

# **Daksh**

People. Perceptions. Politics.

Summary of the Report on  
Review of Democracy and Performance  
of the Government  
of Karnataka

Period: Jun. 2008 – Nov. 2009

**December 2009**

DAKSH is a registered civil society organization committed to enhancing citizens' engagement with issues of democracy, governance, and equity.

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## Introduction

DAKSH undertook this review of democracy and governance in Karnataka as a way for a citizen's group to engage with the democratic structures and processes at a state level. Only an aware and active citizenry, who can question and hold its elected government to account, can sustain a genuine democracy. This SUMMARY REPORT focuses on assessing the overall functioning of the government which came to power in June 2008 and encompasses issues pertaining to the period between June 2008 and November 2009. The details in this report are collected from an analysis of data from the Govt. via RTI, annual reports of various departments, newspaper reports and topical reports and reviews by various national agencies and NGOs.

We encourage the public to read and share the details of this report widely. A detailed report will be available on the Daksh website ([www.dakshindia.org](http://www.dakshindia.org)) shortly.

This Summary Report consists of three sections:

1. Performance of MLAs in the Legislative Assembly
2. Review of Administration, Policies and Programmes
3. Citizens' Perceptions of Important Issues and Performance of Elected Representatives: A Survey

## Performance of MLAs in the Assembly

DAKSH has obtained information regarding attendance of, and questions asked by members of the Legislative Assembly ("MLA") in the Legislative Assembly to understand the functioning of the Legislative Assembly and the contributions of individual MLAs to the legislative and hence democratic processes. The information reveals the following:

The Legislative Assembly has met for 3 sessions comprising 46 days until July 2009. In addition there was a special session on agriculture in September 2009. We have not received the attendance records for the special session. As regards questions asked, we have received information only for the sessions held until February 2009.

The Legislative Assembly has considered and passed less than 30 statutes. Most of the statutes are financial in nature and no significant policy reform has occurred in the form of legislation.

We have obtained the attendance records for the sessions until July 2009. The attendance records for each MLA are available and will be available on our website- [www.dakshindia.org](http://www.dakshindia.org) shortly. However, we find that the attendance records do not correctly reflect the happenings in the Assembly. Any casual visitor to the Assembly will confirm that the Assembly is largely empty for most of the time, except when "sensational" issues are being discussed. Members essentially record their attendance even if they come into the Assembly for a minute and then disappear. This results in most MLAs getting 100% attendance record, although the Assembly itself appears deserted for long periods of time. Further, attendance records are not maintained for a few MLAs including ministers, the leader of the opposition, the speaker, the deputy speaker and the chief whip.

As per the attendance records of the remaining MLAs, 12 have a 100% attendance record, 132 have a record of more than 75%, 32 have a record between 50% and 75% and 9 have a record of less than 50%. There are 3 members who have attended the sessions for less than 15 days.

The data on the questions asked is more revealing. There are 78 MLAs who have never asked a question, whether starred or unstarred<sup>1</sup> during the 46 days. This constitutes nearly 40% of the MLAs for whom records are kept. A further 31 MLAs have asked less than 5 questions each. Only 35 MLAs have asked 20 or more questions; and only 9 of these 31 have asked 50 or more questions. Only a single MLA has asked more than 100 questions!

More questions have been asked in relation to the departments of Public Works, Urban Development and Municipality, Social Welfare, Revenue, Rural Development and Panchayati Raj, Primary and Secondary Education and Health and Family Welfare than other departments.

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<sup>1</sup> Starred questions need to be answered by the relevant minister on the floor of the house and supplementary questions can be asked by any member of the house in relation to that question. Unstarred questions can be answered by the Minister in writing, without discussion in the House.

## Review of Administration, Policies & Programmes

This section contains a broad review of some policies, programmes and processes by which the Government functions and an assessment of the impact of the government's administration on the larger public.

The format is based on asking a number of questions to which answers are drawn from the performance records of the government.

