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| --- | --- |
| ***जहाँ डाल -डाल पर*** *सोने की चिड़ियाँ* *करती हैं बसेरा* | FTI Logo_Bird_Color |

**Total Reform Agenda**[[1]](#footnote-1)

Systematic (not piecemeal) reform

***पूर्ण स्वराज, पूर्ण व्यवस्था परिवर्तन***

*सत्यमेव जयते*

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| --- |
| **Heaven of Freedom (*by* *Rabindranath Tagore: Gitanjali*)**Where the mind is without fear and the head is held high;Where knowledge is free;Where the world has not been broken up into fragments by narrow domestic walls;Where words come out from the depth of truth;Where tireless striving stretches its arms towards perfection;Where the clear stream of reason has not lost its way into the dreary desert sand of dead habit;Where the mind is led forward by thee into ever-widening thought and action—Into that heaven of freedom, my Father, let my country awake. |

- Nirala

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# Making India a land of opportunity again

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| **Total reform that liberates Indians and delivers outcomes such as:**1. Re-establishment of law and order as the foundation of a free economy, including security for everyone, particularly women; and quick justice for all
2. Total elimination of corruption within three years, with end to black money, through complete modernization of the incentives of the political and governance system, and electoral reforms to motivate good people to join public life
3. Pruning of the state to reduce the burden of indebtedness and unnecessary taxation, so Indians can compete with their hands untied. This would include rationalised taxes and a rupee that is not degraded by excessive inflation
4. Further economic reforms to support the spectacular achievement of the Indian entrepreneur since 1990 with only partial relaxation of controls; including removal of obstructions on production and trade, thus creating job opportunities for all. Particularly for farmers, ensuring untrammelled freedom of access to market and technology while deregulating prices incrementally, along with (subject to other reforms) the suspension of agricultural loans.
5. Reasonable equal opportunity for all, including access to high quality school education even for the poorest and total elimination of extreme poverty in three years through targeted negative income tax
6. Sourcing or motivating the creation of high quality infrastructure including transport, power, water, sanitation and broadband.
 |

## The continuing destruction of our nation’s potential

For thousands of years, our science, agriculture and craftsmanship were unparalleled. We supplied most needs and luxuries for the Roman Empire and Europe[[2]](#footnote-2). In return, India was the final destination for most of the world’s gold. It was therefore viewed as a golden bird (*Sone Ki Chidiya*). India was also humanity’s guiding light, with many of world religions and philosophies having emerged from here.

Given this proud history, British rule was a huge blow and pushed us back by hundreds of years. But sixty five years after the Britishers left, we are hardly any better. There is a severe crisis of confidence in our government machinery, today, despite a mass awakening initiated by civil society over the past few years. Today’s India is not what the heroes of our independence struggle dreamt of. We are less a Republic, more a nation oppressed by tyrants. There is huge discontentment among the people. And we can’t blame the British now after six decades of self-rule. We must take responsibility for the continuing injustice, decadence and corruption in India. It is time to act and change this. Not populism but political courage and systematic action, with a positive reform agenda.

Our ‘honorable’ politicians have degraded India and brought our once proud country to its knees:

* India is more famous worldwide for corruption than for its knowledge, innovation, wisdom, or character. Our corrupt politicians have hoarded massive amounts of black money which is used in unproductive assets like land and gold, reducing productivity and destroying the nation’s character.
* No citizen is safe and justice is virtually non-existent. If citizens demand justice they are met with police brutality. But politicians who incite rioting and murder escape untouched.
* India is an oppressive police state, with innocent youngsters arrested for expressing opinions on social media. Our police are known mainly as bribe-seekers than our protectors.
* Dishonest, corrupt, and criminal elements reach the top in India, while the honest are sidelined, harassed and even killed.
* Our Constitution, ravaged by exceptions to equality of status and liberty, and destruction of basic liberties such as property rights, is a bare shadow of our original Constitution.
* Public property is plundered by politicians, who give away mines and minerals at throw-away prices to their cronies.
* Severe tax inefficiencies (over 30 types of taxes) have put a brake on saving and investment.
* The last two respected pillars of the Republic – courts and the media – are at risk of becoming an extension of the ruling party and corrupt interests.
* Politicians, to facilitate their loot, enforce outdated British laws, policies and governance systems, and refuse to introduce much needed world-best frameworks.
* Instead of governing, our governments have spent more time in establishing a centrally planned economy, so governments can engage in business, while preventing citizens from producing and trading.

Government is our servant but acts like our master. Our corrupt leaders, sitting on vast piles of black money, are more oppressive than our colonial masters ever were.

Most of our talented people, unable to use their talents in India, have left in droves to settle abroad. India, which had 25 per cent share of world trade not so long ago, now has a mere 1.2 per cent share. Our economy is just 2.7 per cent of the global economy, compared with one-third of the global economy in the past. Tiny countries like Singapore, Malaysia and Hong Kong; mid-sized countries like South Korea, Taiwan, Japan; and large nations like China have all made significant progress but India continues to resemble tyrannies like Zimbabwe and kleptocracies like Russia.

The gains since independence i.e. food self-sufficiency, improved life expectancy and communications can largely be attributed to technological strides and have often taken place in spite of government rather than because of it.

The current conditions are reminiscent of those in which the Mughal empire broke up. In this darkest of hours over the past three hundred years, the ongoing anti-black money and anti-corruption movements of 2009-2012 tapped the country’s deep unhappiness and brought about an awakening that is now unstoppable. But to suggest that continuation of current policies sans corruption will make India more responsive to the needs of disadvantaged sections of society is not tenable.

The time has come to build on these movements and not just demand, but ensure, complete overhaul of governance, making India the best country in the world, a country we can be proud of, again.

## Clarion call for action

The country wants change, change from inertia to action, from indifference to engagement, from treating people merely as hands, mouth and legs to people with a mind, a purpose. We must wake up and take charge of our own country. Our party hereby gives a clarion call to Indians to:

* overthrow the tyrants who in the name of governing, are looting India; and
* demand liberty, good governance, and accountability from government.

We want an India where no child, woman or man goes hungry or feels unsafe. We want to release the energies of our people so they can make India once again the land of milk and honey, the land of bountiful fruits and plentiful water, dark with the crops of the harvest, and where *Sone Ki Chidiya* chirps on every branch on every tree.

सुजलाम् सुफलाम् मलयज शीतलाम् शस्यशामलां मातरम् । वन्दे मातरम्

Reform, not populism:

Populist election planks are the gimmick of most political parties, including some new ones. Promises such as cheap rice, freebies such as free water, jobs for this or that group in the name of disadvantage’ are supplemented by direct bribes in the form of cash, liquor, utensils and sarees. And most parties divide people by religion or caste, encashing this division in the form of vote banks.

We do not offer policy that is harmful for the country or empowers governments and bureaucrats, instead. We do not divide Indians into religious, language or caste groups, hoping to convert these divisions into votes. We need genuine system reform based on world-best principles of liberty and good governance, for only that will deliver real results.

We believe in Indians, and believe they want the best for themselves and for their country.
We believe the voter wants real and long-lasting change and is able to appreciate genuine reform when properly explained. This document offers a pathway to an India unparalleled in unity and prosperity.

## The outcome: the India we want

Building a great nation is about providing an opportunity for advancement to all Indians. All Indians should have the opportunity to progress through productive enterprise. Those in crisis or in need due to unavoidable reasons, after putting their best efforts, should be assured a fugal level of public support. We are committed to building an India:

1. Where our governments respect us as masters of the nation which acts like a larger family; and where we think of the whole world as our larger family: वसुधैव कुटुम्बकम.
2. Where we are free to pursue our happiness and spiritual goals so long as we don’t harm others.
3. Where women are protected and respected, even as they get an equal opportunity to contribute to society.
4. Where children are ambitious and sure that merit will be rewarded, not the caste to which they were born or whom they know.
5. Where environment is created in which everyone is enabled to earn their own *roti, kapda aur makaan*.
6. Where prosperity is rightfully earned and not stolen or redistributed.
7. Where everyone, including the poorest, get an equal opportunity to achieve their potential:
* the poor don’t have to depend on corrupted welfare schemes but instead, get a direct transfer of an appropriate amount to bring them above the poverty line;
* children of the poor attend schools similar to those that children of the rich attend (with citizens free to establish their own institutions of learning and learn without government’s permission, but with accountability to parents and students through appropriate regulation); and
* everyone gets access to immediate emergency health care, with the poor also given access to basic care through social insurance.
1. Where we are safe from criminals and from politicians, policemen and bureaucrats who loot the public.
2. Where there is prompt and proportionate justice:
* with investigations and decisions undertaken at “fast track” speed;
* courts quick to deliver dispassionate justice; and
* the ill-gotten of the corrupt confiscated.
1. Where rogues and criminals certainly cannot become MPs and MLAs:
* only honest, good persons are allowed to contest elections, and bad ones disqualified; and
* and if any criminal get elected or an elected person indulges in crime, he is promptly removed after a speedy trial.
1. Where government officials are fully accountable, corruption is totally eliminated and black money is declared and (where it has been illegally taken abroad) brought back to India.
2. Where citizens are able to produce and trade without the nanny state’s control so that:
* India operates as a single market and goods can be transported without paying at every state or town border;
* any approvals needed for trade and industry are provided quickly through a single window; and
* we are able to trade globally – consistent with our great history as the world’s foremost trading nation.
1. Where our property is safe:
* we can buy and sell land and property without using corrupt means;
* where property in mines is allocated competitively with a view to achieving significant returns for the public; and
* where the government doesn’t forcibly take our land to hand over to big business.
1. Where the government facilitates clean water, sufficient roads, power, ports and railways, and other critically needed infrastructure.
2. Where the government operates within its means, taxes are low and borne by those who can pay, debt is paid off, and our currency is not made worthless because of inflation.
3. Where Sanskrit and people’s indigenous languages are nurtured and strengthened.
4. Where development is sustainable because incentive-based systems preserve wildlife and forestry, and minimise any unnecessary use of chemicals.

In summary, we believe in India, and that its people have a great future ahead of them. India was the most prosperous nation in the world and we can make it once gain the most prosperous of all; and a nation which has a major and constructive role to play in the maintenance of world order and peace. Indeed, we would like India to be the world’s centre of gravity for freedom, justice, peace, prosperity and innovation. Our young people are the future of the nation. They deserve a nation in which they can fulfil their talent and potential and contribute to building an India which they can be proud of.

## The process: the things we will change

Today there is a new form of colonialism. The West has been willing to help India establish IITs and even give India foreign aid (which is harmful in many ways), but will never assist in setting up an outstanding school of governance like the Kennedy School of Governance. Why? Because if it does so, India will learn the secrets of governance and will become a competitor, and the West will no longer get the best Indian brains that are crucial for its prosperity. But the secrets of good governance are now known. It is clear that India has been following mostly wrong models. With this knowledge now known, we will not only reverse the brain drain but bring the best brains from the West into India to work for our nation’s benefit.

 The current system of governance is designed for corruption, inefficiency and obstruction of enterprise. Fundamental, systemic change is needed. No fringe actions can change a system so deeply corrupt and destructive of integrity and freedom. India’s development deficit is the result of the 'ruler knows best' mentality and the only way to fix it is to begin to trust the people more. While details are outlined elsewhere, we will:

* Limit the government only to areas where it has a role, by withdrawing from business activity; consign laws that give corrupt officers a handle to bully and extort money, to the bin. As the ancient Indian saying goes: जहाँ का राजा हो व्यापारी वहाँ की प्रजा हो भिखारी.
* Remove the ropes that tie Indians and allow them to learn, produce and otherwise flourish without unnecessary hindrance from government.
* Create a radically different governance system where politicians and top bureaucrats are paid well but then held firmly to account. Tenured services like IAS will be replaced with contractual services that allow termination for non-performance, and severe punishment enforced for corruption, including in the judiciary.
* Ensure that the key functions of the government are done very well, such as defence, police and justice.
* Have only one programme to eliminate poverty and abolish all other schemes and subsidies in the name of the poor.
* Ensure *Poorna Swaraj* by ensuring that decisions are taken by people closest to the action, by very significantly strengthening the powers of elected bodies and professionalizing local government institutions, away from the stranglehold of unaccountable tenured civil servants.
* Strictly enforce the separation between religion and the state.

### Transitional arrangements

It is important that changes are not disruptive and are well planned, so there are no losers except the corrupt. This might mean, for instance, that till prices are fully freed, some inefficient subsidies might continue for a while, and prices directly paid to farmers. Some changes can take up to three years to implement.

## How will we know we have succeeded?

We will know that we are succeeding:

* when security, justice, freedom (subject to accountability), education and health, and the status of women rapidly increases;
* when corruption, social oppression and discrimination become a thing of the past.

In addition, we will know we are in the right direction when everyone becomes more prosperous, and poverty becomes history.

But the clearest signal will be the reversing of India’s brain drain and India becoming a melting pot for the world’s best and brightest.

Today many of India’s most talented citizens line up at foreign embassies, waiting to permanently leave India. Not only do we want these lines to reverse but we will know we have succeeded when the world’s best graduates become eager, even desperate to migrate to India, and Indians who previously left return.

When the whole world thinks of India as the land of freedom and opportunity and the land of science, knowledge, spirituality, and integrity which it once was. Then we will know we have succeeded.

# The free society

We believe firmly in the primacy of the individual and in our liberty; a belief consistent with our ancient tradition of tolerance, open debate and discussion.

India’s original Constitution absorbed the best of our tradition s and built a system to protect our freedoms, ensure equality of status among all citizens, and provide equality of opportunity to all. With our rich heritage of diversity, this was an opportunity for Indians to live and prosper peacefully together in an environment of mutual respect and freedom.

But not only was our Constitution distorted and freedoms reduced significantly by successive, dysfunctional political parties, but poor leadership has made India lose its way. That is why the need for this party, a party founded on the defence of liberty.

Freedom is valuable in its own, but also generates the greatest material benefits to a society. The free society becomes rich and powerful as its citizens are enabled to achieve their highest potential (subject to the usual vagaries of chance), secure in the knowledge that the state will firmly protect them and their property. We therefore believe in competitive enterprise, consumer choice and reward for effort as proven means of providing jobs and prosperity for all Indians; an environment in which businesses thrive, but honestly and not through crony capitalism; in the rule of law and justice, giving all citizens equal rights under the law.

We believe that freedoms and responsibilities of all people as individuals are the surest foundation of strong community life. Only in a society where individuals are free to pursue their individual goals can tyranny be avoided. Respect for the individual implies tolerance of others. We are the enemy of privilege, sectional interests and narrow prejudice.

We believe that an economy based on private property, free enterprise and competitive markets will produce the wealth and jobs Indians want. Government should not provide services that can be better delivered by private, competitive enterprise.

A society that follows such principles can live in mutual harmony with itself and its environment.

## Our right to life and liberty

We have evolved over millions of years into highly complex beings with a wide range of personality traits and characteristics of mind and body. Each of us is capable of good and evil through the exercise of our free will. It is our uniqueness, our separateness, and our alibility to exercise individual free will that makes us *individuals* first and members of a society or nation next.

We believe that human life is of ultimate value and should be vigorously protected – subject to the limitation that those who take human life (such as murderers) are stringently held to account. The fact that human life is of value doesnot, however, impose any obligation on the state or society to spoon-feed us.

Once born, we need freedom to grow and develop. Freedom is a state of independent thought and self-directed, self-restrained action. It is as free individuals, through learning (including making mistakes), initiative and enterprise, that we serve others’ needs and achieve the best results for the community, also in this process achieving our own happiness. We believe that each Indian should be free to pursue his or her material or spiritual goals.

It is the defence of the life and freedom of the individual that political parties should commit to. We are fully committed to this goal, as we do not find any other party that will fight for our freedoms.

This foundational emphasis on the individual does not come at the expense of nationalism. We are social creature and active participants in the communitarian project of a good society. We are free *Indians*, with our religious beliefs and social divisions subordinate to this shared nationality. However, it is crucial that any focus on nationhood does not come at the expense of the primacy of the individual. Only through the defence of the life and liberty of individual Indians does India get legitimacy as a nation.

### Liberty must be subject to accountability

We do not believe in absolute and unfettered freedom, but in freedom bound by accountability. The rights of an individual are limited and constrained also by the equal rights of other individuals. Where our free actions impact others, our freedom must be limited by countervailing accountabilities (कर्मफल सिद्धांत) that are informed by law and relevant empirical evidence.

Justice is the process of exchange between free individuals, with mutual accountability for actions determined through mutually agreed contracts and understandings which create the legal system. A free society must ensure justice. Everyone must be held to account for their actions. The general laws of a society must apply equally to everyone.

This means also that freedom cannot be restrained unless someone is harmed. Harm must be direct and real, not exaggerated or imaginary. We do not want an intrusive state that wants to prevent us from making mistakes. As Gandhi said, ‘Freedom is not worth having if it does not include the freedom to make mistakes’. We do not want governments to prohibit private folly or self-harm. Regulations for public decorum and public safety notwithstanding, everyone must be free to make mistakes and learn from them.

We stand for the principle of maximum freedom for the individual and minimum interference by the state consistent with its obligation to enforce contracts, prevent and punish those who harm others. The government, being our servant, must not ‘teach us’ us how to live or direct the choices we make. Its role must be limited to preventing us from harming others. While no one is free to cheat, libel, or kill, but otherwise should be free to do what they wish.

Accountability is not limited to humans. Even animals have a right to live without pain. In particular, where animals are consumed as food, they should be treated with due respect and their pain minimised. Further, plant diversity must be maintained, particularly given the enormous medicinal uses of plants, and natural resources should not be exploited unnecessarily.

### Liberties

Liberty is comprehensive: no listing of freedoms can claim to do justice to this concept. But we can say that liberty begins with the right to property and liberty of thought, worship, speech, association and choice.

#### Property rights

This is the freedom of attribution and ownership of the results of one’s actions: property rights. Property accrues to people through their actions (including actions of their parents). Property arises from justice, equally as there is no justice without certainty in property rights. Without property there can be no trade, and hence no civilisation. The role of the state is to define the scope and extent of these rights and defend them. In this context it is important to recognise the law of limitations, which prevents an endless pursuit of the origins of property to the original creation. Our focus in free India must be to ensure that property rights created in free India are just.

#### Freedom of expression, truth and the scientific method

A powerful ancient Indian dictum says: *Satyameva Jayate*, which means that truth alone triumphs. Truth requires openness to new ideas (आ नो भद्राः क्रतवो यन्तु विश्वतः – “Let auspicious thoughts come unto us from every direction”, Rg Veda I-89-1) and openness to debate (वाद-विवाद and चर्चा). The scientific method, with roots in ancient Indian science, is one of the best ways to seek the truth. The inevitable differences among people should be resolved through debate in a search for the truth. The search for truth is underpinned by freedom of expression. We must be free to speak our mind (even if in error) and have all opinions (even what appears to be obnoxious to us) freely discussed and debated.

#### Religious freedom

Ancient Indians had worked out that there is danger in extremes. यतो भ्युदयानी श्रोयस सिद्धि: स धर्म: . This means that if someone enters only into materialism, he enters into darkness. Equally, if someone enters only into spiritualism, he too enters into darkness. Only the balanced man, who seeks both, can swim across the ‘three’ worlds.

This question, however, is an intensely private question in which the state has no role to play. There must be a complete separation between the state and religion. The state need not be ‘secular’ (a term with mixed meaning) but non-denominational. Not only shall the state not discriminate amongst its citizens on grounds of religious belief, it shall not make any laws in relation to religion. Nor shall the state have any ability to ask any citizen about their religion. Religious freedom, being intensely personal, also implies freedom to change one’s religious belief. No one should suffer on account of his religious opinion or belief, but all men shall be free to profess, and by argument to maintain, their opinion in matters of religion.

#### Freedom of occupation and trade (free markets).

Markets, where free citizens can voluntarily trade and barter or undertake an occupation of their choice, are the natural platform to determine the economic worth of the services and goods we produce. No government is capable of determining such economic worth as it can never have access to the local information relevant to *each* transaction. Markets, through the free and voluntary interactions of their participants, lead to Pareto optimal outcomes whereby no person is made worse off, while almost certainly becoming better off. Each transaction in the marketplace therefore adds to the society’s wealth, while noting that the liberal is not concerned with such utilitarian aggregations, but that, in general, wealth and prosperity is the happy consequence of freedom of occupation and trade.

The state has a major role in establishing and facilitating free markets (with appropriate regulation(s) against fraud and other forms of cheating or abuse) but has absolutely no role in planning the economy (through quotas on production, for instance) or otherwise forcing people to work in cooperatives or collective ventures. This does not preclude the state, through local government(s), in helping plan urban spaces and common infrastructure if that is mutually agreed to by citizens, to facilitate their commerce and economic opportunity.

India was a great free market (in labour, goods, services, and capital) for thousands of years. The whole world came to India’s shores to buy and to sell. The only occasion when freedom to trade can be questioned is when goods are dumped at prices well below cost of production. This is similar to the ‘infant industry’ argument. In such cases, too, it is best to not impose any barrier to trade, for through competition India will increase its long-term competitiveness.

