India's marginalised groups. The famous Sacher Report from 2006 stated that 40.7% of India's total Muslim population lag significantly behind in development and facing difficulties in receiving services (Sacher Report 2006). They lag behind other Indian communities in terms of most human development indicators.

In the run-up to 2014 elections, the communal tensions had escalated between Hindu and Muslim communities, leading to a 30 per cent increase in incidents of communal violence as compared to 2012. The central government's Ministry of Home Affairs reported 823 incidents of communal violence in 2013, in which 133 people died and over 2,000 were injured. One of the worst such incidents involved mass violence in September 2013 in Muzaffarnagar district in Uttar Pradesh, events in which at least 60 people died.

At least four Muslim men were killed for allegedly possessing or smuggling beef, or killing cows. Some politicians were increasing the communal tensions by inflammatory speeches (Amnesty International 2016). Many Muslim men have been arbitrarily detained, interrogated, and tortured after bombing attacks, especially between 2006 and 2008. Authorities have also used draconian and abusive laws, including the Sedition Law and Unlawful Activities (Prevention) Act, to target Muslims.

Dalits (Scheduled Castes) and adivasis (Scheduled Tribes) still face discrimination and violence. In 2014, 47,000 crimes against members of Scheduled Castes, and over 11,000 crimes against members of Scheduled Tribes, were reported. Near Delhi two children were burned to death by allegedly "dominant caste men". Education for those groups can still be difficult to obtain and the 25% quota in schools, reserved for children from disadvantaged families, is only poorly enforced. Dalits also face problems voicing their critique. For example, a Dalit folk singer got arrested in Tamil Nadu for criticising the state government in his songs. Sexual violence is especially widespread against woman from marginalised communities and "caste based village bodies order sexually violent punishments for perceived social transgressions" (ibid).

Impunity of the law enforcers such as the police is still an important issue. Recently a case against 16 policemen for the alleged killing of 42 Muslim men in Uttar Pradesh in 1987 got dropped for "scanty, unreliable and faulty investigation".

Accountability is a general concern in regard of violence against minority groups. State officials, police personal and private individuals are not held accountable for crimes against minorities. The police are sometimes not interfering in the violence, while waiting for orders, or receiving orders not to do so. Investigations are many times only conducted after pressure from civil society organisations and human rights groups, too often without results (HRW 2014).

11. Political Stability

By and large, India is considered to be a politically stable country. This has been contributed by regular holding of elections at the national, state and local levels which are often characterised by peaceful transition of political power. A functional parliament and the state legislative assemblies have by and large maintained the basic fabric of Constitutional democracy, with a few exceptions. A robust bureaucracy provides much stability and continuity in the public administration, irrespective of which political party is in power. Despite considerable institutional bottle-necks at the lowest level of judiciary, the upper level judiciary institutions have remained independent from the interference of political parties, legislature and executive. In recent years, the higher courts have also given several land mark judgements and directions towards many governance and political reforms. India has a vibrant and largely independent print and electronic media with incredible outreach. The growing penetration of information and technology provides access to information to the citizens and generates public discourses on issues related to governance and democracy. Indian democracy is blessed with a vibrant and thriving civil society. The diversity of Indian society is literally reflected in the diversity of civil society.

However, communal violence, threat of terrorism, violent secessionist movements in Kashmir and part of the North East, and extremism in Naxalite-Maoist insurgency in large part of rural India, pose grave risk to political stability. In the past, India has experienced worst terrorist attacks in various major cities. Almost 180 districts across 10 states, known as Red Corridor, where Naxalite Maoist insurgency has considerable presence. In recent years, a number of communal violence incidences have marred the democratic fabric of the country. In most cases, the government has taken appropriate actions.

Conclusion

Democratic governance has been strengthened by a functioning political system. The executive and judiciary have been strong and contributing to strengthen the democratic fabric in the country. The challenges remain

with regard to overcoming exclusions in society, polity and economy. The full realisation of citizenship rights by women, dalits, tribals and minorities continue to be problematic.

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