### **What have been the major achievements of the government for the period?**

1. In an attempt to streamline administration, the Government has sanctioned the formation of 43 new talukas and one new district (Yadgir). This is an important process that will facilitate decentralized administration. The formation of Yadgir as a new district, bifurcated from Gulbarga district, was long overdue. Its formation and allocation of funds should see an improvement in life conditions and administration in the otherwise very poor region.
2. Establishment and activating a commission (the High Power Committee to Implement the D.M. Nanjundappa Commission's Recommendations) to oversee the implementation of Special Development Plan for 'Backward Talukas'.
3. Establishment of additional CET Counselling at Hubli and Gulbarga. This has eased the burden on several thousands of people who have had to travel to Bangalore for the CET Counselling.
4. Establishment of *Janaspandana* programmes to facilitate administration and development works at hobli and village levels. According to the official rules, every last Saturday of the month is to be devoted to open and public reviews of all programmes. People's grievances are to be addressed immediately. This is being done in some areas but its conduct in all the hoblis and its frequency need to be improved.
5. The hosting and management of the unveiling of the statues of Sarvajna and Tiruvalluvar in Chennai and Bangalore, respectively, have been a positive contribution of the BJP government. By managing dissent of varied regional linguistic groups, the government facilitated the unveiling of these statues, thereby contributing to regional and inter-group harmony.
6. Enhanced State Allocations for Elementary Education: The state has allocated a sum of Rs (16613 lakhs) in the 2009-2010 budget to the Sarva Shiksha Abhiyan as its contribution to the programme and has therefore met the requirements of contributing 35 percent of the state's share.
7. Free Bus Passes have been provided to students upto the high school level, thereby facilitating travel to schools in rural areas.
8. Based on increased fund allocation from the central government, the state has also enhanced funds and programmes for the Dept of Social Welfare which caters primarily to the social (educational) needs of disadvantaged caste groups. Altogether twelve new programmes have been initiated and the overall budget for the dept has increased. A Hostel Management Committee (to oversee functioning of nearly 5000 hostels) and Best Hostel Award have been set up.
9. The State has also initiated recruitment for teachers in both government and aided colleges. This is significant as all recruitment for full-time faculty had been stopped for several years.

## What have been the financial priorities of the government?

Despite its election time and manifesto promises to support agriculture, the BJP government has not prioritized the needs of the rural and agrarian sectors. Urban, infrastructure, and commercial interests receive more financial allocation than rural, agricultural, and social sectors.

In its first full budget (for 2009-2010), the BJP government has made the following allocations:

- 1. Urban Vs Rural Financial allocations.** The outlay for Rural Development (Rs. 1070.27) is 4.00 % of the total plan. The outlay on Urban Development (Rs 4162.40 lakhs) is 16 % of the total plan. Agriculture and allied activities receive a total of 6 percent of the budget or a total of Rs. 1517.21 lakhs. Transport receives 14 percent of the budget accounting for Rs 3758.70 lakhs. The largest increments over the previous budget have been for commerce and industries which have received an increment of 136.9 percent.
- 2. The focus on 'infrastructure' development** as the key commitment of the government has meant that the allocations for Bangalore alone exceed most other allocations. Some key allocations include the following:
  - Monorail : about 4000 crores
  - Metro Phase I-about 14000 crores
  - BDA's 51 kms ORR -about 800 crores
  - BDA's PRR (including land acquisition in PPP model) - about 5000 crores
  - BMTC (for next 2 years) - about 1000 crores.
  - The Dept of Infrastructure Development has declared (on Nov 27<sup>th</sup>, 2009) that a sum of Rs one lakh crores will be available for infrastructure projects in the state.
- 3. Focus on Commercialised Public Private Partnerships (PPP).** The PPP Cell formed in Jun 2007 to mainstream PPPs in infrastructure sectors sits within the Dept of Infrastructure Development. In Jun 2008 at the start of the new administration there were 39 PPP projects valued at Rs 6000 crores. In Nov 2008, 166 PPP projects had been proposed at a capital cost of Rs 109,329cr. The success or failure of these PPP projects will have to be evaluated in the future.
- 4. Expenses for Personal Life Styles of Chief Minister and Ministers.** The BJP Government sanctioned a total of Rs. Ten crores for the Chief Minister and some other ministers to renovate and refurbish their homes in Bangalore. The amounts that were spent were:
  - Chief Minister: Rs. 1.7 crores.
  - Residence of home minister V S Acharya - Rs 61.30 lakh
  - Former Speaker (and now minister) Jagadish Shettar - Rs 24.83 lakh
  - Shobha Karandlaje, former RDPR minister - Rs 38.05 lakh
  - Karunakara Reddy, revenue minister - Rs 88.26 lakh.
- 5. Expenditure on Farmers' visit to China** for 'Exposure' to Agricultural training and development: A total of 633 farmers and the total cost was Rs. 423.79 lakhs.