### Equal treatment and the rule of law

We insist that everyone must be *equally free* to make his or her choices and face the consequences thereof, for better or for worse.

We believe that the state and its laws must be blind to differences amongst its citizens. The state must ensure equal treatment of all its citizens. The principle of equal freedom is the principle of non-discrimination. It may be added, however, that there is no obligation on any individual to treat others equally. This obligation lies upon the actions of the state which must administer impartial justice.

In such a society, the rule of law, not whimsy, should apply. The government should treat each citizen equally without reference to any innate or group characteristic such as gender or religion, including ‘caste’. This would mean the creation of *general* laws, not specific to any sector; such as a minimum standard even in matters such as marriage and inheritance.

Any social insurance would be made in such society solely on economic, not religious or caste considerations.

### Reasonable equal opportunity

Freedom can only be meaningful if individuals have the opportunity to participate, to achieve and to develop their talents. We believe that a free society must ensure equal opportunity for all, particularly through education and healthcare for the poorest, and elimination of poverty. We believe that all Indians should have a reasonable opportunity to reach their full potential in a tolerant national community; in a humane society, where those who are unable to provide for themselves at a given point in time, can live in dignity through social insurance. The social minimum should be enough to eliminate dire poverty but not to provide comfort, to prevent distorting work incentives.

The free society is not a redistributional or welfare society, or a society with Marxian economic equality. Such societies give the power of production and distribution to bureaucrats instead of enabling the people to achieve these results. The free society we want is a land of opportunity and freedom, which is also humane.

## The family, community and nation

### Family

We believe that the family is the primary institution for fostering values on which a cohesive society is built. The success of marriage and family is vital to nurturing new generations and creating a successful society. We particularly value the role of mothers, sisters, and daughters in the formation of a great India.

### Community

A free society relies on voluntary participation in clubs, associations, charities and community groups freely formed to achieve a great diversity of aims and purposes. We strongly support and encourage involvement in this civil society. A pluralistic and tolerant society has a range of organisations, each focused on developing a unique aspect of community life.

We are firmly committed as individuals to social equality which implies a disdain for caste structures, a celebration of camaraderie as *Indians* and an uncompromising commitment to democratic freedoms for everyone. We believe that equal social status must be achieved for all, but mostly through private action, not government intervention.

### Nation: *Samagra* Bharat

India is a civilizational idea, and since 1947 it is one nation. We believe firmly in the integrity of India’s territory and the oneness of its peoples, regardless of any differences of religion or language. Ancient Indian thought had arguably more diversity than the diversity of all modern systems of thought, combined. The planet needs an ethical compass. The Indian philosophical traditions can provide this compass, which is founded on freedom, tolerance for diversity and an appreciation of differences of opinion.

## The free society’s government

The*raison d*‘*etre* for the state is the protection of our life and liberty. Without a physical territory that is jointly defended by its citizens, human society is often racked by aggression from without, and anarchy from within. To that extent, it is absolutely crucial to have an effective, strong government. But soon, if not tightly controlled and restrained, the government itself becomes the greatest enemy of life and liberty. Today, in many ways, Indian government do not perform their basic functions but have grown into tyrannies. Life is not secure, leave alone liberty.

### Limited government

While citizens must pay for an effective government – which provides great benefits to society – it must never be forgotten that citizens produce wealth while the government lives off their effort. Having an unnecessarily intrusive government is inconsistent with liberty and creates inefficiency and discourages achievement. A government must be very strong and perform its basic functions well. But it is crucial that a government be limited. Government failure – usually far more insidious than market failure – arises from the tendency of power to corrupt; for the tendency of politicians to be careless with other people’s money.

The government should set the framework (including enforcement) of essential laws and rules within which individuals and families can pursue their private goals. In its laws and taxation, government should interfere with individual freedom only to the extent it is necessary to maintain a just and open society. The government should be a night watchman, performing only first order functions (defence, police and justice) and some second order functions (essential infrastructure, equality of opportunity). In any event, the government should never directly engage in business. And the state should never become our nanny, and concern itself with any moral vision. It must, as our watchdog and servant, not preach to us.

There is, however, a well-known trend (Wagner’s law) seen across the world, of governments to expand in size and scope. This is attributable to the tendency of busybodies, lobby groups and bureaucrats to expand their empires at taxpayer expense. To curtail this ceaseless growth, it is vital to review the justification for each government program every few years and test its ongoing relevance. Only regular pruning of the vine of government can prevent it from becoming a parasite that chokes the tree of the society from which it draws its juices. It is not enough to repeatedly restructure and downsize the government, it is crucial to do things more efficiently each time. We must demand a productivity dividend from government, with all its outputs being delivered cheaper and more effectively.

#### Constitutional constraints on democracy

Unlimited democracy can lead to the tyranny of majorities over minorities. Constitutional restrictions on what a government can do are therefore extremely important. It is unfortunate that India’s constitutionally declared rights have been significantly diluted (such as freedom of expression and right to property) over the years. The individual must be the owner (legatee) of all residual powers, after a few specific powers have been delegated to the state. Representatives should at all times they remain our agents whose salaries we pay. A government must be the servant of the people, not our master or ruler.

### Democracy and decentralization (विकेन्द्रीकरण)

We believe that Indian parliamentary democracy as currently structured (except for some details) is the best system for the expression and fulfilment of the aspirations of Indians. Democracy is, however, not license to oppress on minority. Democracy is a tool for public debate and decision making, not an end in itself. Democracy must be strongly overseen by constitutional constraints that prevent undue limitations on freedom. Further, the separation and distribution of powers is the best protection against tyranny.

Individuals are sovereign. All powers expressly not delegated to the government are reserved to the people. We loan some of our powers to the local government, a few to the state government and some to the central government. This is the principle of subsidiarity.

True *swaraj* can only be achieved if functions of government are delegated to the lowest effective level, such as village or *mohalla*. Local bodies, subject to accountability, should be fully empowered to levy, collect, and use their own taxes (local rates) to become as financially independent as possible for their local needs and infrastructure.

Transparency is a key attribute of democracy. We believe that the government has a duty to publish except for matters of individual privacy and national security. And in general, all cabinet and security documents would need to be made public after 30 years or after the pressing needs of security that may prevent earlier disclosure, have passed.

### Incentive based governance

The main goal of democratic institutions should be to attract the best leaders in each generation to becoming people’s representatives. Only by being assured that its best leaders guide its affairs can the liberal state be prevented from decaying into a corrupt mobocracy or tyranny. Poorly paid, incompetent, and corrupt legislators, judges or public servants will misuse power for personal gain, endangering life and liberty. The free society understands that everyone is ultimately self-interested and we need an incentive-based governance system. In this system, functionaries are compensated at market rates but then firmly held to account for delivery. This strikes at the roots of corruption. We also believe that public policy should be based on careful analysis of all impacts of policy, using a cost-benefit test.

### First order functions

Consistent with the above, we believe that the following areas constitute the first order functions of the government:

Defence

The defence of the nation state from external enemies is one of the main functions of government. An effective defence is required before any other functioncan be considered. It is equally the responsibility of citizens to take appropriate roles in the defence of their nation, whenever needed.

Law and order, internal security, police

The second major function of the government is the protection of citizens from crime and internal violence. This is ensured through a strong and effective police system.

Justice

The free society requires a strong system of justice and rule of law. The system of justice upholds this rule of law, and punishes transgressors through due process.

Free markets and local governance

A government has a very limited role beyond the above functions. It is crucial, however, for it to frame rules for the effective functioning of markets. Free market policies, by making Indian companies more competitive in the world market, create job growth and economic prosperity. Potential employers need certainty and predictability for their hiring decisions. Markets should, however, be well regulated to prevent and punish fraud.

### Optional (second order) functions

Government can help eliminate dire poverty and ensure reasonable equality of opportunity to all citizens. Government can also undertake some essential public infrastructure. In both cases the government should aim to act as a coordinator or facilitator, without directly getting involved in delivery.

### Avoidable (third order) functions

There are certain tasks in which it is difficult to justify any role for government. Such functions should be conducted by citizens themselves, with the government playing a negligible role, at best. Taxpayer funds should be spent only on the essential government functions. Examples include heritage, sports, science, consideration of plant and animal life.

# Focus of the first 100 Days

When India became independent and declared itself a democratic republic, there was hope that India would make unprecedented progress in every field. It was the time when Nehru spoke of our tryst with destiny. None anticipated that India’s democracy would decay to the level it has today, where corrupt and criminals are elected to Parliament and good people shun politics thinking of it as a disease far worse than leprosy.

The people of India are rapidly losing confidence in democracy today. We take responsibility for bringing India to an even keel, and preparing to launch into the future as the world’s most successful nation in human history. To make this happen, we will deliver, with the help of all Indians, all commitments in this manifesto, with the following areas being a key focus for the first 100 days. We invite you to join hands and work together.

## Focus areas

The main focus areas are outlined in the beginning of this document. We will achieve these through world best policy and governance frameworks, detailed later in this document.

## Reporting on progress

In the first 90 days we will establish Key Performance Indicators for each commitment in this manifesto, and reporting on these commitments regularly from then on, every six months. You will then be able to see how each commitment is tracking and point out how these can be better delivered.

# Unleash the people, leash the government

After many decades of runaway growth of government interventions that have destroyed enterprise in India, we will put the government on a tight leash and, instead, unleash the people of India.

## Constitutional leash on government

### Constitutional institutions and India’s federal structure

We are the party of the original and undistorted Constitution of India, the solemn compact which confirms our individual rights and assures us that all Indians stand equal before the law.

We believe that the Indian governments must commit fully to the restraints imposed by the Constitution and, subject to achieving necessary majorities, we shall endeavour to make these constraints stronger by restoring the liberties enshrined in the original Constitution. For instance, we will bring back the *full* fundamental right to acquire, hold and dispose of property. We will work to ensure that our constitutional institutions are fully functional and their autonomy preserved. As elsewhere mentioned, we will ensure that constitutional delineation of power between the states and the centre is respected, and the powers of the states strengthened.

### Key amendments to the Constitution, and fundamental review

Certain amendments with laudable objectives but faulty design have been introduced in the Constitution, e.g. Panchayat Raj institutions and discouraging political defections.

These will be reviewed and improved. A few key Constitutional amendments will be moved as early as possible:

a) Re-inclusion of a fundamental right to property, which has been diluted to the extent that today there is only a notional right left.

b) Repeal of all sections relating to All India Services, to allow public service to be regulated through acts of parliament.

c) Repeal of schedules that protect land ceiling acts from being annulled, being inconsistent with the Constitution as originally created by the founders of India, and violative of the fundamental right to property .

In addition, we believe that while India’s Constitution has served us tolerably well despite the destruction of its original intent by successive governments, it is time to review it from first principles and to consider ways to create a much simpler Constitution that is focused on liberty, and is not overly prescriptive about the way a government shall ensure it.

## Significant decentralisation powers to the States

We believe that Centre-State relations have become overly centralised with the result that Sates have become merely post offices, without significant policy freedom. To ensure competitive federalism, we will get out of most areas of the concurrent list, and only retain certain minimal coordination functions, where absolutely necessary. This will be accompanied by certain minimum level of uniformity in taxes and laws across the country, so it becomes easier for businesses to seamlessly trade across a single market. However, we believe that Delhi should continue with its current arrangements where certain functions are within the control of the central government. Delhi belongs both to its residents and to all Indians, millions of whom visit it every year.

We support the review and examination of all federal agencies to eliminate wasteful spending, operational inefficiencies, or abuse of power to determine whether they are performing functions that are better performed by the States.

### Citizens must directly decide, where possible

We will actively consult citizens on all policies and where possible, we will support platforms that allow citizens to directly participate in decision-making and monitoring government. We will also support such citizen participation in government decision making through increase in transparency.

### Open government: No unnecessary secrets from the people (transparency)

The government can be thought of as the “board of directors” of a nation. Its actions must be transparent subject only to the demands of national security, on which no compromise is possible, including imposing stringent requirements on secrecy.

Right to Information laws will be amended to err in favour of greater than less disclosure wherever privacy, commercial in confidence issues, or national security is not involved. Each citizen will be empowered to access (at actual cost) any non-secret record about the citizen maintained by government.

Disclosures laws will be amended to ensure that all cabinet and any other (including national security) documents are made public after 30 years or after any pressing need for national security, or reasonable requirement for commercial confidentiality, has passed: whichever comes first.

Except for state secrets relating to national security nothing will be classified as Official Secret. In particular, normal democratic political activity of any citizen will not be classified as an official secret. However, leaking any matter of national security will be severely punished.

In effect, much of the current secrecy associated with government would be removed through a **duty to publish** any non-privacy violating, non-security related information that is paid for by the taxpayer.

### Citizens must directly supervise the government, wherever possible

We will ensure that each public office (e.g. police station) has a **Local Board** constituted by lots from eligible voters (similar to jury selection). The Local Board will supervise activities of that public office. It will have powers to inspect all records and processes (including confidential records) and escalate any non-compliance with law with higher authorities, or, where necessary with the media. Masters (citizens) will be able to supervise us, the servant. We would welcome ongoing citizen feedback and direction right through the five years of being “in power”.

#### Citizens’ Governments’ requests to be actioned

Citizens groups, equipped with latest technological tools that empower citizens to monitor government would be encouraged to monitor politicians, businesses, and criminal and identify any quid pro quo. This would include permission to disclose such information anonymously, so the government can launch internal investigations to verify any such nexus. We will enact laws to compel all government functionaries to respond promptly to any requests for information received from such civil society organisations.

Such citizens groups (e.g. [Citizens’ Government](http://cgov.in/)) will be given tax-exemptions for donations from Indian citizens so we can begin to see true democracy and accountability for the first time in India.

### Lowest responsible level of government must decide wherever possible [subsidiarity]

Governance should be left to the level of government closest or most appropriate to dealing with a given issue. Public servants with local knowledge are best placed to examine issues carefully and make the best decisions on our behalf.

Although local government regulation falls within the jurisdiction of states, we will use all levers available to strengthen and modernise the local government systems across India. Models of local governance followed in many Western countries will be adopted and tailored to Indian needs to ensure elected representatives are able to hire and fire public officials, so lines of accountability are clear.

Once the governance systems are fully modernised, considerable delegation of services and functions can occur, such as local roads being handed over to local governments. Local governments will also be empowered to raise rates and taxes, but will also be supported as appropriate by higher levels of government, as higher standards of discipline, professionalism and accountability are imposed on them. Having efficient and competent local city governments is particularly important to enhance the viability of large cities and satellite cities, increasing the prospects of orderly urbanisation.

## The government must not assume to be our master

### Treat us all the same

We will ensure the rule of law: that the laws apply equally to everyone. There should be no subsidies, reservations or favours for any citizen, entity, or sector of the economy. (This does not rule out social insurance through a social minimum for those who are unable to look after themselves for causes beyond their control.) While merit will be recognised in government jobs, birth or social characteristics should not be considered in recruitment and promotion decisions in government.

### Don’t tell us what to do

A man's right to work as he will, to spend what he earns, to own property, to have the state as servant and not as master, they are the essence of a free economy, and on that freedom all our other freedoms depend. Governments hypocritically try to extend their reach into areas that are not their business by pretending to impose their ‘moral’ vision on us. The state cannot preach morality, which is not its domain of expertise or capacity – as our servant. We disagree with the delusion that some governments have that they are, apart from being an umpire and night watchman – paid by us – also our nanny or *mai-baap*.

A government’s job is to protect our life and liberty, not to tell us what to do with our life. Our servant must not usurp powers to tell us how we shall find our happiness, or how we should behave. In a free nation we are free to pursue our happiness on our initiative, enterprise, energy, and moral reckoning. Moral choices we make are purely a matter between us and our Creator.

As far as society is concerned, each of us is accountable only for any harm we cause others. If anyone has a difference of opinion on matters of taste and preference, such matters are for social debate and discussion, not for government comment or legislation. Through this approach, we will keep the domain of the state sharply distinct from the domain of religion, whose role is to dwell on the spirit and morality, subject to individual choice.

If government can only keep itself honest and do its job without corruption, that would be good enough in terms of any role it plays in the morality of a society. Today, government is the most immoral organisation in India. Let it become honest, for a change. With the government becoming honest and each Indian pursuing his or her own spiritual values, India can once again aspire to the highest reaches of the material and spiritual world, free from the eternal shame of government-led corruption and criminality.

This cleansing will take place from the top. We will ensure an ethical government.

### Don’t tell us what we can or can’t say

India’s heritage is one of free speech, discourse, and tolerance. However, during British rule we lost much of it and have never recovered since. Draconian sections like s.153A and s295A of the Indian Penal Code are designed to pander to all kinds of fundamentalist views. The constitution itself does nothing much to protect free speech.

As a result, Indian press freedom stands at 140th out of 179 nations in the world, a deplorable state of affairs for what should have been a proud, democratic nation.

We will foster citizen’s rights to absolute free speech. We will assure ourselves, as Indians, the closest approximation to absolute freedom of speech outside of the USA, if necessary by introducing a Constitutional amendment. Speech must be free. The only restriction would relate to civil liability for libel, direct threats or incitement of violence, and reasonable restrictions on speech for appropriateness of audience (e.g. time-based limitations on TV programming). Even laws about how national symbols and flag are treated will be reviewed to bring them into consonance with freedom of speech. The rights of citizens – who express their dissent in peaceful ways – are more important and significant than the rights of a “nation” to protection of its symbols. India must be a free nation, not a nation slave to images or symbols.

We will repeal any law that curtails freedom of speech (including the IPC sections cited above and laws like s.66 of the IT Act that make certain online comments an offence or permit bans and censorship). We will remove all bans on books and movies and prevent such bans from being imposed in the future. We will also examine ways to democratised broadcasting services (TV, radio) on payment of market determined fee for the relevant spectrum which is owned collectively by the people of India.

In addition, the colonial provisions of sedition and blasphemy are inconsistent with free speech. We will amend the sedition provision (section 124A IPC) to check the recurring misuse of sedition by state authorities against political malcontents. The amendment will incorporate the Supreme Court’s interpretation in 1962 that, no matter how much the accused spreads 'disaffection' against the government, sedition can't be invoked unless he incites people to violence.

### Don’t interfere in our religious beliefs and affairs

Religious freedom is a fundamental freedom, a matter of fundamental choice for each of us. The state and religion are different domains, with entirely different purposes. Religion can never be a matter for government policy, except where some misguided elements seek to use justify violence or aggression on its basis. No religious activity can be opposed by the state unless it trespasses other’s liberties.

We believe that the state must be non-denominational and not (normally) ask anyone about their beliefs (including religion or caste, if any).

We note that everyone can enjoy their religious freedom only by giving others similar freedom. This means tolerating (and accommodating in good faith, to the extent possible) all religious beliefs.

In this regard we believe that religious freedom, like all other freedoms, must be accompanied by matching accountability. Although tolerance includes the right to preach and convert others, it must be done through legitimate persuasion methods. We oppose attempts to convert people to different religions that use questionable means such as coercion, bribes, or misleading conduct. It may be possible to encourage all religious bodies to agree a self-regulatory Code of Practice to establish minimum standards for such activity.

We recognise that in India even ordinary greetings can at times take on a religious connotation. Many official events in India open with a ceremony to light earthen lamps or to break a coconut. Other common practices include applying *tika* or welcoming guests with garlands. We believe many such practices are cultural and do not imply religious motivation. However, to ensure propriety, we will ensure that where any elected SKC representative attends a religious event, he or she will not use any official title and speak at that event purely as a private individual. This will also imply that no costs can be charged to taxpayers for attending such event.

A government must not use taxpayer funding to support religious activities. Subsidies for Durga Puja on the ground that these will increase tourism are not admissible expenditures from the public purse. Similarly, subsidies for religious pilgrimages or the management of temples by government functionaries are not permissible.

Government is usually asked to step in where a temple organisation system has become defunct and the temple property has reverted to the state. In such cases, we will undertake to create a system to auction the property to interested buyer/s.

We believe that if equal freedom is ensured, then a separate category of ‘minority’ rights is not needed in India’s Constitution. However, until the rule of law is well-established, we will preserve Articles 29 and 30 of the Constitution, even as we phase out subsidisation of any religious or other minority.

Religious freedom does not give anyone a right to encroach on public land, harbour criminals and terrorists, harass or threaten those carrying on civilized discourse, or otherwise create public nuisance such as by feeding stray animals, fouling rivers and ponds, and disturbing peace by blaring loudspeakers at unseemly hours.

We will consult with the public to work out options to ensure discipline and order even as people are free to observe their religious practices. We would hope that no religious structure is built on public spaces like roads. If such structures are detected on public land, these will be respectfully removed and handed over to suitable religious organisations whereupon these structures can be rehabilitated.

### Don’t tell us which occupation or trade we can undertake

Citizens of Free India must have the right to engage in mutually agreed contracts so long as they do not harm anyone else. This includes freedom of occupation and trade, including freedom of farmers, small and self-employed artisans, craftsmen and traders.