## How strong is the Law and Order situation in the state?

Mangalore and Mysore have experienced major conflagrations of communal violence. In addition to this, there have been sporadic and targeted forms of intimidation, threats, and erosion of human rights which have marked the first eighteen months of the BJP government.

- 1.** Within a month of coming to power, police fired in Haveri on a farmers' demonstration regarding shortage of fertilizer. One farmer died and an enquiry committee was constituted. Final report of the committee is pending.
- 2.** Assault on Human Rights Activists: On 20th October, 2009 Bengaluru police brutally attacked five sexual minority activists and arrested them on false charges when they tried enquiring about the illegal detention of five *hijras*. Police illegally detained and assaulted a large number of human rights defenders when they held a peaceful protest against the illegal police actions. Police also arrested 31 human rights defenders on false charges.
- 3.** The Bangalore City Police have come out with a notification on the 'Licensing and Controlling of assemblies and processions (Bangalore) Order', 2008. The notification proposes a system of regulation

of processions and assemblies through a method of licenses and views democratic protest as a law and order problem.

- 4. Attacks on Churches.** Several churches were attacked and vandalized between the months of September and October 2008.  
On 1<sup>st</sup> January 2009, the Resurrection God's Ministries Church, in village Malebennur was set on fire and completely gutted.  
A church was vandalized and desecrated in October 2009, in Bangalore rural district.
- 5. Targeting of Newspaper:** The newspaper *Karavali Ale* was targeted by right-wing elements including the Bajrang Dal for its reporting on the attacks on churches in August/September 2008, in which it reported the role of the Bajrang Dal in these attacks.
- 6. Withdrawal of Cases:** Cases filed against members of the Bajrang Dal, VHP, BJP and Sri Rama Sene in regard to their illegal activities around the Baba Budangiri shrine in Chikmagalur have been withdrawn in the last week of December 2008.
- 7. Violation of the Supreme Court Order** (on December 2008) on Prohibiting the Conduct of worship in the Bababudan/Dattatreya complex in Chikmagalur. The government's decision to conduct *puja* has led to a law and order problem providing grounds for abetting communal riots.

## How have democratic structures and processes been sustained?

- 1 The office of the state ombudsman, the *Lokayukta*, continues to function in a manner in which it lacks powers. Most cases of corruption by officials remain ignored and little legal and punitive actions are taken against them.
- 2 The functioning of the Karnataka State Human Rights Commission (KSHRC) has been stalled by the state government. Inadequate financial support, failure to appoint adequate staff and, provision of a full-fledged investigative wing and independent office space have all been reasons for hindering the full functioning of the KSHRC.
- 3 This government and its administration have made little effort to disseminate information on the status of JNNURM infrastructure projects or their nature and likely impact of urban reforms being undertaken as part of JNNURM. This has resulted in widespread violation of basic rights and safety of residents in cities.
- 4 Processes such as demolition of illegal and encroached constructions in Bangalore have often been undertaken without due notice and process. This has been specially so in the slum and urban poverty areas. In addition, *akrama/sakrama* schemes (or legalizing of encroachment) have been introduced without any thought to impact on urban planning and governance.
- 5 Bypassing processes and the concerned institutions, the government attempted to 'declare' all Lingayat sub castes as Backward Classes. This has been done twice and submitting to the uproar and criticisms the government has had to revoke the order.
- 6 Details related to the selection of the corporate groups and the religious organizations which were selected to build homes and shelter for victims of the floods have not been transparent.
- 7 Nominations to committees, missions, and to be 'partners' and agencies in various development schemes and programmes have not been open and transparent. Membership of organic agricultural missions, allocations of rights to distribute flood relief, selections of persons for benefits such as traveling to China for training, etc are examples.
- 8 Karnataka is also faring poorly in the implementation of the Right to Information Act ("RTI"). Several Govt. departmental websites are not in compliance with the RTI requirements. Further, Karnataka ranks very low in a survey conducted by independent NGO's on the rate of satisfactory responses. Karnataka scored 29% on the response satisfaction levels and finished second last among the states, centre and the National Agencies surveyed.