We will ensure that citizens have the right to sell their produce in any market in India without restriction of city, municipal or state boundaries, and to the world itself to the extent such trade is consistent with broader foreign policy. Accordingly, coercive purchase of agricultural produce (e.g. through state owned Mandis) will be scrapped.

With virtually total freedom of occupation and trade, we will regulate risky professions to ensure social decorum and occupational health and safety. There is no freedom to harm anyone, so any voluntary transaction must be bounded by the discipline of accountability.

Example: This would include laws which legalise and regulate prostitution. Through world-best practice laws, traffic in children and violence that is prevalent in this ‘underground’ occupation would be eliminated, and those who voluntarily choose to participate in this profession would have the assurance of safety, and the community would have the assurance of health. This is consistent with the principles of such regulation that were articulated by Chanakya in his Arthashastra 2500 years ago.

### Don’t touch our property!

No one can force us to sell our land to them except the State, which can do so only for a specified public purpose, mainly for infrastructure. If private industry wants to acquire land it will have to directly purchase from land owners. Where necessary, zoning of lands can be revised to suit the needs of modernisation. But government will not be allowed to acquire private land for another person’s or corporations private benefit (such as an industry).

In this matter, while such an industry will need to directly purchase land from land owners, a regulatory protection will be created whereby a single (or a very few) land owners are prevented from blocking the industry, say, where 80 per cent of the land has been agreed to be sold by respective land owners, and the consent of the local government has been taken.

Some people have raised the idea of *Amiri Rekha* or an upper limit on individual wealth or property. We believe such an idea violates the basic liberty and rights of each Indian. If wealth is properly earned, there can be no restriction or limitation on enjoyment of such earned wealth. The government is obliged to protect it, as it is obliged to protect any other form of property. It should, however, be possible to tax such wealth through modestly progressive taxation.

### Jobs created by the people, not by the government

We want an open economy that provides quality jobs and high living standards across the nation. Achieving these goals in a competitive global marketplace means we must have on-going economic reform. We for jobs and prosperity are created by the government being an enabler and facilitator, not directly a job creator, by:

* giving priority to sound economic fundamentals, including responsible fiscal management, low inflation, low interest rates, rising employment levels, low net debt and high real business investment;
* supporting the role of small business as the engine room of job generation through reduction of unnecessary regulation and provision of high quality infrastructure;
* encouraging workplace reform through promoting the shared interests of employers and employees in building efficient, cohesive, profitable and competitive enterprises and through breaking down any centralised controls;
* ensuring that all have the choice to belong, or not, to unions and professional associations;
* encouraging competitive markets by monitoring monopoly and prohibiting unfair trading practices;
* building a taxation system which enhances fairness and incentives to work and save, provides sound finance for government services, boosts business investment and exports, promotes simplicity and consistency and is internationally competitive;
* minimising the regulatory burden on business, consistent with protecting consumers, the environment and the safety of employees;
* moving toward unilateral free trade which is always most beneficial through the competitive and innovative energy and it generates;
* facilitating a world-class infrastructure;
* strengthening (through appropriate incentives) a high quality and internationally competitive education and training system, including apprenticeships, that equips people with relevant skills for rewarding jobs, provides avenues for re-training and re-skilling, especially for those who are unemployed, and encourages life-long learning;
* boosting private initiatives for innovation, science and technological development;
* giving all Indians the opportunity to invest in, or to create their own, business;
* making India an attractive destination for global investment; and
* corporatising and privatising government business enterprises to provide better and cheaper services.

# Eliminating corruption and criminality from India’s political system

India’s Westminster system of democracy (along with a *First Past The Post* voting mechanism) has worked well in many countries for hundreds of years. It is a time tested, responsive and effective system provided its incentive structure is effective. That it has not worked well in India can be attributed to its many incentive distortions.

No Indian is born corrupt but badly designed systems (wrong opportunities and wrong incentives) motivate corruption. Indians were known across the world for their impeccable integrity before the British came to India. Even today Indians in the West are valued for qualities of character, and display personal qualities of honesty that the West marvels at.

Why do the same Indians who behave so ethically abroad, become corrupt in India? The answer lies in the system.

The opportunity for corruption in our current system arises because government directly engages in business, apart from building and managing infrastructure and services directly (which it should outsource, and regulate). It also has the discretion to interfere with production and trade by India’s so-called free citizens. This discretionary environment allows politicians and bureaucrats to indulge in rent seeking by selling favours. Many other strong incentives for corruption exist. For instance, politicians lose a lot of money in contesting elections. They must necessarily recover their costs after they are elected: with interest.

We believe that while punishment is an important part of the incentive toolkit, witch-hunts to identify “corrupt” individuals won’t eradicate corruption. Numerous countries have low levels of corruption without having any Lokpal. Punishment becomes relevant after positive incentive have been fully applied.

We will undertake systemic reforms to:

a) reduce **opportunities** for corruption; and

b) reduce **incentives** for corruption. As part of the latter, we will ensure stern punishment of the corrupt and protect and reward honest public servants.

The combination will achieve total accountability and eliminate corruption within three years, through measures outlined below as well as in other parts of this Agenda.

## Reduced opportunity for corruption

A minimal government that does not unnecessarily interfere in the lives of citizens will significantly reduce opportunities for corruption.

## Incentives to keep the corrupt and criminal out of politics

By incentives we mean both positive incentives (the “carrot”) and negative incentives (the “stick”, or deterrence).

To make politics in India once again the realm of wisdom and statesmanship which brings greatest benefit to humanity, we need to expel criminals from India’s politics and attract the best Indians (both honest and policy-capable) into politics.

### Negative incentives: Deterrence

We will deter bad people from entering into politics. Key measures are outlined below.

#### Criminal background publicity before elections

We will make it mandatory for candidates to furnish details about any criminal cases against them, even those that have been filed. Such information will be publicised by Returning Officers. Anyone who does not disclose truthful details will forfeit his seat (if elected) and/or return any state funding received.

#### Video surveillance at polling stations to prevent intimidation

With reduced costs of digital recording equipment, all polling stations will be placed under closed circuit TV surveillance to prevent booth capturing and intimidation (without reducing the privacy and secrecy of voters). Significant penalties will be imposed on anyone found subverting the law.

#### Stringent audit of electoral expenses

We will review the law on arbitrary electoral expense limits that in a very basic way violate freedom of speech. Regardless of such a law, strict disclosure and monitoring of reported election expenditure will be required to prevent use of black money in elections.

Currently, almost all elected representatives lodge a false declaration of election expenses. We will require the Election Commission to conduct a stringent audit of electoral expenses, with rigorous punishment meted out for false declarations.

We will also empower the Election Commission to dissolve any political party that does not disclose fund receipts and expenses comprehensively. Any foreign funding of a political party will invite its immediate dissolution. The right to information (RTI) will extend to political parties, but it would be best to move towards a duty to publish regime.

Feeble “penal” provisions (such as the token fine of Rs. 500 for making illegal expenses on elections under Section 171-H of the Indian Penal Code) will be entirely revamped, with penalties of up to Rs 10 crores and a jail term of three years for failure to accurately declare all political funding receipts and expenses. Maximum penalty for making unauthorized political expenditure that benefits a party or candidate will be increased to Rs 1 crore along with a one year jail term.

#### Fast-track courts to deal with corruption or criminal charges against MPs

While we agree that the number of charge-sheeted MPs in India is very high, it is important that being charged with a criminal offence not be equated with conviction. A citizen has the right to be presumed innocent until proven guilty. Being convicted for a major crime is therefore necessary before someone is legally prevented from being an elected representative

The Election Commission, however, can be given the mandate to fast-track criminal cases against MPs and MLAs in consultation with the Supreme Court. While the EC has no powers to prosecute anyone for criminal offences not related to electoral matters, it is responsible for ensuring that heinous criminals don’t become our MPs and MLAs. The EC will therefore be asked to work with the Supreme Court to ensure that cases against elected MPs (or MLAs) be given top priority and heard without break until completed.

In doing so the EC will liaise with the Supreme Court and report monthly to Parliament. The EC will be given access to extra resources which it can apply where needed through the court system. It will be empowered to enforce tight timelines (through the Supreme Court), and punish any non-judicial official who delays justice.

#### Public disclosure of assets of elected representatives and senior bureaucrats

All elected representatives will be required, within 30 days of their election, to publish past five years income tax statements and full list of assets of family; and thereafter, to publish annual returns of income and assets. The Election Commission will be asked to scrutinise assets and wealth of elected representatives to verify that any growth in declared wealth is consistent with their known earnings and investments. Should any unexplained growth in wealth be detected, the elected representative will be asked to publish an explanation.

#### Focus on punishing the senior-most first

Corruption in India starts from the top. We will make laws to punish any Prime Minister or Chief Minister found guilty of corruption with capital punishment for treason. When the defender of the public trust himself steals public funds, then the nation is obliged to remove such person entirely. Other Ministers and senior officials found guilty of bribery or similar actions would be punished through imprisonment of not less than five years. Confiscation of all assets of anyone found guilty of serious corruption would be a further penalty strongly enforced. (In this regard we will review the suitability of such a law enacted in the State of Bihar).

#### A strong Lokpal for Prime Minister and Chief Ministers

Although a Lokpal on its own, under current circumstances, might even increase corruption, it can form part of an overall reform package. We will focus the Lokpal only on senior corrupt politicians and civil servants, including CBI itself, and the Prime Minister.

To ensure independent inquiry, the CBI shall be given the status of an autonomous institution, reporting directly to the Lokpal. It will no longer be a bureau, but be converted into a Central Investigation Commission.

#### Unearthing and confiscating undisclosed wealth (black money)

We will endeavour to bring back and confiscate black money stashed abroad and also unearth and confiscate black money stored in India by:

* Treating tax evasion on par with crimes against the person and ensuring exemplary punishment for those who deliberately evade taxes (whether politicians, bureaucrats, or citizens).
* Making or amending laws to unearth Indian black money both within the country and abroad, with such black money treated as national property. This will include initiating investigations into foreign banks such as Credit Suesse, where appropriate.
* Making provisions (including treaties with foreign nations) to ensure that sources of any black money deposited abroad and sources of foreign investments in India are transparently disclosed. This would include identifying and removing any mechanism used to launder black money through FDI.
* Making laws to allow general-purpose FIRs against suspected corrupt MPs, MLAs, government officers or politically connected person suspected to possess black money.
* Amending Banking Secrecy laws to gain accurate information about any black money deposited in foreign tax havens. A report by Global Financial Integrity states that India has lost nearly $213 billion (about Rs 14 lakh crore) in illicit capital flight since Independence (till 2008).
* Addressing flawed incentives in the land transfer system to unearth black money stored within India.
* Removing protections for investigation of the facts in the case of Double Taxation Avoidance Conventions by which investors have set up pseudo companies in havens which have the benefit of zero tax. Such companies avoid paying taxes not only in the tax havens but also in India. Currently, the I.T. department has no authority to question the “certificate of residence” provided by the other country authorities. No exemption of this sort from investigation will be permitted.

### Positive incentives: Attracting good people into politics

In addition to blocking out bad elements, we need to attract good people. We will increase positive incentives to attract good people to politics by increasing the probability of their getting elected.

#### Taxpayer funding of candidates

Given the extremely large population and often geographical spread of Indian constituencies, communicating one’s message to voters can cost a good amounts of money. While electoral expenditure is never the only determinant of electoral success, good candidates are out-spent by criminal candidates who resort to crores of rupees of black money, and in this way are defeated even before they start.

There is no reason why people’s representatives should be expected to lose their entire lifetime’s savings for the thankless privilege of representing their community. To make the playing field more even, we will reimburse Rs.15 per valid vote cast up to a ceiling of Rs. 40 lakhs per candidate. With about 16 lakh voters per parliamentary constituency, of which about 60 per cent tend to vote, a candidate who secures half the valid votes that are cast would receive the maximum entitlement (Rs. 40 lakhs).

This system will let good candidates borrow funds to contest elections in anticipation of potential recovery of a part of their costs from the government, based on the votes they poll. Even though corrupt candidates will still try to outspend honest candidates through underhand use of black money (which would be separately stopped, as outlined above), good candidates will at least not have to go bankrupt if, after spending their lifetime savings, they lose the election.

This system will ensure that over the course of time, the proportion of good candidates will increase, thus creating a virtuous cycle. Such a system works successfully in Australia where competent candidates are able to contest, thus leading to good quality, honest parliamentary leadership.

While the direct cost of this system will need to be borne by taxpayers, the indirect cost borne by them will significantly decline, as corruption and bad policy are brought to an end.

Along with this reform, security deposit for elections will be increased significantly to ensure that only serious candidates contest elections. Such security deposit has not been increased for nearly 50 years [DN: check].

#### Competitive salary for elected representatives

Protection of our life and liberty, if done well, cannot come cheaply. It is an ill-conceived ideology to pay representatives, judges and public servants poorly and then expect them to rise above temptation.

Chanakya knew this well. Higher positions require greater knowledge and judgement. In *Arthashastra* he specified that the highest public servant salary should be 800 times that of the lowest functionary. As the saying goes, “if you pay peanuts, you will get monkeys”.

Today MPs are paid extremely low salaries compared with senior private sector executives, even though the responsibility of our MPs is arguably higher. Competent people therefore prefer to earn a respectable living elsewhere instead of entering parliament.

We will establish an independent **Political Representative Incentives Commission** charged with research on compensation for representatives. Its recommendations would include consideration of performance bonuses for MPs and MLAs (and particularly Ministers) linked to national growth and integrity targets. In this regard, it is expected that all perquisites such as free travel, telephones, furnishings, vehicles or loans will be abolished. In any event, all pension schemes for legislators will be abolished.

## Strengthening democracy

We will strengthen India’s democracy in many ways.

### Equalisation of the vote

As the Indian population migrates to cities, a disparity has started emerging between the number of voters in rural and urban constituencies. Except for a few hilly states/areas, the principle of equal representation will be applied through delimitation that is undertaken every ten years, and where data is available, even earlier.

### Individual voting records of MPs/MLAs to be published

Voting records of MPs/MLAs on each Bill will be published, to allow citizens to determine whether their interest has been adequately safeguarded. This will be particular pertinent where MPs/MLAs have the flexibility of using their conscience and wisdom to vote instead of the Party Whip.

### Performance monitoring of MPs/MLAs

In addition to voting records, we will develop, test and implement a range of performance monitoring and reporting systems for MPs and MLAs.

### No genuine citizen’s voting rights should be compromised

Eligible Indian citizens sometimes find their names missing from the voters list despite having valid voter ID cards and having voted in the past. The level of inaccuracy in the voters list is a matter of significant concern and all means, including online registration, will be deployed to ensure that no genuine citizen’s electoral rights are undermined.

### Online voting by defence and police personnel

Given the last minute deployment of security forces during elections, they often do not get to vote. Options other than postal ballot to ensure they get access to the vote (such as internet-based voting systems) will be examined.

### NRIs’ right to vote

Indian citizens living abroad must have the same right to vote in national elections as citizens living in India. This will be operationalised through online mechanisms. In addition, we will aim to ensure full dual citizenship for persons of Indian origin.

### Ensuring ballot access for the disabled and elderly

While it is not practical at the moment to make arrangements to enable all disabled and elderly to vote, the Election Commission will be tasked with assessing ways to enhance such ballot access, including through mobile pooling booths, voting-in-advance options, postal ballot, or online systems.

### Platform for all candidates to communicate with villagers

The costs and feasibility of having Returning Officer organise video-debates between all candidates, with such debates being relayed simultaneously to all villages through relevant TV channels, will be explored. It should be possible for candidates to explain their platform to voters without having to spend unduly in visiting all villages.

### Bringing all political parties under RTI

We will implement the CIC’s recommendation to bring parties under RTI. We will amend the Representation of the People Act to make it mandatory for all recognized parties, national or state, to comply with RTI requirements.

### Judicial power to review laws for their constitutionality to be strengthened

We believe in the rule of law and an independent judiciary with powers to review laws for compliance with the Constitution. We will strengthen this function and ensure that the judiciary is able defend liberty.

## Review of electoral system policies

### Phasing out of anti-defection law

The anti-defection Act has given legal and even moral sanction to defection provided it is done on a large enough scale. A free market has been created for sale of people’s representatives. The consequence of the ill-conceived anti-defection legislation has been that the legislatures have ceased to be forum of discussion and persuasion. Speeches on the floor of the house have lost all their importance since the final outcome in the debate/vote is predetermined. There is an increasing tendency to using boisterous methods in the house. The anti-defection bill has been disastrous for the dignity of the legislature and the democracy.

The intent of anti-defection law was to deter ‘the evil of political defections’ by legislators motivated by lure of office or other similar considerations. But by operating also in cases where no such evil is involved, the purpose of the laws is defeated. This law is fundamentally inconsistent with democracy and freedom.

We believe that a public representative should not only represent his constituency but lead India through thought leadership, so the country can continuously be taken to the next level through high quality intellectual discourse. An MP/MLA should be treated as a highly respectable senior leader of the country, not a minion of some party's High Command.

To enable our MPs/MLAs to become such true leaders, parties should allow all ordinary bills to be voted according to the conscience and beliefs of individual party MPs/MLAs. The only exception should be critical finance bills, a no-confidence motion, or a bill deemed "Critical for the Party” (generally an election commitment, hence therefore morally binding upon the party to deliver) in which case MPs/MLAs can be mandatorily required to abide by the Party Whip, subject to disciplinary action (including possible expulsion for disobedience).

The Anti-defection Act 1985 has created stronger "High Commands" in all parties and lowered the independence and intellectual standard of our representatives. This Act should be seen, therefore, as a temporary measure until India becomes a more mature democracy.

We commit to repealing the Anti-defection Act within three years of implementation of other, more urgent electoral and governance reforms outlined elsewhere. Without such basic reforms, the Indian democracy will continue to attract mercenaries and scoundrels to its parliament and assemblies, converting these august bodies into a corrupt marketplace. After removing the underlying incentives for corruption, the Anti-defection Act will be ripe for repeal, with a new era of true leadership then becoming available to India.

### Review of election expenditure limit

There is no currently limit on contributions to political parties, which receive income tax exemption for these contributions. This position is consistent with freedom of expression. Thus, if someone believes in a particular idea, he or she must be free to promote it through an appropriate political party.

But when it comes to spending this money in elections, there is great hypocrisy, with limits on electoral expenditure for individual candidates but not for political parties.

In general, imposing limits distorts incentives and increases the use of black money in elections. In addition, it leads to candidates paying for “news” (expenditure on “news” is not be included in accounts to the Election Commission), in lieu of advertisement. The hypocrisy involved in this rule has not only adversely affected freedom of speech, but corrupted the entire political and bureaucratic system, and now the media.

Limits will always be flouted by the corrupt, giving them an unfair advantage over honest people. In any event, it is inappropriate for a limit to not exist for political parties but to exist for candidates. This violates Article 14.

We will hold a public review regarding the need for any limit and consider how accountability and disclosure can be made stronger. The rights of citizenship include the free speech right to devote one’s resources to whatever cause or candidate one supports. We oppose, in principle, any restrictions or conditions that would discourage Americans from exercising their constitutional right to enter the political fray or limit their commitment to their ideals.

### Dereservation of election symbols to parties

In the Indian situation, the Election Commission of India gives parties symbols to facilitate their recognition by illiterate voters. Even independents get a symbol. However, this system has a flaw.

The Constitution of India requires total equality of the law among candidates, so voters can choose based on the merits of candidates. No privileges and brand names can be allotted under this framework to some candidates (of parties) at the expense of others. A favour of a brand name to a party candidate by the law vitiates the concept of equality under the law. These brand names are different to those that private individuals or parties may create of themselves. Such privately created brands are equally deserving of protection under the law.

We will therefore deserve all electoral symbols to parties. Instead, we will enact a law to require ECI to allow parties to design their own symbol and provide high resolution images to the ECI. There will, of course, need to be strict guidelines in this regard, to not use the map or flag of India, and that symbols chosen should be easy to distinguish from others. The party names or initials would also need to form part of the symbol.

These actual party symbols, created by individual parties would be permitted to be used on the actual ballot paper or appropriate electronic display. Independents would continue to be allotted random symbols by the ECI.

### Study of feasibility of ‘right to recall’

We note that the right to recall is being promoted by number of people. However, we are not aware of any detailed practical proposal for its possible implementation in India. We will commission a feasibility study of this proposal and implement it if found to be viable and cost effective.

### Study of feasibility of alternative voting systems

Alternative electoral systems are proposed from time to time by eminent thinkers as a solution to many of India’s problems. Although we believe that the FPTP system can do a good job with the appropriate change in incentives outlined in this manifesto, we will commission a study of other forms of representation including proportional representation and the presidential system, to determine whether these options are compatible with liberal democracy and with India’s nature and character.

# New machinery of government

We recognise the dedication of many public servants in their thankless task of implementing poorly drafted or open-ended legislation. We recognise the teachers, policemen and armed forces, the firefighters and a wide range of public servants doing their best in deplorable conditions and limited support. While recognising that some of them fail to perform their jobs effectively, and many are said to be corrupt, we do not intend to launch a witch-hunt to identify and ‘fix’ individual cases of failure, in the initial stage. We believe the system of governance is ill-designed and must be addressed first, before attention can be given to addressing any concerns about individuals in the system. We will bring good governance to India for the first time in its entire history, through actions aimed at ensuring accountability from anyone who is paid by taxpayers.

## New structure to deliver government responsibilities

Cabinet will monitor and regularly inform public about progress in achieving committed objectives.

### Freedom Ministry

A new Freedom Ministry will be created in the first ten days to serve the Prime Minister and the Minister of State for Cabinet (to whom the Cabinet Secretary will report), charged with, among other things:

* promoting our freedoms;
* ensuring that commitments made in this manifesto are delivered; and
* advise Cabinet on the extent to which all new laws and regulations proposed are compatible with freedom through the India Policy Office.

It will also deal with matters that fall across more than one department, and any subject not allocated to other departments.

#### India Policy Office

An Indian Policy Office (IPO) would be established in the Freedom Ministry, comprising policy professionals with demonstrated capability to analyse policy in relation to economic impacts and impacts on our freedom.

The IPO will mainly hire new analysts through open competition, including Indians currently teaching economics and finance in the world’s top universities who may be initially hired on short or medium term contracts and paid salaries comparable to what they are currently draw abroad. This office will retain significant independence in its advice.

A division of the IPO will review all existing laws to assess their compatibility with freedom. This legal affairs division will also coordinate the delivery of all legislation committed or consequential to commitments made in this manifesto.

### Strategic review and restricting of governance

A strategic review will be commissioned in the first 100 days to deliver a new look government machine within a maximum of three years.

#### Review of functions

All functions of government will be reviewed and non-essential functions, including redundant ministries, departments and organizations, required to plan a restructure that suits the needs of a modern government.

The reviews will also ensure that no staff will be adversely affected by such actions, and any staff made redundant would be redeployed elsewhere, particularly in security, justice, and infrastructure.

#### Reducing government to 20 portfolios and 10 departments

It is expected that as a result of this review, the number of departments in Government of India will be brought down to ten, with around 20 ministerial portfolios in all, with 20 Ministers of State (to ensure orderly succession).

Each portfolio will be served by one of the ten departments. The number of secretaries in the Government of India will thus be reduced to ten. Apart from the Freedom Department other departments (after the review and restructure) are expected to be:

i) defence,

ii) justice (including internal security, police, support to the judiciary and protection of consumers),

iii) external affairs,

iv) public finance,

v) physical infrastructure,

vi) social infrastructure (e.g. public health, poverty elimination through negative income tax, and the regulation, not direct management, of education and medical facilities),

vii) commerce (including regulation of industry and agriculture),

viii) social capital and community (fostering voluntarism and conducive social relations in the community), and

ix) sustainability (managing the ecology).

### Abolition of concentred bureaucratic extra-constitutional power

It is inappropriate for highly centralised bureaucratic and extra-constitutional power to be part of the governance system.

Centralized planning, in particular, the Planning Commission has no basis in the constitutional structure of India. It is, nevertheless, at the heart of the central government, today. When no person in the entire world is capable of making even a pencil on his or her own (from scratch) no one in the world has the knowledge of prices, costs, and productive possibilities that exists in a dispersed form throughout the whole of society. The preposterous idea that anyone can plan India’s economy will be put down by shutting down the Planning Commission. The Planning Commission will be converted into a small, professional Research Wing for the Parliament, with most of its employees moving to other Ministries, such as the India Policy Office.

Similarly, the Prime Minister’s Office, which used to be a very small wing, today more or less duplicates the work of each ministry. Given that the Prime Minister will be served by the Freedom Ministry, the PMO will be abolished.

Both these tasks will be completed within the first 100 days.

## Creation of an entirely new civil service machine

### Senior positions to be converted purely to contractual jobs

As a first step, significant modernisation of the civil service will be undertaken within the first 100 days, by putting all senior roles in the rank of Secretary on a fixed term contract that has no relationship with any tenured civil service. Similar actions will be undertaken over the course of the first three years with all officials in the rank of Joint Secretary and above.

All such senior officers (on contracts) will be paid very well but will be liable to immediate termination without notice (they will get four months salary in lieu) for any significant failure to deliver results, including elimination of corruption.

In due course tenured senior civil services will be dismantled and replaced entirely with open-market recruitment.

We expect a rapid fall in the levels of corruption in India within the first 100 days as the new senior civil servants will be given a free hand to put an end to inefficiency and corruption anywhere in their departments. Failure to bring an end to corruption in their department after six months of taking charge will be cause for termination.

### Flexible pay that incentives and rewards the competent

The pay system for public servants should be sufficiently flexible to acknowledge and reward those who dare to innovate, reduce overhead, optimize processes, and expedite paperwork. In most cases this will mean paying public servants wages comparable with private sector wages for similar jobs, and at senior levels allowing for flexibility to reward good performers, even as contracts incorporate immediate termination clauses for non-performance.

### Both contractual and non-contractual roles to be modernised

Both the contractual senior civil service established after three years of restructuring and for those not on contractual appointments, a number of new features will ensure modernisation of the system, including the new Conduct Rules that allow public servants to speak out and participate in debates on governance (*excluding* the specific area for which they are directly responsible). Further, should they wish to contest elections, they will be given three months leave without pay to do so, after which they will be able to return to their job on a full time basis (without this leave period being counted towards service benefits, if any).

## Zero corruption in bureaucracy

### Reduced opportunities for corruption in bureaucracy

The principles outlined for reducing opportunities for intervention in the lives of citizens by politicians will also apply to the bureaucracy, thus reducing the opportunity for corruption.

### Incentives to reduce corruption

A number of steps will be taken to make it more “profitable” for bureaucrats to be good.

#### Contractual appointments of senior bureaucrats

Contractual appointments of senior bureaucrats (they will be terminated if they fail to deliver integrity and desired public outcomes) will ensure that bureaucrats are motivated to be honest

#### Salaries comparable with private sector

Competitive salaries for bureaucrats will ensure that their incentives for corruption are dramatically reduced.

#### Audit and monitoring of government by citizens

Steps to increase monitoring of government by citizens (e.g. Local Board and support for Citizens’ Governments) have already been outlined earlier. In addition, significant strengthening of local governments will allow better monitoring of governmental activities by the people.

#### Surveys on level of corruption

The Freedom Minister will commission surveys through an independent organisation to assess citizens’ perceptions and experience about the level of corruption prevailing and service delivery qualities in various departments.

The results of these surveys will be published quarterly and inform public reviews of Ministers’ performance as well as confidential performance reviews of secretaries. Significant underperformance will be cause for termination of the senior executive team of departments and replacement of Ministers.

#### Rewards for the honest (whistleblowing)

We oppose any form of political pressure on officials to deflect them from the fair and just discharge of their duties. Public servants will be rewarded for documenting (including by digital means) and reporting to the Lok Pal any misdemeanours of politicians who ask public servants to break any law, and any corruption they observe.

They will be empowered to confidentially provide this evidence to the Lok Pal who would, upon successful proof of the allegations, recommend a significant reward for such employee. Any elected representative found breaking the law will be prosecuted vigorously.

## Professional local government institutions: Poorna Swaraj

Local government institutions will be entirely modernised and made accountable to elected representatives.

Since the subject of local government falls within the purview of State Governments, this reform will have to be led by the states. Within three months, we will frame a package of incentives for states to create fully elected local councils (parishads) of a manageable size.

The ratio of elected local representatives to citizens would be brought in line with international best practice. For instance, Delhi will get around 300 elected councillors (including Mayors or Pradhans) in about 60 independent councils. These councils will be responsible for providing world-class civic amenities and managing local libraries and community halls. User charges such as land taxes and rates will form their primary source of revenue.

Land planning and zoning will be controlled by the councils with the help of professional land planners, environmental scientists and landscaping specialists. Some state inspectorates, such as the food inspectorate, will also be transferred to the councils. Local governments will be responsible for sanitation, drainage, local roads and parks, among other things. They will be empowered to raise funds through rates on property, and also provided a level of tied grants for specific projects on a per capita basis.

States will be provided incentives to modernize associated regulation, e.g. food regulation, to reflect risk-based approaches. These changes would lead to fewer but far more competent inspectors.

All these staff will be fully accountable through contractually appointed chief executives, who would have the power to appoint others in the councils. Each council would be able to set its own rates independently and determine the level of amenities it will provide. Councils wishing to attract wealthier residents will therefore focus on better infrastructure such as parks, while also charging more money from residents. Citizens will therefore physically move to the better managed councils and vote with their feet. Because of the natural competition between a multiplicity of councils, the costs will be kept down. Through this process, world-class services will become the norm in India’s cities.

The village level panchayat system will operate as monitoring mechanism for the councils, as well as a decision making body for minor matters (including some matters of civil justice). Panchayats, for instance, will be expected to raise funds to maintain the village roads.

Raj Samadhiya village in Gujarat is perhaps India’s cleanest village. Nobody throws any paper on road or dirties common lands or water. That is because incentives work. It follows a draconian (almost Singaporean) law that if those who litter are fined Rs.1000. We will empower and encourage such forms of local self-management.

Each gram panchayat will be expected to construct public toilets and enforce a ban on public defecation, in a manner similar to a ban on littering. These fines are expected to be used by the local community to build further local infrastructure.

In Saurashtra there are more than a hundred thousand check dams and farm ponds built through people's participation. Unfortunately, elsewhere farmers use 60-70 hp engines to pump water from thousands of feet below the surface, leading to depletion of water table. Similarly, roof top water harvesting is one of the effective means to generate water for domestic use. Village assemblies should be empowered to act on such matters.

We will explore innovative ways to make village panchayats become more representative and to upgrade their capability to act as the eyes and ears of parishads (councils). We will also link these up with local boards, so there is direct monitoring of the work of government agencies at the grassroots level, wherever possible.

This will help achieve Poorna Swaraj, in which Swaraj is not merely a hollow message but a reality in which democratic responsiveness and accountability come together, through a professionally competent support system.

### Town planning

There is a direct relationship between economic growth and urbanisation. Instead of trying to fight the inevitability of high levels of urbanisation in India, we will build agile local institutions that can respond and anticipate the changes expected from increasing job opportunities in urban areas. We also support responsive urbanisation since urbanisation is one of the best ways to reduce the entrenched social discrimination found in Indian society.

We will support State Governments in developing world-class town plans with appropriate zoning laws in consultation with local governments, that are updated every ten years based on changing demographics and economic structure. The plans will include appropriate green spaces, natural features and protection of (significant) heritage sites.

### Sports infrastructure

We will actively support the construction of more public sports complexes, to be managed by local governments.

## Modern governance frameworks and mechanisms

The proper purpose of regulation is to set forth clear rules of the road for the citizens, so that business owners and workers can understand in advance what they need to do, or not do, to augment the possibilities for success within the confines of the law. Constructive regulation should be a helpful guide, not a punitive threat. Worst of all, overregulation is a stealth tax on everyone as the costs of compliance are passed along to the consumers. Many regulations are necessary, like those which ensure the safety of food and medicine, especially from overseas. But over-regulation is endemic in India, and regulation which is enforced only for bureaucrats to make corrupt money from businesses. Even well-intentioned regulation often has a job-crippling effect. That makes it all the more important for government agencies to be judicious about the impositions they create on businesses, especially small businesses.

The heavy hand of government including the license-permit-inspector raj has produced a veritable legislative jungle in India. There is the original legislation, often decades old, there are subsequent amendments and rules and regulations and bylaws and ordinances and notifications issued under them scattered all over so that not even experts and lawyers are in a position to say authoritatively what the legal position is on a given subject. The common man lives in a state of uncertainty and is often subjected to extortion, blackmail and litigation.

Our laws have still not been rid of obscure and obsolete provisions. Whether they are central or state, the laws continue to offer ample scope to 'authorities' to harass law-abiding citizens. For instance, a five-star hotel was harassed under the Sarai Act, 1867, which makes it mandatory for hotels to serve water to passersby.

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### World-best policy and regulation making framework

The India Policy Office will issue directives for implementation of best practice p`olicy and regulatory frameworks. Testing all polices on the basis of a world best policy framework will be made mandatory through a regulatory impact statement.

The outline of such a framework is provided below:

|  |  |
| --- | --- |
| Q1 | What would happen without any role for government |
| Q2 | Identify problem/s with the base case and explain why these are problems |
| Q3 | First principles test (should government intervene at all) |
| Q4 | What can government do about the problem/s? |
| Q5 | Freedom test |
| Q6 | Strategic gaming test |
| Q7 | Government failure test |
| Q8 | Real experience test |
| Q9 | Cost benefit test |
| Q10 | Transition path |

### Creating a regulatory gatekeeping and review organisation

We will establish an independent Policy Efficiency Commission that reports to the Freedom Minister directly and acts as a gatekeeper for regulatory impact analysis of all policies in India.

### E-governance

The National Informatics Centre, which provides a uniformly poor quality e-governance service to India will be wound up. E-governance will be outsourced to competent world-best IT sector Indian companies, so we allow citizens to hold governments to account in every way, and also receive all services they need in a flawless manner.

### Regulation to sunset every 10 years, and legislation every 30 years

We will ensure a sunset requirement to force reconsideration of out-of-date regulations. All legislation would sunset sunset after a period of 30 years. All regulation (subordinate rules) will be allocated a 10 year sunset date when it will come to an end. This will require any necessary regulation to be remade. To ensure that this does not create a situation of uncertainty and lawlessness, this will be phased in for all existing regulation.

### Reducing regulation to a total of 10,000 pages

Today regulation with legislation and its associated amendments, rules, bylaws, ordinances and notifications are scattered. Not even experts are in a position to authoritatively say what a legal position is. The citizen lives in a state of uncertainty and is often subjected to extortion, blackmail and litigation by a whimsical bureaucracy and legal system.

All Central regulation (including tax laws) will be reviewed and simplified with a view to bringing down the substantive regulation to a total of 10,000 pages (excluding Definitions Act and any Schedules or Attachments to be hyperlinked separately). To facilitate this, each Ministry will receive a quota of pages and will be required to shrink its regulation to be accommodated within these pages within three years.

In a second phase of this project, in the fourth and fifth year, regulation will be further reduced till a maximum of 5,000 pages of substantive regulation remains.

### Reducing red tape (costs of regulation) by 50 per cent

We will reduce red tape imposed by the Government of India on the community (including businesses and NGOs) by 50 per cent by 2019. For this purpose, red tape includes not just administrative and compliance costs, but also delays and costs of fees. Other indirect regulatory costs are not counted as red tape for purposes of this program.

The measurement of changes in red tape will be conducted through the Regulatory Change Measurement methodology, independently assessed and results published by the Policy Efficiency Commission.

We will eliminate the nearly 70 clearances for starting a business and fuse them into a ‘single window clearance’ achieved by our competitor nations. India’s notorious red tape is mainly responsible for our 134th rank (among 189 countries) in World Bank’s Ease of Doing Business report. On ease of starting a business, it ranks even lower: 166. The report says that 35 permissions/ procedures are required to construct a warehouse, which takes an average of 168 days. One can only imagine the time and number of clearances it takes to build a factory. Small businesses, too, face frustrating hurdles: for instance, to open a bar & restaurant in Maharashtra, 38 licences are required, many of which date back to colonial times and are outright bizarre.

Why should it be so difficult to start a business? It provides employment, creates wealth and generates revenue for government. There's a crying need to drastically reduce the number of permissions required, set a tight time limit for them to be granted (if all the paperwork is in order) and penalize bureaucrats who take longer. Also, the entire system should be online and transparent. We need to protect our environment but should not stop hundreds of projects in the process.

We will ensure that India’s Ease of Doing Business rank rapidly moves up towards the every top.

### Repeal of unnecessary or redundant regulation

# Doing more with less

The security and prosperity of Indians depends on sound financial management that produces economic stability, low inflation, high employment and a level of debt that does not risk the economic well-being of future generations.

## Revenue principles

Citizens of a free nation must pay for services they want from the state. However, our tax system is excessively complex and ill-designed.

Taxes, by their very nature, reduce a citizen’s freedom. Their proper role in a free society should be to fund services that are essential, such as national security, and the care of those who cannot care for themselves. We reject the use of taxation to redistribute income, fund unnecessary or ineffective programs, or foster the crony capitalism that corrupts both politicians and corporations. Our goal is a tax system that is simple, transparent, flatter, and fair.

Rationalized tax codes and rates will improve compliance and revenue. Lower tax rates and simpler tax rules will widen the tax base and improve compliance, while reducing corruption. In particular, the direct tax code would include streamlined tax laws with limited exemptions and deductions.

We will bring the central debt (and motivate similar actions by the states and UTs) down to 3% of GDP within the first three years. Thereafter, all government debt will be paid off within a short period through further operating surpluses, with the goal of a fully balanced budget in the long term. Once the debt is repaid we will delink any further government borrowings from the Reserve Bank, to enable it to undertake independent monetary policy event as it is transitioned into a more competitive, private system. These steps will strongly support the rupee.

### Minimal taxation

We stand for thrift in public expenditure. We hold that taxation should be just enough to allow necessary functions of the state to be performed well. Assuming that the state does not perform unnecessary functions, this would generally be a small amount, not more than a quarter of the total income of a country. It may be pointed out that today the taxation level is at approximately this level, but hugely misdirected. We expect significant restructuring through broadening the tax base, and re-direction of taxation to core functions. Overall, we would like to not just ensure that changes are revenue neutral but that our huge budget deficits are aggressively tackled.

 Some aspects of taxation reform will include:

* radical simplification of income tax law, eliminating all exemptions;
* parity between marginal income tax rates and company tax rates, with both being reduced;
* minimal taxation of investment;
* preventing states from exempting any business from taxes; and
* privatisation (under government supervision) of income tax collection services for the non-salaried sector, to ensure compliance by all those who should pay taxes.

### Modestly progressive direct tax system

A poll tax is inappropriate since it must necessarily equal the ability of the poorest to pay, making it impossible for a government to perform it functions adequately . Hence, taxation must be proportionate to the ability of each citizen to pay. To the extent possible, a family should be treated as a single unit and tax raised based on the number of family members (although that such a system can create perverse effects on the birth rate).

Income tax at a flat tax rate is among the more efficient taxes, with minimal distortion of work incentives. Therefore, a broadly flat percentage tax (which is proportionate to income), with a modest level of progressivity, is compatible with the need to achieve a strong but minimal state. This taxation system can be coupled with the negative income tax to ensure that no one need suffer from acute poverty even as all necessary government functions are performed well.

### Reducing marginal rates

In general we will reduce the marginal rates of taxation. In particular, we will keep corporate taxes low from the international perspective to motivate investment in India. Indian businesses now face one of the world’s highest corporate tax rate (at nearly 34 per cent). This reduces their competitiveness, encourages them to invest overseas instead of in India, cripples job creation, lowers Indian wages, and fosters tax avoidance measures, without increasing tax revenues. We will significantly reduce the corporate rates in a phased manner while reducing deficits, to keep our corporations competitive internationally.

Wherever possible, income tax rates and deductions will be pegged to inflation (noting that we do not expect any significant inflation during the tenure of our government).

### Minimising regressive indirect taxes

Indirect taxes such as Value Added Tax (VAT), excise, import duties, and sales taxes are regressive (discriminate against the poor), as a proportion of their incomes. On the other hand, these are more efficient and distort consumption and investment decisions less than most other forms of tax. So we will aim – in the long run – to reduce indirect taxes and replace them with direct taxes where possible. Initially, all indirect taxes will be subsumed into a single VAT with a single rate of taxation, that is kept as low as is reasonably possible, keeping the requirements of a balanced budget.

### Cautious use of consumption tax

Consumption tax is regressive, with greatest incidence on the poorest. Income tax is also the most efficient tax. Accordingly, greater use of income tax will be made by broadening the tax base.

Another key problem with consumption tax is its monotonic reduction as wealth grows. As Engel’s law indicates, broader consumption declines with wealth, which makes it an ever-diminishing source of taxation. Further, since education and health are generally exempt from consumption tax, but their consumption rises with income, consumption taxes become a less and less reliable source of revenues as society increases in wealth.

Political compulsions have repeatedly delayed introduction of the streamlined pan-India goods & service tax (GST). Value Added Tax, which has replaced state specific sales tax in most states since April 2005, started off on the right note - with an intent to provide for uniform tax rates, an input tax credit mechanism to prevent 'tax on tax', and relatively standard processes. Today, because of local revenue compulsions, states have increased VAT rates and blocked or reduced input tax credit (which allowed a credit for taxes paid on intra-state purchases), thus hampering pan-India trade. India needs to be a seamless, not a fragmented, marketplace. VAT must be put back on track by bringing about uniformity in tax rates, rules and procedures in different states. In the long run, call it GST or by any other name (say, central VAT or consumption tax), but there needs to be an economically efficient indirect tax regime that promotes growth.