## **What has been the impact of the government on the administration of the state as a whole and on decentralization of administration (Panchayats and Nagar Palike)?**

1. There has been a serious slippage in the administrative machinery of the state. Frequent transfers of key officials, including those with excellent records, have made many departments slack.
2. Plans to appoint panchayat development officers by the Dept of Rural Development and Panchayat Raj remain delayed. Panchayat Jamabandi (open social audits of the fund allocations and its utilization) by the people have largely been discontinued.
3. The Government has delayed the conduct of elections to the Bangalore Corporation (despite the court and the State Election Commission sending in three reminders) until February 2010. But details about notification of reserved wards and other processes remain contested. The ABIDE group has formulated the 'Draft Bengaluru Region Governance Act (2009)' which has been uploaded on its website but no public discussions have been held.
4. There is a serious lack of internal accountability within the Govt. Our own request for information regarding functioning of the Govt., revealed that key departments do not have update information on various administrative aspects, like funds utilization, implementation of programmes and effectiveness of administration.

## **How have calamities, such as drought and the floods, in the state been handled by the government?**

2009 has seen unprecedented disasters and calamities in rural Karnataka. Both drought and floods have wrecked havoc on the lives of people.

**Droughts:** Since summer 2009, 86 taluks in 20 districts have been declared as drought hit. Standing crops on 16 lakh hectares were damaged on account of deficit rains since June. The crop loss in rain-fed areas has been estimated at Rs. 720.20 crore and horticultural crops on over 60,000 hectares have been ruined due to scanty rains.

All reports from media and from visitors to the districts indicate the absence of strong and effective drought-relief programmes. Loss of crops, unemployment, underemployment, distress migration, low food security, and overall poor economic and social conditions continue to mark the affected districts and regions.

**Floods:** Between end September to first week October, rain and floods affected large parts of North-East Karnataka, leaving behind unprecedented damage to lives, crops, homes and cattle. 350 villages were affected, 116, 000 homes damaged, 139 people died. Nearly 583 relief camps were set up.

The Chief Minister and the government announced through an advertisement that the people of Karnataka had 'donated' an amount of Rs one thousand crores, this in addition to the amount sanctioned by the state and central governments. However, by all reports, the measures undertaken to provide relief for the areas which have been affected by either have been inadequate.

The Governor of Karnataka has, in public, called upon the BJP government to undertake and improve the conditions of the flood-affected persons in the state. A recent report by Kannada University on the flood affected districts indicates problems in distribution of relief amounts, delay and failure to provide rehabilitation, inadequate and unsanitary conditions of the relief camps, inadequate attention to medical and educational needs of the people, and to overall conditions of distress among the people. The most severely affected are members of Dalit caste groups.

## **How adequately have schemes and programmes from the central government been implemented?**

The NREG is a flagship programme from the centre and is meant to alleviate rural and agrarian problems.

**National Rural Employment Guarantee Scheme (NREGS).** The programme has not been adequately supported. As a result, Karnataka has not utilized the scheme as effectively as it should have.

- The recent report conducted by NCAER and the Public Interest Foundation (PIF) indicate that of all the states, Karnataka stood last in terms of transparency, vigilance, and social audit.
- Less than 20 percent of the eligible households completed 100 days of work in 2008-09 in the state.



- For the year 2008-09, funds were underutilized and only Rs 353 crores were spent when Rs. 637.96 crores were allocated.
- The proportion of households that have accessed the NREGS has decreased. For eg, in 2006-07, it was 58 %, 2007-08, it was 48 % and it was 40 % for 2008-09 (until October 2008).
- Karnataka compares poorly when we look at the number of people benefiting from the NREGS. For 2008-09, the maximum number of jobs cards were provided in Madhya Pradesh (112 lakhs), followed by Andhra Pradesh (109 lakhs), and Uttar Pradesh (102 lakhs). Karnataka's was a mere 29 lakhs.
- Recently, since September 2009, some details for the state are uploaded on the national NREGS monitoring website on a daily basis. But, the sections on complaints, details on Social Audit reports, etc are not available.

## **What 'vision' is guiding the state's policies and programmes?**

In addition to the formation of a 'Karnataka Vision Group', a number (eleven in total) of Missions and Task Forces such as the Agricultural Mission, Karnataka Education Mission, ABIDE (Agenda for Bengaluru Infrastructure Task Force) have been formed to oversee the development of the State. However, most of these are not representative of various groups (such as Dalits, agriculturists, religious minorities et al), are largely dominated by corporate interests and those close to the BJP and its affiliated groups, and the functioning of most of these groups is irregular. In addition, there are at least two one-man committees that have been established.

## **What is the environmental record of the government?**

Several violations of environmental safeguards and concerns continue to be perpetrated. The most glaring of these are:

- 1 The continuation of **illegal and open cast mining in the Tumti forest areas in the Bellary region**. Despite the Lokayukta's reports on this issue, no action has been taken. In addition to the violations of environmental safety, issues related to labour regulations (including use of child labour and working conditions and payment), human rights, encroachment on forests, and revenue generation and collection remain unresolved.
- 2 **Clearance and felling of thousands of trees in Bangalore** for either road widening projects and or the construction of the Metro railway have been unprecedented. Lack of clarity in planning has been compounded by lack of environmental sensitivity and bypassing citizens' interests and safety.
- 3 **Inauguration of the Gundia hydel project** in Hassan district which was conducted without receiving clearance and certification from the Ministry of Environment and Forests (a violation of Forest Conservation Act, 1980).

## Citizens' Perceptions of Important Issues and Performance of Elected Representatives - A Survey

To understand the issues that are important to people across the State and to gather people's perceptions about the functioning of their MLAs, DAKSH conducted a 'Perceptions Survey' across 218 Legislative Assembly constituencies (the 6 constituencies where by-elections were held recently were excluded from the survey).

The survey was conducted in October and November 2009 and the opinion of more than 8000 respondents was obtained.

A questionnaire containing a host of issues, including provision of health facilities and education, infrastructure, governance, employment-generation, etc, was issued to each respondent. In respect of such issues, the respondent was asked two basic questions:

(a) Which, among them, was important to the respondent when choosing a candidate to vote for?

and

(b) What, in the respondent's opinion, was the performance of the MLA, in respect of such issues?

Each respondent was asked to rate the issues as important, not important or very important. The respondent was also asked to indicate the representative's performance in respect of the chosen issues by grading performance as bad, average or good.

### Survey Results

Some salient features of the results obtained from the survey are set out below.