We will complete the work to implement the GST to economically integrate India and create a national market, lowering the cost of doing business and increasing economic growth. GST will replace the present nightmare of indirect taxes — state sales taxes, central sales tax, excise duty, service tax, entry tax, etc. Since it will tax only the added value at each stage, it will discourage cash transactions as no one wants to lose credit for taxes already paid. Compliance will rise, tax revenues will swell, black market will diminish, and peoples’ morals will improve.

### Broadening the tax base through a simple tax system

Given that less than 3% of the population shows any taxable income at all, there's clearly a need to bring many more into the net instead of burdening the already taxed. It's also high time the field were levelled and rich farmers were made to pay income tax.

We will make it mandatory for all citizens to lodge an annual tax return, but the return will be kept very simple. Where possible installed capacity, rolling stock and business or residential area occupied can be used as proxies for income received. By broadening the base we will increase aggregate tax collection to around 25 per cent of India’s GDP. This broadening of the tax base will also allow linkages with the negative income tax system to pay a direct top-up to the poor, eliminating poverty.

### Land tax

Land tax is one of the most efficient taxes. We will significantly strengthen the land tax system, which would be used mainly by the States and union territories to reduce their dependency on their share of federal taxes.

### Specific tax initiatives

#### Standard deduction

We will reintroduce standard deduction, abolished from April 2005. This will also usher in equity, as currently individual taxpayers who are professionals or businessmen are entitled to offset their business expenses against income.

#### Tax exemption for crèches and day care centres

We believe that the public can benefit through more creches and daycare facilities . Creches also prevent young girls from being pulled out of school to look after their younger siblings. This is a public good of enormous relevance and we will consider tax exemptions for such centres that met appropriate regulatory standards.

We will also explore greater use of ‘sin’ taxes (e.g. on lotteries, races and betting) so long as there are minimal adverse effects on society.

#### Tax treatment of foreign investment

We will ensure that taxes are paid by all foreign investors at the point of making profit in India, and that no one is able to withdraw any untaxed amounts from India through any institutional structural means.

### Cost recovered fees and market charges

Wherever possible, fees will be charged to direct users/beneficiaries of a government service. This would be based on efficient costs, with market based recovery where a government provides a service comparable to what the private sector provides. Full cost recovery/ market cost recovery will be applied except where there is a direct community benefit that can be estimated empirically.

### Strict audit of performance and finances of the government

We will review and strengthen audit systems to give taxpayers a clear, unambiguous idea of where and how their money is being spent.

### No retrospective changes to tax laws

We commit to not introducing retrospective amendments to tax (or other law) as it merely adds to pending litigation (worth Rs 2.7 lakh crore in 2012-13). There may be some occasion to consider this option in the rarest of rare occasions to correct a major flaw in the tax provisions. However, we will aim to correct such flaws through alternative mechanisms.

### Independent review of tax appeals

The first stage of tax appeal in India is the Commissioner (Appeals). We will create an independent body for appeals that has no links with the assessment of tax, scrutiny and tax demands.

### Reducing gap between possible and actual realisation

To minimise non-declaration of tax dues by people, we will privatise tax collection (or involve NGOs and civil society organisations) in areas where taxpayers are not capable of completing tax returns.

## Expenditure principles

### Prohibition on deficit financing

The basic rules of private accounting would become applicable to the government as well. It cannot spend the resources it does not have. The concept of fiscal responsibility and budget management will be firmly embedded. We will prohibit deficit financing as also of overdrafts by the State or the Central Governments for financing their expenditure.

### Repayment of debt and borrowing only for physical and social infrastructure

To run a sustainable government India will need to retire government debt by creating surpluses, and take on further debt only where absolutely necessary: for physical and social infrastructure.

### Debt repayment through sale of government lands and PSUs

Huge single and double storeyed buildings in Delhi can be easily substituted by multistoreyed, privately developed buildings, rented out to government. Land sold in this process can help pay government debt.

Similarly, any public sector undertaking not yet sold off, would be disposed at market price, enabling the revenues so generated to be used to retire debt.

## Disclosure principles

### World best-practice disclosure principles

Disclosure of the finances of governments will be enhanced using principles of commercial accounting. Environmental assets will be valued separately to assess sustainability.

## Abolishing the inflation tax: Sound money

A sound monetary policy is critical for maintaining a strong economy. Inflation diminishes the purchasing power of the rupees and is a hidden tax on the poorest of the poor, being highly regressive in nature. reckless

We believe in going back to the fundamentals. Money is a medium of exchange. In a free society, the citizens determine, through their various experiments in the issue of money, the types of medium of exchange they are willing to use. Such experiments have been prohibited by governments in India (and indeed, in most parts of the world), allowing governments and central banks to take on the power of creating money and diluting its value to fund large government projects.

### Phase 1: Monetary rule for maximum 3 per cent inflation

We will abolish the inflation tax in two stages. In the first stage we will ensure full independence for the Reserve Bank of India subject to a legal requirement to follow a monetary rule that keeps inflation at a maximum of three per cent, and subject to a thorough audit of its activities. In addition, a comprehensive review will be initiated of the need for central banking, and options to privatise money.

### Phase 2: Monetary rule for maximum 1 per cent inflation

In the second phase, this inflation limit will be reduced to one per cent, even as the findings of the review will feed into the development of a competitive market for money.

### Phase 3: Competitive private currencies backed by gold

Finally, if there is sufficient confidence and understanding in the competitive system of money supply, we will establish competitive private markets for creation and supply of money, subject to stringent regulation. The money creation powers of the Reserve Bank will be phased out. Such competitive markets are likely to be backed with gold along with regulatory oversight to ensure no supplier recklessly prints money. These measures will ensure stable purchasing power of the various competing currencies , leading to economic growth and prosperity.

# First order function: defence and foreign affairs

We believe trade and freedom are the way towards international peace, but we are keenly aware that peace is not the primary goal of some people. We therefore commit to working towards building the most powerful and defensive military force the world has ever seen to deter any aggression towards India or Indian citizens living abroad. This will include a strong nuclear shield, in addition to a powerful mechanism to thwart modern means of warfare.

## Defence and the national security agenda

We honour the extraordinary sacrifices of the men and women who protect our freedom through their service in the Indian armed forces. Unfortunately, the response of successive governments to our national security has been reactive. National security encompasses all facets of securing our nation. India should act as a regional pivot and a potential global influencer.

Defence is the single most important function of government. Given that we are part of a nuclear neighbourhood, we will increase the overall share of defence in government expenditure. Long pending modernization and up-gradation of equipment would be remedied by compressing the execution schedule.

### White Paper

We want peace through strength, not through weakness or by seeking alliances with (currently) stronger powers; alliances that reduce our independence to think and to speak our mind. We are deeply concerned both intrusions inside the Indian border (such as the Line of actual control) supported by Pakistan and the entry of foreign terrorist groups into India. We understand that the line between formal government controlled violence and violence perpetrated in the name of religion is no longer easy to distinguish.

We are also concerned about the rapidly changing strategic environment across the globe as China emerges as a major power. We fully support the rise of China into economic strength, but are concerned with its increasing belligerence and continued suppression of freedom within its borders.

In addition, rogue states with undemocratic dictatorial regimes are expanding their reach into nuclear technology, threatening the lives of peace-loving peoples across the world. Emerging threats including modern asymmetric warfare such as cyberwarfare, The response to all this must be comprehensive, not piecemeal. To analyse and form a comprehensive view on such issues we will commission a comprehensive White Paper on defence to help prepare India for the security challenges of the future.

### Resources for our servicemen and intelligence agencies

We pledge to our servicemen and women, and intelligence agencies the authority and resources they need to protect the nation and defend India’s territory and freedom. Defence is the primary function of the state. All other funding can wait, but defence funding cannot.

### Enhancing pride in our defence forces and intelligence agencies

The defence profession is not like any other. There is deep honour in serving the defence force, being part of the fortress behind which freedom can flourish. To demonstrate our deep respect for our defence personnel, we will significantly increase funding to attract and retain high quality personnel and provide them with appropriate weapons and technology. At the same time, we need a lean and mean machine. The principles of new public management that will apply to the new civil service machine will be introduced in the defence force, as appropriate.

It is ironical that a country blessed with young population has to face shortages in the officer cadre of our armed forces. While publicizing and educating our youth about the career opportunities in the armed forces, we will re-examine the entire process of induction, training and human resource development with special emphasis on post-retirement employment opportunities for personnel who are required to retire at a relatively young age. We will ensure that the pay scales and terms of service in the Armed Forces are attractive and encourage recruitment of high quality officers.

Till the entire machinery of government is restructured, reformed and recalibrated, we will include a member from the armed forces in the pay commission. Going forward, however, we would consider a separate pay system for the defence forces (delinked entirely from the civil system) to to address and adequately compensate our armed forces for the hardship and personal sacrifices they make during war and peace. The commission would cover not only cadre review, emoluments but also questions about the minimum tenures as commanding officers of Battalions, Brigades, Divisions, Corps and Army Commands with equivalent service requirements for Navy and Air Force as conditions for promotion.

A nation is required to ensure that the soldier who protects the nation is looked after in his retirement or disability. A holistic approach to address pay disparities, neglect of war widows and disabled soldiers along with pension and medical care of the retired personnel would be given due priority by the Party. In particular, we will review the concept of “one rank one pension”.

### Single Chief of Defence Staff

We agree with the Kargil review committee recommendations on appointment of a chief of defence staff and integrated Army Command.

We believe that internal discipline is crucial in matters of defence, and that defence policy should be under the direction of civil government. However, decisions involving defence strategy should not be made without active consultation with the defence forces. The defence force should also be independent on operational matters, within broad parameters. We will therefore integrate the operational command of Army, Navy and Air force under a single Chief of Defence Staff to avoid the coordination errors of the Kargil war. This will allow the creation of theatre commands operating under the Chief, where army, navy and air force are seamless war machines.

The CDS will be given the rank of a Minister of State, reporting to the Defence Minister. The Army, Navy and Air Force Chief’s stature will be made equal to that of the Cabinet Secretary.

### Defence production

Indigenous development and production of state-of-the-art equipment and systems for security is vital for India. Under the leadership of DRDO, we would encourage the domestic private sector to actively participate in defence research and development and production, and support the development of cutting edge technologies and modernization of armed forces. Through such private production of defence equipment (under DRDO oversight), the government will ultimately be able to step out of most defence public sector manufacturing undertakings.

Robotics is a critical component of future armed forces. We will motivate top Indian talent working in this field abroad, to return to India and produce indigenous defence and commercial robots.

### Defence procurement

The current procedure for defence procurement involves trials and technical approval from the armed forces, followed by independent price negotiations conducted by bureaucrats and politicians. Such procurement has been a hotbed of high-level (political) corruption. We will ensure an independent assessment system, a separate system for negotiation, a separate system for issue of orders and a separate system for receipt of supply and quality assurance, each reporting its independent actions to a high level independent board focused on probity. Politicians will be kept at hands-length from the entire process since they do not have any specialised knowledge to offer.

### Intelligence agencies

We will enhance and advance the capabilities of our intelligence community to ensure that our country’s leaders and military are fully informed in an uncertain and increasingly dangerous world. We will ensure strong accountability to ensure that our nation’s most sensitive information and activities are protected appropriately.

We will significantly human intelligence (boots on the ground) both at home and abroad, as well as our tech/cyber capabilities to deal with the diverse threats facing the country. We will strengthen RAW to ensure top class external intelligence to enable informed defence and foreign policy choices.

### Border roads and defence communication

We will ensure environmental clearances are quickly given and critically needed funding allocated for border roads and rail line connectivity to Eastern, Western, Northern and Central sectors. We will support the deployment of the best means of communication within the defence forces.

### Reduced armed force deployment in internal security duties

Unless there are extreme or unanticipated threats to internal security beyond the capacity of the local administration and paramilitary forces to deal with, we shall minimise deployment of armed forces against their own countrymen. Where armed forces are deployed, they will be provided total immunity from prosecution by civil authorities, given they operate under an entirely different system. Accountability for their actions will, however, continue, as before.

### Volunteer force to support full-time military

We will strengthen and revamp the existing volunteer force system and build a strong team of officers and soldiers on reserve. Significantly increased resources will be made available for training and other support of such a force. We will particularly encourage the participation of women in such a force.

### Honouring and supporting veterans

We have a sacred obligation to our veterans, and commit to providing them and their families with care and dignity. This is particularly true because our nation’s warriors are volunteers, who served from a sense of duty. We will focus on providing them with health, education, disability, and home loan benefit services and arranging memorial services upon death.

Our wounded warriors, whether still in service or discharged, deserve the best medical care our country can provide. We will make military and veterans’ medicine the gold standard for mental health care, advances in prosthetics, and treatment of trauma and eye injuries. We will care, as well, for the families of those who have made the ultimate sacrifice, who must be assured of meaningful financial assistance.

We will focus on the reentry into the job market of veterans as soon as possible after military service ends. A job for a veteran is more than a source of income. It is a new mission, with a new status. We urge the private sector to make hiring veterans company policy. We will create a programme to offer tax breaks for hiring a veteran and by giving veterans necessary training to excel in their new roles.

## Integration of defence with foreign policy

We believe that foreign policy should be primarily informed by national interest, and the need for strong defence. Wherever possible, these two should be integrated

The following are the highlights of our foreign policy, which will be based on the most pragmatic and effective principles of national self-interest, in the lines of *Arthashastra*.

a) We will work closely with friendly nations to enhance mutual interests such as extradition of criminals, shutting down terrorism, supporting international engagements where India’s interest is served, and promoting trade.

b) We advocate global disarmament which includes banning weapons of mass destruction. We believe, however, that it is important for India to have a sufficient arsenal of nuclear weapons to motivate mutual disarmament. We will only consider destroying nuclear weapons when all other countries demonstrate simultaneous and total elimination of their nuclear capability.

c) If unfriendly neighbours repeatedly fail to exercise self-restraint and demonstrate repetitive barbaric behaviour, such as beheading Indian soldiers, we will not issue any further requests or warnings and use unlimited force to clinically destroy the leadership of the enemy force. We will make use of drone attacks to disable the enemy force.

d) Till an alternative to the United Nations is created we will insist on permanent membership and veto power for India in the Security Council.

e) We will cooperate with friendly neighbours to sharing resources linked to waterways, and thus promote trade and harmony in the region.

f) We will firmly protect interests of Indian citizens who live or work abroad (NRIs), and maintain good relations with foreigners of Indian origin (PIOs/ OCIs), many of whom continue to think and work for a new India even though they live abroad. We will make it easy for Indians who relinquished Indian citizenship due to the inefficiency and corruption of Indian governments, to regain their citizenship and contribute to political reform. We believe that India’s diaspora is a fantastic asset to the country. All of them want to see India fulfil its destiny, so this resource should be embraced.

g) The overseas Indian community has contributed immensely to India’s international standing and socio-economic development. In recognition of their contributions, and in order to harness their interest in India, we will give OCIs full citizenship of India, thereby permitting them to be more directly involved in the future of India. Except for any overseas Indian with proven links to secessionist movements in India, all OCIs will be eligible to resume full citizenship of India on payment of a substantial fee of, say, $10,000. This will yield also significant revenues to the government. Such Indians will be permitted to also hold to any other citizenship they may have.

## India and the world

India’s international interests encompass an important network of relationships with our SAARC neighbours, a longstanding history of links with Commonwealth countries and recently with the USA, and a continuing development of our other international relationships including with China and the rest of Asia, all of which are important in the emerging wired world. We recognise the growing influence of globalisation but guard the sovereignty of our nation.

We believe that India’s priority in foreign and trade policy must be to:

* further develop the capacity of an internationally competitive Indian economy to benefit from the globalisation of trade and investment flows;
* maintain a strong national defence capability, with an appropriate mix of security alliances and self-reliance;
* strengthen our international relationships;
* maximise the economic and strategic opportunities with countries in Asia;
* participate in international organisations including the United Nations and the Commonwealth of Nations, while being wary of empty words.

### USA

We are committed to building strong relationships with USA and its partners, with a view to fostering and strengthening freedom and democracy across the world. We request the USA to not help India’s enemies. We will complete a bilateral investment treaty with US and demonstrate credentials for the Trans Pacific Partnership.

### Russia

We will continue to maintain a close relationship with Russia, which has supplied fighter aircraft, warships, tanks, missiles and armaments for over thirty years to India, at a cost ranging from 10% to 25% of comparable costs from western suppliers. After the 25 year friendship and mutual assistance treaty with Russia expired in 1995 it was not renewed. However we will review the relationship and if appropriate, work towards another long term treaty. Even without it, we will continue our long term strategic relationship with Russia.

### Pakistan

Pakistan's internal conditions are expected to remain precarious for some time. We agree with India’s policy directions to date in relation to Pakistan and strongly believe that better trade and cultural relations are required but these should be contingent on the complete elimination of ongoing and invisible hostilities against India by Pakistan.

Subject to necessary conditions, such as Pakistan stopping all incursions into India and its support to terrorists (including in Afghanistan), and demonstrable confidence that Pakistan is determined to integrate with the free world, we will seek to end the border dispute with Pakistan by formalizing the LoC into a permanent boundary.

### China

India recognises the important role of an increasingly wealthy and powerful China and aims to have excellent trade and cultural relations with the Chinese people. We reject the claims of the Chinese on all Indian territories, including in North East India, and believe there are opportunities for China to play a more constructive role in Tibet by giving it greater autonomy, and to bring to an end its claims on Indian territory, to allow the two largest nations of the world to work towards greater global peace.

### Bangladesh

We are committed to good relations with Bangladesh, even as we prevent illegal migration from Bangladesh (and elsewhere) by strengthening border protection.

There are innumerable challenges in sending back illegal Bangladeshi (and other) immigrants. However, a solution must be found which does not make India hostage to poor governance in Bangladesh. We will put significant resources on the detailed analysis of this vexing problem and aim to arrive at a joint agreement with Bangladesh to ensure an end to any future illegal migration into India.

The India-Bangladesh boundary agreement is almost done and the relevant constitutional amendment will be sought to be passed.

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| It seems that some political parties are facilitating illegal migration to India to enhance their vote bank. The modus operandi is complex but can include use of names of those who have moved to other places, or died. An independent committee of citizens could audit these lists. Retired officials with election system experience in the past officers could form part of such a committee. |

### Nepal

Indian governments have, since 2004, deliberately isolated the king of Nepal and helped the Maoist forces there with the result that Nepal may soon cease to be a friendly nation. We reject any support to the Maoist forces in Nepal and encourage all forces in favour of liberty and good governance.

### Reaching out to South East Asia

We will complete the Asian trilateral highway to Thai- land by 2016 as well as the Kaladan multi-modal transport corridor. Link a new port in Chennai with Dawei in Myanmar and on to Thailand. As more east-west connections are built into southeast Asia, India will be able to credibly support such countries in their security.

### Japan

Japan is an important economic power, and we will invite Japan to help build Indian infrastructure and invest deeply in scientific and manufacturing partnerships.

### Other nations not specifically mentioned

Limitations of space mean we have not included all nations of interest in this list, but our general principles of peaceful engagement with all peoples of the world, through trade and mutual respect, will underpin all our interactions.

## Specific defence and foreign policies

We believe that India’s defence and foreign policies should be based on long term strategic interests. In general, this would involve supporting countries that promote liberty and being careful of nations which have territorial ambitions or which resist human rights and liberty.

### Free trade with neighbours

We will strive to achieve free trade agreements with our key neighbours Bangladesh, Sri Lanka, Nepal, Bhutan, Maldives and Myanmar. We will also seek to build trans-border economic projects that give them a stake in India's growth. This can involve, where possible, more inland waterways and cross-border water links.

### Free trade with all nations

A key plank of our foreign affairs strategy will be trade. Through free trade, obstacles to global peace can be reduced even as poverty is removed in India and the entire developing world. Wherever possible, we’ll seek multilateral trade agreements, but if such agreements are not forthcoming, we will work towards bilateral FTAs. Wherever possible, we will aim to remove trade barriers at our end, regardless of counterbalancing actions from the other end. Our belief is that the best way to make Indian industry globally dominant is by making it cut-throat competitive, best done by exposing it to ruthless international competition.

### No foreign aid

We decry and deny the idea of foreign aid. We do not object to foreign voluntary organisations undertaking development work in India but strongly object to foreign religious funding or any government funding of any development or other programme.

### Principles governing any foreign treaties

We believe there are no permanent friends or enemies amongst nations, and will treat all nations with equal respect, offering our hand in friendship and engaging with them in the manner justified by their own actions. We do not wish to entangle ourselves in the affairs of other nations except where mutual interests are served, or (in extremely rare cases) a nation is involved in the genocide of its own people. We believe that our treaties and temporary alliances should be very selective and not weaken or encroach upon our sovereignty as a nation.

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### Building an undersea energy corridor

We will facilitate the building of an undersea energy corridor connecting oil terminals in western India to oil sources in Iran, Qatar and others.

### Strengthening the diplomatic force

India has one of the smallest foreign offices in the world - a bench strength of around 1,800 officials. China has three times this number and the US over 20,000. As part of the governance machinery reform we will allow for open entry at all levels, particularly from academia subject to stringent checks.