#### 1. General performance

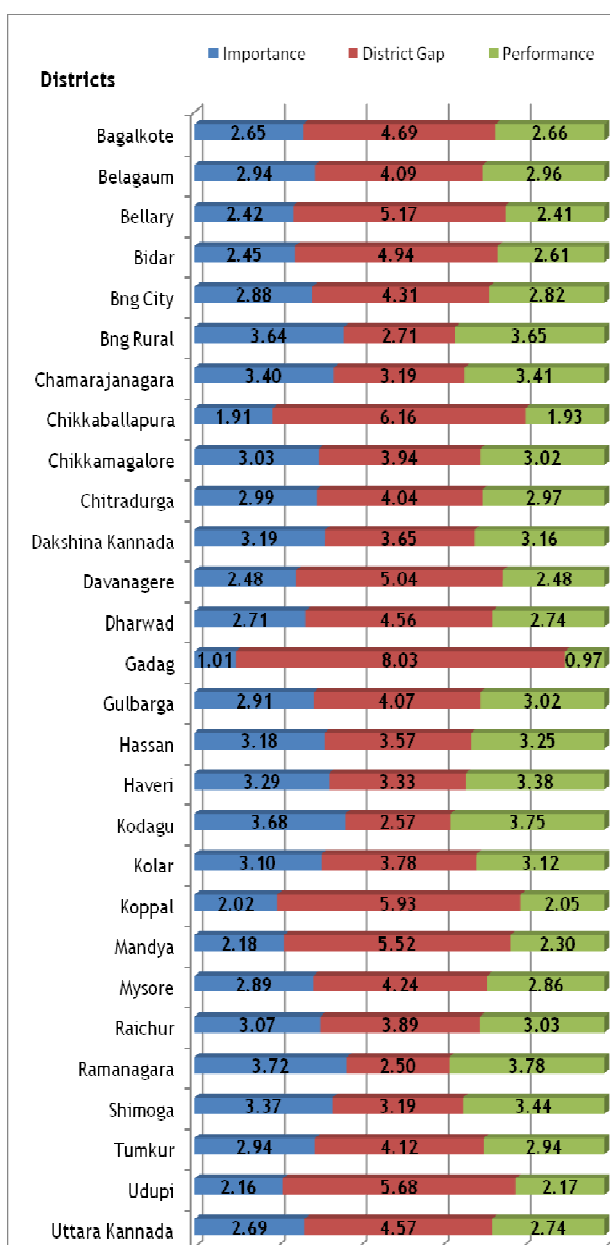
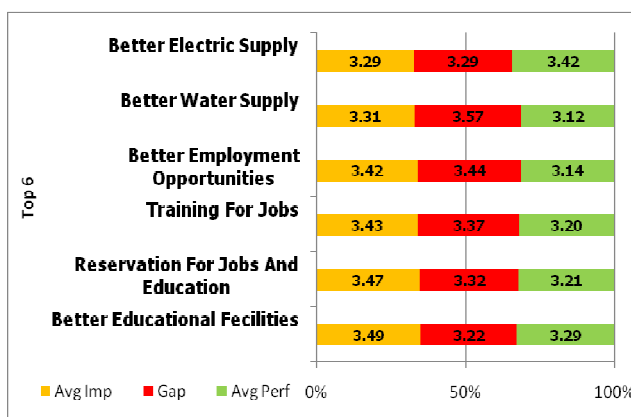
The results from the survey reflect a stark gap between people's expectations and their perception of representatives' performances: the average performance index of all legislators across the state is a mere 2.84 (on 5) - just over 50%!

#### 2. Performance on most important issues

The survey results indicate that the six most important issues for people, across the state, are:

- 1 Better electric supply
- 2 Better water supply
- 3 Better employment opportunities
- 4 Training for jobs
- 5 Reservation for jobs and education
- 6 Better educational facilities.

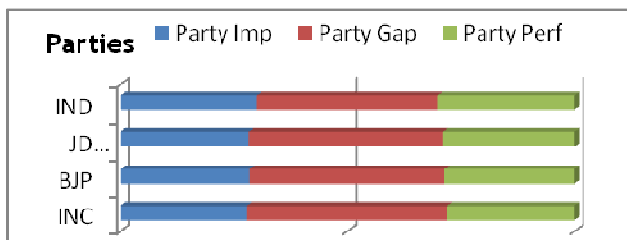
On these issues, the average performance of the elected representatives is 3.23 out of 5 – that's around 60%. A chart with the ratings on each of the issues is shown alongside.



Contrary to popular propaganda, the six most important issues for people do not vary significantly between respondents in urban and rural areas. Issues that people focus on, when it comes to expectation from their representatives and government, whether in urban or rural Karnataka are much the same, being one or more of the issues enumerated above. However, we notice that there is a wide gap in people's perceptions in performance across districts and across urban and rural areas. This can broadly be correlated to the gap between the more developed regions in the state against the less developed regions.

### 3. Candidates and political parties

There is a similarity in the gap between expectation and performance of all the three major political parties. However, it should be noted that on an average the independent candidates have a better perceptions image than political party candidates when it comes to performance.



In terms of accessibility to their constituents of the MLAs, on an average, MLAs earned a marking of 2.96 out of 5 – a mere 59%.

The detailed results of the survey including the performance of individual MLAs are available on our website: [www.dakshindia.org](http://www.dakshindia.org). Alternatively, please email us on [harish@dakshindia.org](mailto:harish@dakshindia.org) or [kishore@dakshindia.org](mailto:kishore@dakshindia.org) if you need more details.

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