# First order function: Internal security and property rights

The most effective forces in reducing crime and other social ills are strong families and caring communities supported by excellent law enforcement. Both reinforce constructive conduct and ethical standards by setting examples and providing safe havens from dangerous and destructive behaviours. But even under the best social circumstances, strong, well-trained law enforcement is necessary to protect us all, and especially the weak and vulnerable, from predators.

While law and order is a core function of government, unfortunately, the common man is not secure. Gangsterism, terrorism and bellicose fundamentalism have become widespread. The illegal mandates of political criminals and criminal politicians are often more potent than that of the law and order machinery. Communalists and casteists have succeeded in creating an aura of sanctity around their criminal activities. Police has been subverted by corrupt recruitment, plethora of laws, VIP security and criminal-politician axis. Criminals are often better equipped in transport, communications and even armaments than the police.

Further, relations between the citizens and the police are anything but friendly. Police officers owe no accountability to the people and the people who have little faith in them. Police officers often behave like foreigners who have come to terrorize and rule over citizens of India, not people who are genuinely interested in the well being and the security of the people from amongst whom they come.

Similarly, essential funding support for states to expedite the recruitment, modernization and technology up-gradation of police forces would need to be addressed. Implementation of Police reforms is high on our agenda.

We also believe that Paramilitary Forces and Central Police Forces would benefit the most by inducting the highly trained man power of the Army, as a second career option.

## Police and policing reforms

Police reforms will be given top most priority. Recommendations of the National Police Commission will be rapidly implemented, to the extent these are compatible with incentives and accountability (simplistic solutions such as fixed or minimum tenures for officers will be avoided). In addition, appropriate incentives and improved training will be introduced to raise the morale, competence and responsiveness of the Indian Police, from which citizens have the highest expectations of service, integrity and effectiveness.

There is a need to insulate policemen from politicians is best achieved through contractual appointments of senior-most officials, recruited from the open market. These officials would then be empowered to appoint their entire force, which would allow for a significant level of independence in operations, while ensuring accountability of the police force the people.

We will significantly increase the size of the Police force to in order to ensure adequate security. Our focus will be the security of the common citizen, not of VIPs or VVIPs. We believe the police/population ratio should be increased from the present 106 per lakh population to the UN-recommended 222.

We will introduce a large number of other reforms such as computerising the records of criminals, improving the public-Police interaction and making it possible to First Information Reports using the internet. Police officers refusing to file such reports will be dismissed, post enquiry. We will also prosecute and severely punish any Police officer who uses or condones the use of third degree methods.

We will come down heavily on any individual or organisation that advocates or uses violence for any religious or political purpose.

In particular, modernizing our police forces and integrating our paramilitary forces are paramount for counter-terrorism and counter-insurgency operations. Upon building such capability, we will curb the use of armed forces indefinitely to address internal security threats.

Exceptional training facilities of the Armed forces needs to be shared for improving the operational efficiency of our Para Military forces.

We are very concerned about extra-judicial killings and excessive use of force by the police and similar bodies in India. We expect the police to make use of the judicial system to resolve any crime, including terrorist crime. Unless there are circumstances involving direct and immediate threat to life of citizens (including police personnel), any ‘fake encounter’ will be ruthlessly punished.

## Specific internal security policies

### Citizens’ ID Numbers

Upon review of the legal basis of the Aadhar (or similar) card, and any privacy issues as well as issues regarding potential misuse by government functionaries, we will expand it appropriately to ensure that each citizen receives a unique ID card that will not only identify them for various transactions in society but help track any government benefits they might receive from government, and thereby allow stronger monitoring of any potential misuse.

It is crucial that the Adhar card not be issued to illegal migrants to India. A study will also be commissioned to examine the costs and feasibility of introducing biological markers (such as DNA) in such a card that would ultimately help eliminate any continuing illegal migration into India from Bangladesh or Sri Lanka.

### Jammu and Kashmir

We are committed to the peace and prosperity of Kashmir, including all people who lived in it at the time of independence. We believe that the region of Jammu and Kashmir is an integral part of India and are committed to abrogation of the Article 370 of the Constitution of India which has created a dual layer of sovereignty within a single nation.

This will, however, be done in a manner which has assured liberty to all Indians through a range of other reforms, and allowed good governance to be established everywhere.

We will also review the Justice Jeevan Reddy Committee's 2005 recommendation to replace Armed Forces (Special Powers) Act with a more humane approach, balancing security with human rights.

We are committed to the return of all displaced persons including Kashmiri Pandits to their home, should they wish to return.

### Ayodhya temple

We believe that this matter is best left to the courts to decide. In this regard, we believe that it is ultimately desirable that government not involve itself in any such matter, by reverting any ancient monument/s to the people. Where property rights are not strongly bounded by the law, there are possibilities of such disputes occurring again.

### Naxalism

Naxalites now have a substantial presence in over 140 districts of the country marking a continuous corridor from Nepal to Andhra Pradesh. The naxalite issue is largely the consequence of underdevelopment and corruption of various Indian governments. We will bring naxalites back to the mainstream through incentives and instruments including transparent explanation/negotiation. However, anyone who has indulged in destruction of property or been involved in killing anyone will be brought to book under the law.

### North East

We will better integrate the North East with the country through improved transport and security. To the extent possible (within security constraints), the old Silk Route will be opened to Lhasa, in addition to a world-class road connecting Rangoon. This will enable the region to flourish economically.

## Well-defined property rights

Property accrues through our actions (including actions of our parents). Property therefore arises from justice. Without clear property there can be no trade and hence no civilisation. The role of the state is to define the precise scope and extent of these rights, and how these are to be attributed and defended.

Private property will be clearly defined and strongly protected. Market-based solutions such as the Coase theorem will be applied in relation to pollution and other externalities. Patents will be strengthened and intellectual property rights vigorously enforced. We firmly believe that no progress can occur without ensuring that creators of innovation are able to monetise their innovations. We will vigorously weed out counterfeit goods.

## Ensuring a property rights system without corruption

Indian real estate (land transfer, land record mutation, payment of stamp duty) is mired in corruption and generation of black money. Almost all transactions are under-quoted (on average not more than 60 per cent, and in most cases not more than a third of the value of the land) is disclosed.

Only a small amount is paid through bank cheques, the rest is paid in cash. Transactions can sometimes involve Rs100-500 cr in cash. Everyone involved knows about the under-declaration of value (which costs the state huge amounts in lost stamp duty), so the government functionaries are paid in cash to keep them ‘happy’.

There is another issue: benami ownership of land. When this is all added up, it becomes clear that real estate is not just a source of corruption: where significant development value/potential exists, major mafias have come into being in league with the machinery of government.

Why is a lower value declared? Because it lowers:

1) stamp duty payable by the buyer. (Buyers have an incentive to keep the value just high enough to be consistent with their "official" income or known sources of income. Not too high. This allows them to launder a part – but not all – of their black money. This incentive acts as a floor. If someone has an official income of Rs.3 lakhs per year and pays Rs.1 crore in cheque for a property, income tax authorities would be entitled to suspect the transaction, so it is shown for Rs.20 lakhs); and

2) capital gains tax for the seller.

### Five pillars of an sound property rights system

The pillars are:

1. Independent record-keeper of ownership of land

2. Independent collector of stamp duty

3. Independent valuer of all lands

4. Independent private real estate agents whose licence is conditional on ensuring integrity and probity.

5. Market based salaries (and contractual accountability) of all government functionaries.

We will convert the existing system into this five-pillar system, thereby eliminating black money and corruption from the real estate system.

## Slums and encroachments on public land

It is not desirable to give away land to those who have encroached on public land, as it can encourage further encroachment. Instead, we will auction the land after appropriate zoning for residential use, with a contractual requirement on buyers to (a) temporarily resettle the displaced registered residents of the slum and (b) build and sell at a discount a proportion of the new apartments to them. By ensuring a rolling system of auction and construction, very few slum dwellers will be displaced during a given year.

In general, government land will be auctioned as quickly as possible, after appropriate zoning, to allow the market to supply necessary housing for all.

# First order function: Justice

We are free to do what we like so long as we do not harm others. All freedom must be bounded by accountability. The justice system ensures accountability in a free society. If we harm anyone, justice (including retribution) must be quick and proportionate to bring closure so people can get on with their life.

## Effective, modern laws

We will modernise laws in India, particularly the penal law.

### Wider access to bail

We will make bail for all charges except crimes against person much easier than it is today, to minimise harassment of potentially innocent people.

### Independent prosecuting agency

We will transfer the decision to file charges to an independent prosecuting body, thus taking it out of the hands of the police and investigation agencies. This will ensure that the prosecution will assess the evidence and prospects of securing conviction before filing a chargesheet.

### Capital punishment for heinous crimes

For heinous crime (including serious cases of corruption, child abuse and rape) capital punishment would be used to create a deterrent effect, provided proof beyond reasonable doubt has been established.

### Mandatory imprisonment for gang crimes and violent sexual crimes

We will enact mandatory prison sentencing for gang crimes, violent or sexual offences against children, repeat drug dealers, rape, robbery and murder. We will create a national registry for convicted child murderers. We oppose parole for dangerous or repeat felons. Courts should have the option of imposing the death penalty in capital murder cases. And in solidarity with those who protect us, we call for mandatory prison time for all assaults involving serious injury to law enforcement officers.

### Strong laws against torture

Despite signing the Convention against Torture in 1997, India is yet to enact a law which would enable it to ratify the treaty. We will enact the Bill introduced in 2010 at the earliest.

### Crime punishable with death to bribe a judge

Justice must be totally unbiased and any interference with it is inimical to a free society. We will make it a crime punishable by death to either bribe any Sessions Judge, High Court Judge or Supreme Court or for such a judge to receive a bribe. Other judges too, shall be sternly punished for taking bribes. Bribing judges (and judges being bribed) is the worst of all crimes. There can be no mercy in any such case, for judges who are bribed send innocents to jail, and free those who are actually guilty. Such judges (and those who bribe them) are themselves killers. Since government cases are so frequently heard by judges, it will be made a crime punishable by death of the Chief Minister or Prime Minister concerned for any government to give any pecuniary benefit to any judge such as government land at a subsidised cost. A judge would receive only his salary and associated entitlements, and no more.

### Review of victimless crimes

It is common practice in many parts of the world to punish people very seriously even when they have not harmed anyone. Typically, this relates to dealing with, or consuming illegal drugs. In general, victimless crimes should not prompt a punishment (even assuming that analysis demonstrates the value of such punishment) that is comparable with punishment for violent crime. We will review the entire set of victimless crimes in Indian penal law and make these laws proportionate with the gravity of the crime.

### Sexual orientation not a crime

We object to Section 377 of the Indian Penal Code which criminalises homosexuality. This is not proven to have hereditary or biological origins, and is therefore not a matter of personal choice. We will abolish this ‘crime’. The application of Section 377 will be restricted only to non-consensual gay sex.

### Adultery not to be a criminal offence

We will turn adultery into a civil offence. The IPC provision drafted in the Victorian era treats adultery as a crime, which can be complained against only by the husband and never by the wife. Adultery is a form of breach of trust and can remain a ground for divorce, but it is not a criminal matter.

### Laws to require prisoners to pay for their upkeep

We will introduce innovative techniques, technologies and punishments to ensure that society doesn’t pay unduly for the upkeep of prisoners. Where appropriate, prisoners could be required to serve the family or community they have harmed.

### Key human rights outcomes

#### No imprisonment without guilt

It is a shame that thousands of prisoners have been in jail for well over ten years without their guilt having been established.

We will review cases of all undertrials in prison charged under IPC. Except for crimes against person they will either be freed on bail or permanently released if the time they have served is more than fifty per cent of maximum the sentence possible under statute. We will ensure disposal of all 10 year+ criminal cases by end-2014.

#### Rehabilitation of prisoners

Prison should be a place both for a prisoner to repent his or her crime, and to reform so he or she can be re-integrated with society upon release. We will introduce prison reforms including privatized prisons which are at least partly paid on the basis of their reduction in the rates of recidivism of prisoners who are released upon completion of their sentence. Further, persons jailed for whatever cause should be protected against cruel or degrading treatment by other inmates. Imprisonment – the inability to go anywhere at will – is itself a major punishment. Thereafter, it should be as safe and wholesome as possible. Special measures will be taken to look after the families of prisoners, particularly children, to ensure that the ill-effects of their father’s or mother’s imprisonment are minimized on the children.

#### Looking after the victims of serious crimes

Special programmes will be introduced to provide support to victims of serious crimes (including victim families), to ensure they are reintegrated back into society at the earliest.

### Review of contempt of court provisions

Contempt of court provisions will be reviewed.

### Making laws accessible and clear to the people

#### Language of the people to be used

We will require the language of the people to be used in courts as far as ordinary civil and criminal matters are concerned.

#### Free legal aid of high quality

The poor will be eligible for free legal aid of high quality, the costs of which will be partially met through the court imposed penalties on losing parties.

#### Telecast of court proceedings

Except where matters of state security are involved, the Supreme Court will be required to telecast court proceedings on any Constitutional matter.

#### Computerization of laws and jurisprudence

In our common law system lawyers often quote precedents and judgements that often contradict each other. In addition to computerization and publication of all relevant laws, all relevant jurisprudence will be published on the internet (making it searchable), thus making it easier for judges to be appropriately informed and improving the speed and quality of judgements. In general, modern technology including forensic technology will be used, to the extent possible.

#### Linking legal financial imposts linked with CPI

Although inflation should soon stop falling through efforts indicated elsewhere, we will index all financial imposts (fines, fees and penalties) to inflation (through the consumer price index). All financial imposts will be converted into units, with units changing in value based on the value of the rupee.

Fines, fees and penalties that are seriously outdated and hence ineffective, will be increased to reflect current monetary values. In particular, cost recovery principles (with costs set at an efficient level) will be applied.

#### Definitions Act

All definitions will be rationalised, stripped from existing legislation, and brought under a single Act. This will ensure consistency in use of specific words in Indian legislation. A**ll** words in Indian laws can then be hyperlinked so an ordinary citizen will be able to quickly understand the meaning of the law.

### Repeal of redundant legislation

A vast amount of legislation remains on the Indian statute book even though there is no enforcement of such regulation. In particular, pre-1947 laws will be reviewed for relevance and where found unnecessary, will be repeated within three years.

## Effective structure of the judicial system

### Commercial courts

Given the commercial and pressing nature of commercial and contractual cases (such as IPR, mergers and acquisitions) we will set up specialised courts to fast track such litigation, with a significantly higher fee for such service. Where possible we will empower the hiring of experienced and qualified contract judges for specific cases, who will operate under the direction of a higher judge. These judges could be imported from anywhere in the world.

### Fast-track courts for crimes committed against person

We will ensure fast track courts for all crimes against person, with a maximum time for judgement set at 12 months from the date of crime. Exceptions to this will be personally investigated by a Judicial Commission.

Anti-national elements (e.g. terrorists and those who pose a grave threat to the people and nation) would be tried quickly through special courts.

### Mobile courts, Lok Adalats, Family courts

For relatively smaller matters we will set up mobile courts and encourage people to use the services of private arbitrators. We will increase Lok Adalats to one per 10 villages, and increase the number of family courts.

### Freedom of private initiative to resolve minor matters

#### Panchayats to be empowered to judge simple civil and criminal matters

Today even petty cases go before judges. We will pilot some civil matters such as some land disputes and minor criminal cases under the jurisdiction of Panchayats and evaluate performance for quality of justice and reduction of delays. If successful this would be successively rolled out, all the while ensuring that Panchayats are abiding by the highest norms of justice.

#### Alternative models of dispute resolution

Along with the delegation of many cases to Panchayats, we will increase alternate modes of dispute resolution, pre-litigation measures and plea bargaining, and arbitration to reduce delays currently experienced in the justice system. Pre-litigation counselling can also assist in reducing unnecessary litigation.

**Pre-litigation measures and plea bargaining**

S 89, CPC provides for ADRs (Alternate dispute redressal mechanism) to refer disputes after framing of issues to appropriate ADRs and ADR rules have been formulated in 2005 6 SCC 344, Salem Advocates Bar Assn. V UOI. These would be complied with to reduce delay.

**Plea bargaining**

The provision for plea bargaining would be complied with – where plea bargaining (Chapter 21 A Cr PC) provides for pre-emption of trial on petty offences punishable with imprisonment up to 7 years, through a mutually satisfactory disposition where the court will direct the accused to pay the agreed compensation to the victim and may either release the accused on probation or sentence the accused to up to half the minimum punishment prescribed for the offence in question. Plea bargaining has been rarely used in local courts. Its misuse may be prevented, as, as a precaution, offences affecting the socio-economic condition of the country and those committed against a woman or a child below the age of fourteen, are excluded.

**Pre-litigation counselling**

Steps will be taken to refer parties for counselling prior to commencing litigation, especially when there is scope for settlement. These are also particularly relevant for cases arising between government departments, which could be settled outside courts, and would cut down on avoidable litigation.

### Enabling private courts for certain civil matters

We will consider creating a market of private courts for civil matters (constitutional and criminal matters will remain within the sole purview of the governmental court system). In such a model, citizens will be able to choose in advance - on payment of a small retainer – the use of such private courts for certain civil matters. This will ensure competition for justice and create opportunities for simpler, cheaper, and quicker civil justice. By reducing workloads in the government court system, this will also ease justice backlogs in India.

## Timely, efficient and effective delivery of justice

We will establish a review to recommend longer-term judicial reforms including considering implementation of a jury system in India. However, the following quick wins will be implemented.

### Significant increase in the number of judges

In our country, the ratio is 13.5 judges for one million people. In the developed countries, we have 130-135 judges for every one million people. A judge has to go into the facts, the evidence, the law, before deciding a case. Computerization should make it possible to have jurisprudence and precedents listed out with specific references. This would permit much shorter arguments and should permit judgments within a period of, at the most, a week after the commencement of the hearings.

However, this is not enough. Each fact in each case differs from the others. So, if in our country the ratio is increased to even 40 judges per million people, then things can improve a lot. We will increase number of judges from 10.5 per 10 lakh population to 50 judges per 10 lakh population.

Such rapid increase in judges could reduce the quality of judgements without a commensurate strengthening of training and orientation among judicial officers / judges and lawyers – which will therefore need to be significantly upgraded as well.

We will discuss with the Supreme Court Chief Justice the options for appointment of judges including if necessary setting up a National Judicial Commission for this purpose.

#### Independent justice remuneration commission

An independent justice remuneration commission will be established to determine a framework for minimum pay for judges. The pay framework would ensure comparability of judicial salaries with private legal market compensation, and include incentives for greater quality, accuracy and speed of judgements.

#### Improved system of judicial appointments and accountability

The existing system of appointments to the superior judiciary, through a collegium of senior judges in every high court and the Supreme Court, suffers from perceived deficiencies in quality due to it being an in-house process. A review will be conducted to consider whether this process can be improved, such as through the reforms included in the Judicial Appointments Commission Bill, introduced in the Rajya Sabha in 2013 and the Judicial Standards and Accountability Bill.

### Accountability and resourcing

#### Freedom (Justice) Minister to be paid based on quality and speed of justice

The Minister for Freedom (including justice) should be paid according to results. KPIs for the Minister would include the backlog, indicators of speed and quality, etc.

#### Significant increase in expenditure on the justice system

The Supreme Court directed an increase in the judge strength from 10.5 per 10 lakh people to 50 per 10 lakh people with regard to the subordinate judiciary. We believe this is an essential governance reform.

Korea spends more than 0.2%, Singapore 1.2%, the U.S. 1.4% of its GDP on justice. India, however, spent only 0.01% of the GDP on justice in 2000.

By ensuring that government does not undertake any unnecessary functions, significant revenues will be released to be redirected into core functions, one of the most important of these being justice. A quantum increase in expenditure on the justice system will be considered, possibly doubling or even tripling current spending. All pending vacancies will be filled up and a much higher number of better paid judges provided.

#### Transparency in appointment and transfer of judges

The current system is often charged with being biased, because of low levels of transparency. This will be increased, and independent oversight of judicial appointments and transfers implemented.

#### Competency of judicial functionaries

In its 117th Report (1986), on training of judicial officers, the Law Commission begins with these observations: “Any organization – service-oriented in character – can be appraised in terms of (a) effectiveness in the achievement of its objectives-goals – results, and (b) promotion of internal ‘efficiency’ in order to achieve the results. What are the goals of objects to achieve which justice delivery system was devised? The Indian Judicial System is admittedly colonial in origin and imported in structure. Without even a semblance of change in the last four decades since independence, in its mode, method of work, designations, language, approach, method of resolving disputes, it has all the trappings of the system established by the foreign rulers.”

### Reducing procedural delays

There are about 3.80 crore pendencies/arrears/backlogs today and cases drag on for years together, preventing many citizens from ever receiving justice and constantly violating their fundamental rights.

#### Stern punishment for frivolous government appeals and delays

The government is known to be a huge contributor to delays, in matters where it is a party – at various stages – from evading notices, replying to notices and replying without application of mind, unnecessarily appealing even when the laws are clearly in favour of the other side. This will be punished. We will ensure that government does not delay matters unduly.

#### Rejecting frivolous litigation

That the 192nd Report by the Law Commission, 2005, recommended with certain exceptions, the concept of a vexatious litigant and the court declaring a person as such. The Report concluded its recommendations in the form of a draft bill, The Vexatious Litigation Prevention Bill, 2005, enacted in some states so far. We will enact such legislation to impose costs on parties engaging in frivolous litigation. By firmly rejecting frivolous litigation and imposing costs, we will allow the courts system to focus on serious matters.

#### Proper prioritisation

Cases requiring urgent attention / priority would be identified, given their urgency (where orders have been passed whereby other proceedings have been stayed, those involving the death sentence, against orders of remands, habeas corpus petitions, or of senior citizens) or their peculiar nature (affecting custody of children, motor vehicle accidents, eviction for bona fide reasons, election matters, etc.) and dealt with on priority basis.

#### Hearing arguments soon after evidence

The 77th Law Commission Report recommended that arguments should be heard soon after the close of evidence, as they take much less time than arguments advanced after a long interval, and recommended that the court must insist on the lawyers appearing in the case immediately presenting their arguments upon the conclusion of evidence.

Further, we will ensure that trial courts judgments should deal with questions of fact by appraising the evidence, relevant statutory provisions and such authorities that have direct bearing. Judgments should be brief and not a show of learning, and yet should also deal with inconvenient contentions and crucial arguments. Order 20, Rule 1, CPC would need to be complied with as to the 30 day time period within which the judgment should be pronounced. That Order 20, Rule 6A in preparation of the decree within 15 days should be complied with.

#### Stopping unduly lengthy examination of witnesses

There is a tendency to over-prove allegations in India, and unessential ones at that. And to conduct unduly lengthy /prolix examination and cross examination of witnesses. We will take steps to introduce penal provisions in the Criminal Procedure and Evidence Acts to punish any unnecessary prolix examinations. Where possible we will introduce time limits on arguments.

#### Removal of endless appeals

Cases are often disposed without deciding the real issue. This results in endless appeals. Lawyers are also paid per court appearance and therefore have little incentive to resolve cases. Also, procedural laws allow lawyers of clients who oppose the resolution of cases to submit endless interlocutory appeals. We will rationalize and streamline civil and criminal procedures, to avoid such obfuscation of justice.

#### Strictly enforcing three adjournment rule

Dilatory tactics including frequent adjournments, delay in filing documents, delays in serving, evading service, etc., prolong matters considerably. That although Order 17, Rule 1, CPC does not allow more than 3 adjournments and is to be read with the proviso to Order 17, Rule 2 where Clause (b) stipulates that no adjournment shall be granted at the request of a party, except where the circumstances are beyond the control of that party however, in practice, adjournments are sought and obtained at the asking and other delays are being allowed with impunity or at very nominal costs, if any.

#### Internal Review System: Accountability for timely justice

We will ensure that accountability for speedy and effective justice is placed squarely on the Supreme Court. Litigants or lawyers would be able to lodge complaints against delays to an Internal Review System of the Supreme Court.

### Making the Supreme Court more accessible

Given the case load and backlogs, as well as the burdens placed on litigants to approach the Capital from distant states, we believe there is merit in decentralising the Supreme Court.

The 2009 Law Commission recommended that the Supreme Court be split into a Constitution Bench in New Delhi and Cassation Benches in the four regions to deal with all the appellate work arising out of high court decisions. Though the Supreme Court has expressed reservations about such radical re- structuring, we believe that much can be done by opening one additional branch of the Supreme Court, initially in Bangalore. The precise nature of case load such a branch (if created) would take will be determined in consultation with the Chief Justice of the Supreme Court of India.

### Enabling India to provide legal and judicial services to the world

We will do everything it takes to empower and make the judicial system flexible enough that it can take on the role of a Global Hub for Arbitration and Legal Process Outsourcing.

# First order function: freedoms, enterprise and core management

The main reason the state exists is to protect our life and liberty. We are committed to protecting the life and liberty of all Indians. Freedom is good both from basic philosophical principles and for the practical results it achieves. In particular, freedom achieves not just prosperity but vast social mobility, reducing if not eliminating the injustice of prejudicial discrimination based only on religion, caste or other differences. In that sense freedom creates inclusiveness and social cohesion, also by reducing misunderstandings amongst people.

Freedom (always to be subject to accountability) must be comprehensive. No listing of freedoms can do this concept justice. However, a few illustrative freedoms are outlined below, as example of the liberties we commit to defend.

Most prohibitions on trade and occupations will therefore be removed, including occupations considered ‘immoral’ (in line with the wisdom of Chakaya’s *Arthashstra*). These sectors can then be better monitored and instead of being driven underground, decorum will be maintained, and revenues generated for government.

## Absolute freedom of expression

We would rather be exposed to the inconveniences attending too much liberty than those attending too small a degree of it. A mature democracy insists on absolute freedom of expression. It is improper, for any group to impose its ‘morals’ on another so long as there is no direct harm being caused by those others.

This includes protection of citizens’ right to peaceful protest, to the extent public order is not adversely affected. Detailed actions to defend Indians’ freedom of expression have been mentioned elsewhere.

In particular, we are dedicated to greater internet freedom. The Internet offers a communications system uniquely free from government intervention. We will remove regulatory barriers to internet innovation, and prevent interference with new technologies such as mobile delivery of voice video data and mobile payment systems. We object to any move and toward governance of the internet by any governmental or intergovernmental organization.

## Privacy

Individuals have the choice of voluntarily renounce their privacy to other private parties. However, whenever a government agency seeks their data, it is bound to keep it as private as possible. We will strengthen privacy laws, particularly relating to the use of an individual’s data by the government. Personal data shared by individuals on the internet should receive full protection from government overreach and individuals should retain the right to control the use of their data by third parties.

People have a basic right to be secure in their houses, papers, and effects, against unreasonable searches and seizures. We will legislate to prevent unwarranted or unreasonable governmental intrusion and surveillance through the use of aerial or other means. All security measures and police actions should be viewed through the lens of constitutional freedoms. If we trade liberty for security, we shall have neither.

## Census

We will strengthen the Census machinery to allow a census to be conducted every five years, which would allow city planners and the private sector that serves the needs of the people to better target and plan their activities.

## Rights of women, children and any oppressed groups

We will significantly strengthen existing work on the human rights of women, children and any oppressed groups, to prevent crime (including trafficking) and discrimination. Prosecution and punishment will become better through a significantly better police and justice system. For some such cases we will ensure in-camera proceedings.

We will create a very active prosecution system against child pornography, which is closely linked to the horrors of human trafficking. We will also review laws on all forms of pornography and obscenity and ensure everyone is clear about limits, consistent with freedom of expression.

## Getting the government out of business

A government has no business to be in business. It should not produce shirts or run public sector enterprises. We will curb any attempts of government to take on a commercial or production role.

While public sector undertaking have been bleeding the country for generations, on the whole, some of PSUs have been generating greater than market return based on the application of modern management methods. This should not blind us to the fact that most such enterprises have made losses and harmed the taxpayer. There is no justification in this day and age for government to engage in business activity, particularly when it has failed to perform its primary roles.

We believe that running a business is not the job of government. Accordingly government businesses will be returned to the people, particularly hotels, telecommunications, media (television, radio, print), metal production and associated industries, power generation and distribution, automobiles, cement industry, banking, insurance, fertilizer production, mining, distribution of food, domestic and international trade, and tourism. Slothful, perennially hemorrhaging undertakings like Air India will be rapidly turned over to the public to directly manage like any other private enterprise. Large parts of defence production can be successfully contracted to the private sector.

In particular, we will break the monopoly of Coal India, which has made India — sitting on the world’s third largest reserves — the largest coal importer in the world.

However, we disagree with the method of disinvestment including secret deals which cause a serious loss to the exchequer. We will evaluate past experience and create transparent methods to maximise the sale price of government businesses.

Railways too will be subject to competitive pressures with a range of innovative options considered. These options (to be examined for feasibility) could include selling individual trains (with rakes) with owners able to set competitive, unsubsidised prices. The tracks would not be privatised. Railways would maintain the track, signalling system and security of the system, and charge a user fee to owners of trains.

## Well regulated free markets

Successive governments in India have created monopolies and crony capitalism. These barriers to freedom will be removed. Government should, however, support business by establishing and maintain rules for the functioning of markets. They should also enforce contracts and regulate against fraud.

We will ensure that free and well-regulated markets where consumers decide the winners without interference from politicians and the bureaucracy. Incentives for production are inherent in competitive enterprise under such safeguards. Markets, where citizens voluntarily trade and barter, are the appropriate platform to determine the economic worth of any services or goods we produce. Through voluntary trade, no person is made worse off, while almost everyone is made better off, thus creating new wealth.

We affirm that the state has no role in planning the activities of markets (through quotas on production, for instance) or forcing people to work in collective ventures. Local governments, however, will be empowered to plan urban spaces and infrastructure to facilitate production and commerce.

### Regulation of monopoly

Monopolies are almost invariably created by government mandate that reduces competition. We will minimise monopolies by focusing on competition. Where absolutely necessary, independent regulatory bodies will be created to regulate industries where elements of monopoly might otherwise come into being.

In this regard we will investigate whether there is any merit in limiting monopoly power through commonly recommended options such as not permitting newspaper owners to own TV channels, or private companies to own banks. In principle, however, we do not believe in such controls or restricting private enterprise.

### Removal of unnecessary regulation and trade barriers

Successive governments in India, by imposing unnecessary rules, have blocked enterprising Indians from working and made India a very difficult place to do business. We will remove all unnecessary controls on production, trade or business. Arguments of infant industry are not tenable, particularly 65 years after independence. Without facing global competition, Indians cannot become world-beaters.

We will complete trade liberalization, and abolish all import restrictions - in particular, the remaining customs duties, and the negative list. It should introduce unilateral free trade.

### Industry policy

We will have not subsidise one sector of an economy at the expense of another. Once poverty has been eliminated, everyone should be free to produce whatever they wish or can, in response to market demand. We will not have any special innovation or industry policy, nor any regulatory exemptions for specific sectors based only on size. If the health and safety of workers is important (as it is), it is equally important for big industries as it is for the smaller industries.

In particular, innovation is not created through funding by government of any ‘clusters’ or doling out favours to industry. The best way a government can promote innovation is by getting out of the way. It should not pick winners, for it is losers who pick government. We have to be watchful that the greedy hands of those who want taxpayer money for their private benefit are kept away from our pocket. If ever any government funds are provided (in the rarest of rare cases), the funds must form equity, and never a grant.

### Single window clearance

We will formulate transparent policies, streamlined processes and single window clearances to create an enabling business environment for entrepreneurs and industries to help them compete in a globalized economy. India is the land of entrepreneurship and *jugaad*. Only by unleashing the entrepreneur can India hope to become an innovative and successful country.

### Strong insurance markets

Private insurance of all types will be encouraged, subject to prudential regulation.

### Financial, Capital, and Foreign Exchange Markets

It is the role of government to establish well-regulated markets. We will help establish well-regulated forward, futures and derivatives markets for efficient management of risk. In particular, we will work to integrate the modern and traditional systems of finance in India. Our traditional systems of finance operated though trust and were very effective in ensuring the smooth flow of commerce across vast distances. We will seek out any meritorious aspects of these traditional systems to apply to the modern world.

We will raise the transparency and accountability of listed companies and capital market intermediaries so small investors return to the capital market. In particular, we will abolish the MSME Development Act to allow all businesses to compete on the same footing and allow the most efficient businesses to flourish. Instead, by freeing up the financial market to allow for a variety of risks-bearing investments, the working capital and credit needs of the small sector will be facilitated.

The rupee will be floated, with exchange rate determined by demand and supply. To support this, all constraints on hedging will be eliminated.

### Information Technology

The information technology sector will be thrown open to the private sector. For instance: cabling and uplinking, consumer electronics and semiconductor industries, communication satellites, internet telephony. Heavy license fees and the practice of earmarking of territories for companies will be scrapped.

## Agriculture

Food security has been an issue for India over the years. Whenever governments have unnecessarily shackled agriculture they have created perverse incentives for farmers to leave the farm, thereby creating volatility in production, sometimes leading to the need for food imports.

We believe India, with the world’s largest irrigated area and perhaps some of the most fertile lands in the world, can comfortably supply not only our domestic needs but become a major food exporter for all times to come.

Sadly, Indian governments have curbed farmers’ freedoms since independence, leading to a low productivity agricultural environment. Strategies and policies calculated to turn the terms of trade against agriculture by recourse to bans on exports, dumping from abroad, restrictions on the movement, storage and processing of agricultural commodities, and coercive low agricultural prices have impoverished farmers, resulting in rural poverty, indebtedness and unemployment. Agriculture has became a losing vocation. The fact that the Aggregate Measurement of Support (AMS) was confirmed to be negative is substantial proof of the built-in animus against farmers. Farmers have got heavily indebted.

The positive gains since independence i.e. food self-sufficiency, improved life expectancy, communications are all due to universal technological strides and have taken place in spite of government rather than because of it.The declining productivity of inputs, excessive ground water withdrawal, poor soil fertility, lack of incentives for using farm yard manure, conserving agro-biodiversity and other sustainable technologies are key challenges. There is almost no farm machinery which has electronic sensors or control systems. The result is lack of efficiency in using existing resources. Unlike China, the diffusion of green-houses has not picked up in India.

On the other hand there is the case of severely misdirected subsidies. There is a significant demand for free water and electricity for farmers, but it can’t be forgotten that in the end citizens have pay for these in some way, since government does not directly produce any money or wealth.

Given the complexity of the situation, we believe the agriculture must be treated as a priority sector and the government and citizens must recognize and honour farmers, while creating policies that empower and incentivise them to produce more, while preserving the environment. This is particularly important, as farmers are some of the most skilled citizens of India who are being held back by a regressive regime that blocks their growth at each step.

### Market based agriculture

Excessive government control and restrictions on freedom of farmers has resulted in negative subsidies (a drain from famers to cities) and barriers in access to technology, and therefore in productivity. The Indian farmer does not get the chance to prove himself.

We are concerned about food security, but believe it does not require food self-sufficiency as a key objective. So long as the market for food is free, both the Indian economy and farmer will do well. We believe the free market has natural incentives to store some additional food and any emergency shortfall can be readily met through imports.

The government should focus on infrastructure provision and developing well-regulated markets instead of dabbling in prices. As market signals are freely transmitted to self-employed peasant proprietors, they will be incentivised to obtain the most competitive yield from their investments.

The reform of agriculture will ensure that hundreds of millions of farmers get a new lease of life. We will review the report of the National Farm Commission under the chairmanship of Dr. M. S. Swaminathan and implement those of its recommendations that are consistent with liberty and the scientific method.

#### Strong land rights and responsive land market

For farmers, we will ensure untrammelled freedom of access to market and technology while deregulating prices incrementally, along with (subject to other reforms) the suspension of agricultural loans.

This includes facilitating consolidation of land through a land exchange to allow trading the right to cultivate land. This exchange will be closely linked with the land records system and allow quick land transfers where participants decide to exchange ownership. This will significantly reduce barriers to productivity.

Ceilings on land are inconsistent with liberty and enterprise. All laws permitting forcible acquisition of after achieving a “ceiling” in land holdings will be scrapped. This will also permit an informal voluntary retirement scheme for those who wish to find a place in other sectors.

More responsive cooperative farming regulation will be introduced, and cooperative department officials prevented from undertaking any corrupt, whimsical actions.

#### Freedom to produce and trade

Farmers will be allowed to trade commodities globally.

We will remove all restrictions on the supply and prices of agricultural inputs as also restrictions on post-harvest treatment including marketing and exports. In particular, we will ensure a predictable export-import regime for farm products. We will stop the present ‘switch on, switch off ’ policy which harms the farmer and brings disrepute to India.

We will ensure development of an open and transparent market in land permitting free entry into and exit from the agricultural vocation. All land ceiling acts will be scrapped. Further, a farmer will have the right to dispose his land to anyone at any price without intervention by the government.

One of the great opportunities for Indian agriculture comes through the increasing wealth of China, with increased demand for meat. We will remove all obstacles to the processing of meat in a human and hygienic way, so farmers can take advantage of export opportunities.

#### Market-based risk management

We will ensure a moratorium on any coercive recoveries of previous government loans from farmers, without any waiver.

Private insurance companies will be enabled to insure farms and crops. We believe the insurance market, if allowed to be fully established, would tend to provide a range of options for crop insurance for both small and big farmers. Through appropriate regulatory oversight on the honest disclosure of the relevant insurance product in a competitive insurance marketplace, Indian farmers will be able to prevent any significant loss arising from unforseen weather or other contingencies.

We will encourage information networks that offer access to the internet to villages.

We will encourage development of a private laboratory network that would offer farmers facilities for examination and certification of their produce.

#### Phased price deregulation

We will deregulate prices for key agricultural produce, while retaining a floor price in selected cases during a phase out period. This will ensure a reasonable and steady price for agricultural produce, on parity with other prices.

The aim is to discard the minimum support price system, which has created massive distortions — growing rice in water-scarce Punjab — and destroyed the entrepreneurial dynamism of the Indian farmer.

#### Subsidies phased out

Agricultural subsidies including irrigation (water) and electricity subsidies will be phased out.

We will phase out the monopolistic system of Agricultural Produce Marketing Committees (APMCs) which function as wholesaler cartels in mandis. Opening markets will allow traders and farmers to buy and sell freely, making India into a national market. When large retailers buy from farmers, they will save food from rotting through cold-chains, raising returns to farmers and lowering prices to consumers.

Similarly, we will phase out the Food Corporation of India (FCI) and substitute it by market based, private enterprise competitive marketing and warehousing networks.

The Essential Commodities Act will be repealed. As soon as the direct anti-poverty programme has been put in place, the regime of Public Distribution system supported by compulsory procurement through the FCI will be repealed.

#### Organic farming

We believe that excessive use of pesticides is harmful to humans and to life in general. We will tightly regulate the use of pesticides. However, we believe there is fundamentally no nutritional difference between most fertiliser-pesticide grown crops and organic crops. To that extent we do not see any need to provide any specific support for the organic farming sector. There is already as strong growing demand for organic farming and Indians should be free to choose the kind of food they wish to eat, subject to honest disclosure of the source.

#### Fertile agricultural land not to be acquired unless absolutely necessary

There has been a strong tendency for fertile land to be acquired for urbanization. We believe urbanisation must take place primarily on infertile land. Although market forces should normally make a reasonable determination of appropriate land use, where market forces are likely to acquire fertile land for urbanisation, we will seek explanations for such transfer.

#### Genetically modified crops to be allowed under rigorous regulatory regime

We will allow genetically modified crops to be used wherever this has been proven to be safe through as part of a strong regulatory framework. Bt cotton doubled India’s cotton production in five years and made us the world’s largest exporter. It is inappropriate to prevent our farmers and population from benefitting from the benefits of modern science, even as we will ensure that any genuine concerns with such technologies are diligently identified and analysed based on strong evidence.

However, there is need for caution in the use of GMOs. In November 2009, Monsanto scientists found the pink bollworm had become resistant to the first generation Bt cotton in parts of Gujarat, India - that generation expresses one Bt gene, Cry1Ac. This was the first instance of Bt resistance confirmed by Monsanto anywhere in the world. Monsanto responded by introducing a second generation cotton with multiple Bt proteins, which was rapidly adopted. Bollworm resistance to first generation Bt cotton was also identified in Australia, China, Spain and the United States.

The use of GM crops therefore has to be done with sufficient care, and adequate education is required of farmers. Prof. AK Gupta of IIM Ahmedabad notes that he has not come across a single Bt cotton field, which has refugia i.e., non-bt cotton rows on the border. The resistance to Bt gene is an obvious consequence.

We will establish an appropriate regulatory framework for GMOs needs that allows use of safe GM crops to maximise benefits for farmers, without creating unintended consequences.

## Deregulation and decontrol of prices

When prices rise, it is traders who often get a bad rap. This may well be true in a few cases, but in the vast majority of cases, it is the direct failure of governments which leads to inflation.

We believe that it is impossible for governments to obtain the extensive knowledge of local events and incentives that is necessary for the determination of an appropriate price. Further, public officials, with no “skin in the game”, cannot experience the incentives which the private market – through competition – naturally experiences. Hence we will scrap all government established prices and allow prices of all legally traded goods to be determined by the law of supply and demand.

An example would be prices of petrol, diesel and gas. Where any constraint exists in infrastructure and a product does not operate as a commodity (e.g. gas), we will facilitate infrastructure and regulate on the marginal cost principle. However, wherever a commodity is involved, and enough competition exists, or can be created, the market will determine prices.

Maximum retail prices would be removed, to allow consumers to benefit from lower competitive prices (MRP is unscientific and has become a cause of high prices),

As elsewhere indicated, an exception will be made for agricultural prices, which will be incrementally deregulated, after ensuring anti-poverty systems and crop insurance systems are fully functional.

## Free labour markets (with collective bargaining)

We are the party of every citizen, but most importantly, the party of all workers. It is workers who, through their diligence and innovation, make India a country on the move, a country with ambition. Unfortunately, India’s 51 central and 170 state labour statutes, some of which pre-date independence, make it hard for firms with more than a handful of staff to fire people. These rules impede growth in labour-intensive industries and motivate firms to remain small.[[Source](http://www.economist.com/news/briefing/21577373-india-will-soon-have-fifth-worlds-working-age-population-it-urgently-needs-provide)]

We believe that a free market for labour is the best way to ensure growth and employment. Through the forces of demand and supply wages will be correlated to productivity. We agree that workers have the right to organize for the purpose of collective bargaining with employers so long as unions do not force workers to join them, equally as employers have the right to hire and fire, and choose any reasonable mechanism to agree enterprise bargains. Industry-wide or nation-wide attempts by unions to force wage conditions through uncompetitive (monopolistic) power will be discouraged. Any expenditure by unions on political work including donations to political parties will need formal union shareholder consent, equally as such activity by companies will need formal company shareholder consent.

Throughout the world, the working conditions of workers have been advanced most through innovation and advances in productivity. We will not interfere with wages established by markets, except to suggest a relatively low ‘desirable’ (i.e. not mandatory) minimum wage (which will be mandatory for government programmes).

Companies have to survive in a downturn. When orders decline, either one cuts workers or goes bankrupt. Successful nations allow employers to ‘hire and fire’ but protect the laid off with a safety net. India’s labour laws insist on lifetime jobs. Hence, Indian companies avoid hiring ‘permanents’ and 90% workers have ended up as ‘informals’ without a safety net. Protect workers, not jobs.

India’s archaic and cumbersome and in often cases senseless labour laws prevent new investment and act as an obstacle to the hiring of permanent labour by labour-intensive industries.

A flexible labour market, primarily implying a right to fire, or to exit industry, gives employers the confidence to take risk and add staff and thereby increase employment and production. We will reform these laws and create a flexible labour market, prompting new employment and investment. In particular, through these reforms, India’s skilled and semi-skilled youth of India will benefit the most.

We will convert all labour laws into two main laws: regarding occupational health and safety; and industrial relations. Formal minimum wage requirements will be abolished.

## No second guessing the growth direction of the economy

We believe that opportunities for full and lasting employment in all sectors of life are best created through the progression of natural forces of supply and demand in a growing economy. A government has no capacity, nor any reason, to pick winners among various options for development. To the extent that broad rules are ensured, the sector that is needed by the people will automatically advance though the monetisation of people’s demand. This is also the surest way to reduce unemployment, and to direct employment to growing sectors.

## Standardization and quality control

Setting standards is a task that government can undertake either directly or indirectly (through co-regulation of national and international industry standards), being an umpire of the economic system. We will review all aspects of standardisation and weights and measures including educational standards, communication standards, and standards for adopting children, and propose simplifications and improvements that make it easier for citizens to be assured of what they pay for.

## Environmental justice and sustainability

Part of what makes India unique is the beauty of its environment. From magnificent tropical jungles to austere deserts and the world’s highest snow-capped mountains, there is little the Indian landscape does not offer. The heritage of our natural environment is one of our most precious assets, to be preserved and passed on to future generations. But we cannot do that through government. This must be done through well-regulated private enterprise, lest the dead hand of government destroy our environment, including wildlife and fauna.

Although there is no simple relationship between environmental quality and per capita income, there is a tendency for wealthier countries to achieve a cleaner environment through the resources they are able to deploy on this task. Therefore a clean environment must be underpinned both by good regulation and increased economic growth.

A number of Non-Governmental Organisations (NGOs) and environmentalist groups campaign incessantly against all innovation and technology. Almost every new technology has encountered opposition from these groups. They have been proved wrong every time. They have never had the courtesy to apologize for having held up the progress of humanity. They do not give up the habit of opposing the new technologies.

We believe firmly that there is nothing like bad technology or good technology or ‘appropriate’ technology. At certain junctures certain technologies are found to useful by the people, and hence, acceptable. The Green Revolution technology permitted India to become self-sufficient in food, but with the passage of time the undesirable effects of excessive use of chemicals became manifest. That creates a technical and economic challenge, but pushing the clock back into older pastoral technologies is not the answer. For example, the gene technology is in many ways an antidote to the evil effects of the Green Revolution technology.

Accountability or justice is the foremost value in a free society. We believe that it is important to minimise ill-effects of human activity on the environment, such as effects on wild life, and pollution of land, air and water including by hazardous waste. Passing costs to the rest of the society and the environment cannot be tolerated. This is particularly important given the conservation of natural values and quality is essential for all life forms in India.

We will establish a very strong risk-based regulatory system for environmental protection that is enforced without fail. It is through such means that our rivers like the Ganges and many others can be cleaned, not by setting up government bodies specially to clean them.

### Property right allocation

The enduring truth is that people best protect what they own. There is no reason why government should be managing natural resources and the environment. As someone once said, if we put the government in charge of the Sahara Desert, in five years there'd be a shortage of sand. We have seen our forests looted most by those given the trust of preserving them. There is nothing better than private allocation of environmentally sensitive assets, to ensure their preservation.

Experience has shown that, in caring for the land and water, private ownership is the best guarantee of conscientious stewardship, while the worst instances of environmental degradation have occurred under government control. By the same token, we also need the strong environmental protections to conserve natural resources.

We will consider whether parts of the government’s enormous landholdings and control of water could be better used for economic purposes through private ownership, even as regulatory control ensures that the environment is maintained in a pristine condition. This will provide jobs to thousands of Indians.

We will establish clearly defined and transferable property rights in environmentally sensitive land and resources that maintain the environment in a pristine condition, including the protection of native flora and fauna. Clearly defined and defendable property rights also mean that individuals aren't forced to accept pollution. Decision makers with private ownership of resources directly bear the cost of their actions. In this manner, by internalizing the costs of pollution by privatization, voluntary agreements and well defined rights can efficiently protect our resources and the environment.

### Strong regulatory regime

In addition, stringent regulation (e.g. emission standards that force industry to innovate) will support the environment. This is particularly relevant to the preservation of wild life by allowing commercial harvesting of certain species under regulated conditions, which will reduce the pressure of poaching. A variety of modern tools of economic design will be used to allow markets to deliver a sustainable environment.

It is possible that an environment regulation passes the cost benefit test but the cumulative imposition of numerous such regulations leads to a net loss to society and the environment. We will legislate to ensure the cumulative analysis of environmental regulations as part of cost benefit tests of any new regulation. The most powerful environmental policy is liberty. Liberty alone fosters scientific inquiry, technological innovation, entrepreneurship, and information exchange. Liberty must remain the core energy behind India’s environmental improvement.

#### Converting national parks into regulated private spaces

Forests play an important role and are a valuable natural resource. Many of these should therefore be conserved. But there is a proviso. It is those who directly work in the timber industry and/or use forest products who know that the long-term sustainability of forestry resources is in their best interest. Without these resources, their businesses and jobs would not be viable.

We believe that people who use these natural resources are in a better position to care for them than distant bureaucrats and government departments.

Our current system has largely failed to protect either forests or wildlife. The encroachment on government-managed habitat is the most common cause of species coming into the endangered species list. Government is not best placed to manage either forests or wildlife, but can be a good regulator of use.

To the extent possible, all national and state parks will be privatised under regulatory control that includes requirement for preservation of indigenous flora and fauna. We will review our forest and wildlife protection laws to encourage greater private ownership (e.g. long term lease) under regulatory control and management that includes protecting the rights of indigenous people living in forests. Such privately managed national parks where economic (and property) rights are assigned in a manger consistent with the need to preserve environmental values, are able to align incentives of owners with the public interest.

Some types of wildlife are endangered because of commercial demand for such animal products (e.g. crocodiles, snakes, reptiles, rhinos, tigers, elephants). Commercial production of such animals under strict regulatory oversight in suitable habitats will be encouraged to supply the market’s demand. Supply of certified animal products will both eliminate poaching and reduce risk of loss of species, as well as create jobs and enterprise.

As a prelude to such longer term strategy, we will open national parks incrementally to environmentally appropriate private sector tourism and wildlife expansion investment.

#### Cost recovery from polluters

Polluters will be made to pay, if necessary with deterrent levels of penalties. To the extent that polluters can be individually identified, external costs will be recovered from them directly and polluters will be forced to repay the affected community. This can include mandatory requirements for polluters to clean up toxic spills, failure to do which should lead to imprisonment for an extended period.

#### Pigovian taxes for general pollution

To the extent that polluters cannot be individually identified, Pigovian taxes will be imposed on the activity that approximates most closely the activity undertaken by the polluters, on the lines of the ‘polluter pays’ principle. A range of incentives-based solutions, such as trading of permits within limits to pollute, will also be used.

#### Sustainability and ecological impact analysis

Sustainability and ecological impact analysis will be strengthened as part of cost audits of all infrastructure and industrial projects, both at the conceptualization and monitoring stages. The process will be facilitated through use of advanced technology and strict time limits will be imposed on such approvals. Significant penalties will be imposed on violations of mandated requirements.

#### Allocation of infrastructure funds for conservation of biodiversity

After regulating for land use, we believe that would still remain some need for a government to directly step in to preserve pockets of land and water for in situ conservation of biodiversity. These pockets will need to be very small and manageable, and managed through professional committees of experts, instead of the usual bureaucratic management.

### Natural resources policy

Some of the biggest corruption scandals of the past several years have arisen out of either misconceived or rigged allocation of resources such as coal, ore, spectrum and land. The 1991 industrial policy of the Narasimha Rao government was meant to usher out the licence raj, but just the opposite has happened; sale of government-controlled resources has become the new frontier of crony capitalism. We will make transparent the process by which natural resources are allocated to the private sector. This process will be designed to serve public interest rather than the government of the day and its favoured few.

We believe in strong property rights over land which is bounded by an envelope specified under the law. Within that property and subject to any broad and generic zoning restrictions (arising from a sensible land-use policy position) individuals must be free to build whatever structure they believe is appropriate, subject to usual safety provisions.

In relation to assets that lie above the property envelope (i.e. space), below the ground (minerals, water, etc.) and invisible to the human eye (electromagnetic spectrum), we believe that each citizen has an equal right – not as an individual, but through the government.

To ensure that such public ownership (in the Crown) does not translate into undue private gain of any single individual, market based mechanisms would be used to allocate a natural resource (both renewable and non-renewable) to its highest use, subject to environmental sustainability. Any revenues generated would be added to the Consolidated Fund.

It will be important to keep in mind that maximizing short-term revenues for the government does not maximize public interest. Public interest is best served when we ensure a healthy, competitive industry, which is then able to offer goods and services to consumers at a reasonable price.

Well-designed hands-off auctions, based on the best findings of the economic literature, conducted by an independent body, are the best means of addressing these multiple objectives. An example: market based auction for mineral exploration rights, a royalty on the quantum of mineral extracted, and a small share (after taxes) on profits. Under no circumstances would any foreign rights be permitted without a competitive equality of taxes received by the government.

We believe the use of underground water resources needs to be regulated by the state, and we will examine and support the latest technologies and means to monitor such use.

In this manner, India will achieve environment-friendly and sustainable development, and extract market value from its resources, for the benefit of the public.

Allocating renewable natural resources requires the use of the best analysis of economics, as well. For instance, it is now proven that Individual Transferable Quotas for fisheries ensures that a large fishery is harvested in a sustainable manner. Such private property models can also be applied to underground water and such common pool resources, creating the right incentives to sustain our finite but renewable natural resources.

## Education industry

India is a young nation with 60 per cent of our population under the age of 30. Youth needs to be empowered and employed for the growth and welfare of our country. Our youth is educated but is often unemployable.

Youth is our priority. In particular, the youth needs urgent access to world-class education.

However, it is important that government to govern, not educate. Government must not involve itself in the direct management and provision of the education industry at any level. It may, however, lightly co-regulate (through the industry) to ensure quality standards are demonstrated to the consumers (parents/ students). Citizens will have the freedom to educate their children according to their choice in a free atmosphere untrammelled by official directives.

This will mean that we will work with the education sector to establish co-regulatory frameworks of standards and systems that allow flexibility in the content, mechanisms and methods of education. For instance, standards of quality education (including curriculum and assessment standards) will be jointly established through the education industry and the industry required to enforced these standards. It is expected that matters such as greater moral education are included as part of such a mechanism. This will mean that there would be much greater control over syllabus by schools and parents.

The government will get out of direct management of any educational institution. In doing so, we will ensure that no current government employee in the education sector will be adversely affected in this process, subject to delivering on the competitive standards expected by private sector educational employers.

Educational institutions will be free to choose the medium of education, and parents can exert their preferences through their choices.

### Vocational education

We need to radically change our outdated system of vocational education which is ill-equipped to provide the workforce India needs for the twenty-first century.

It is said that Germany has 1 lakh vocational institutes, China 5 lakh but India has barely 5000 of them. Regardless of the actual number, the fact remains that we have grossly underperformed in the vocational education sector, which underpins all manufacturing, construction and services capability.

We will open up the vocational education sector entirely to private enterprise (under co-regulatory control, for minimum quality) to ensure that India’s youth is equipped with skills suitable for employment. Full privatisation will include corporatisation and sale of existing government technical institutes on the lines of school privatisation described elsewhere.

### Higher Education

India has very few world-class institutions of higher learning. Lakhs of our students go abroad for higher education. Higher education needs massive investment and global expertise.

There are no entitlements to higher education, however. It is one thing to provide a level playing field for people to develop their talent and quite another to demand entry to the highest levels of human activity. Only those with talent and who put in the necessary hard work should aspire for higher education. Those who successfully complete tertiary education earn, on average, significantly more than those unable to pursue this opportunity; thus the benefits of higher education are captured almost entirely privately by individuals. There is only a minimal public good involved.

There is also no reason for the government to manage the delivery of higher education. Appropriate privatisation of higher education institutions will therefore be undertaken at the earliest, with due preparation (and co-regulation for quality). This will attract investment and expertise from within India and abroad to make India a knowledge and research hub.

Our current system not only subsidises the wealthy (or those who will become wealthy) but supports an intellectual culture in which free exchange of ideas is no longer possible. Either strong Marxist ideas are funded or (more recently) Hindutva related ideas. Objective and scientific discourse, critical thinking and freedom of thought and expression are not part of the culture of many of our higher education institutions. This needs to be changed by letting universities meet the market and build the talents needed in the marketplace.

### Subsidised loans to students for vocational and higher education

It is important to ensure that all those who obtain admission to institutions of vocational and higher education are able to raise sufficient money to attend the courses. To ensure this, we will provide a low interest loans to tertiary sector students, to be repaid through the income tax system. Those who wish to leave the country after being educated at the taxpayers’ expense will need to provide a bank guarantee equivalent to twice the amount of their outstanding loan (in recognition of the social value lost to India when they migrate), which will be forfeited should they fail to return within the stipulated time.

## Review of the mafia-linked sex industry

Indian regulation of the sex industry is both outdated and creates significant risk of HIV and other disease. India was a world leader of such regulation in the time of Chanakya’s Arthashastra. We will completely review and create new laws to regulate the sex industry to achieve key objectives (prevention of human trafficking, prevention of disease and social decency) without pushing the industry and underground, thereby making it fertile ground for criminals and the mafia. This would include consideration not only of the legalisation and strict regulation of prostitution but also production and distribution of associated literature.

# Second order function: Equality of opportunity

## Eliminating poverty in three years

Over the last fifty years, governments in countries with far fewer natural and human resources than India have been able to create far greater opportunities for their citizens than India has. Evidence is now clear that rapid economic growth driven by broad-based educational enhancement is key to reduction of poverty. What we need in India is an environment suitable for generating rapid economic growth. Many aspects of this manifesto deal with this most basic and time-tested way to eliminate poverty.

In general the poor need only this to succeed, that the government get out of their way. Mahatma Gandhi said that “All the help that the poor need is that the world get off their backs”. The poor need to be allowed to work and achieve their potential.

We believe, however, that India has wasted enormous amounts of money on ill-conceived “anti-poverty” programs. These have merely created opportunities for millions of bureaucrats to line their pockets, with barely any of this funding reaching the poorest of the poor. It would appear that programmes like the National Rural Employment Guarantee Scheme were launched only to promote corruption and funding of the party satraps at local levels.

The work ethic has taken a huge toll under Employment Guarantee Programmes. Corruption has been democratized and decentralized to every village and functionary. However, even if corruption was controlled and proper work was done, the employment programmes as designed will fail to lift poor people above the poverty line on a durable basis. They also fail to promote better conservation of soil and water for sustainable agriculture. These programmes are one of the largest deskilling programme ever mounted in human history, with creative craftsmen asked to dig earth and break stones.

Instead of letting market decide what needs to be produced (and the government providing infrastructure), we have allowed millions of bureaucrats to create all kinds of unproductive and wasteful activity.

### Role of charities

Despite the best efforts of individual citizens, there will be some who suffer from infirmities, physical, psychological or cultural, and require support from others. In such case an honourable society would foster the innate sense – also inherent in India’s tradition of moral obligation and fulfilment - among citizens in serving others. Individuals are expected to rise to the occasion to help their suffering brethren. *Langars* in gurudwaras or other institutions of charity (e.g. Pingalwara) have done wonders over the centuries. In such acts of helping others, the giver often receives at least as much as the receiver.

Because of the vital role of religious organisations, charities, and benevolent societies in fostering benevolence and patriotism, they should not be subject to taxation, and donations to them should continue to be tax deductible.

Where tax-exempt work involves proselytisation, regulatory control is needed to ensure that the poor are not being bribed through tax-free rupees to change their religion. We will ensure that no foreign funds are used for proselytization. Taxable Indian funds can be used for preaching any religious message (as part of the right to freedom of religion), but bribery for the purposes of conversion would be viewed sternly.

### Role of the state to ensure a social minimum

A system of charity can, on many occasions, prove insufficient for the task at hand in a large country like India where the poor mostly live in villages or slums that are difficult to reach.

We will, after first completing first order functions very well, ensure a social minimum for everyone in India. This would include high quality private school education for all children and a guaranteed top-up for the poorest to eliminate poverty. While inequalities of income are an inevitable by-product of different talents, efforts, and chance, no one in India need be desperately poor.

We will eliminate (not just alleviate) poverty within three years. In summary, we will abolish all subsidies and replace them by cash transfers into the bank account of the head of the household, with half the funds allocated to the female head of the household (preferably via mobile banking). NREGA, PDS, Food Corporation and all such schemes (including hosing for the poor, etc.) will be phased out once this is implemented. As large sums are involved, employ the world’s best practices to determine who is a deserving beneficiary.

#### Negative income tax (NIT) system

Our policies today are highly distorted and illogical. Why should 65 per cent people of this country be given subsidized food when only about 30 per cent people need it? Why should not absolute poverty be eliminated instead?

We believe in the elimination, not the alleviation of poverty. Poverty in India can, and should, be easily eradicated. We need to, in principle, do five things:

1. Identify the people needing such assistance during a given year, in advance of the actual requirement;

2. Find out how much is needed to completely meet the gap in order to get the income of these people above a particular number;

3. Tax the rest of the community in a way that will meet this requirement, or borrow this money against future government income;

4. Transfer this money directly to these needy people; and, finally

5. Stop our enormously wasteful expenditures on illogical, unproductive and corruption ridden subsidies, poverty alleviation programmes, and equity-based distortions in every productive endeavour.

To implement this programme, lodging income and wealth tax returns by every adult in India will be made compulsory irrespective of the person’s income level. Today we only have 3 crore tax payers in India, merely double the 1.34 crore taxpayers of Australia which has a population one-fiftieth of India’s. In the same ratio, there will be 67 crore tax payers in India in three years, even though a good proportion of them will get advance payments of well-targeted negative income tax to help them overcome poverty.

Given the challenge of organising this task, private agencies will be hired to assist in this task, in which they will be assisted by digital recording equipment and record-keeping methods.

Thereafter, all families with income below the poverty line (relative to the number of number of family members) will be directly funded an amount sufficient to eliminate poverty through an electronic bank transfer.

The poverty line will be adjusted for inflation, but will remain linked to a very frugal level of existence. We are very conscious that the free society should not degenerate into a “welfare state” which creates incentives for people to stop taking responsibility for themselves. As experienced in all Western societies which are now suffering badly from distortions introduced by a welfare state, the youth are no longer interested in working. That will be prevented by ensuring that the top up is only give to genuine people, and anyone who is able bodied but does not work, is denied any handout from society.

Preliminary calculations show that if the money India squanders annually in the name of the poor is directly spent on funding the poor, poverty can be abolished virtually overnight.

This system will be radically different from that implemented by the Congress government, which was neither tested, nor well targeted, nor related to any overarching programme to abolish all other programmes.

This model is also vastly superior to direct attempts by government to give cheap loans or direct subsidies to the poor. Such programmes are fundamentally flawed in many ways, and will invariably be gamed by the system.

To ensure that the NIT program India’s largest IT companies will be invited to propose methodologies to implement this system. About half a dozen pilot projects will be rolled out by the end of the first year and the most effective (not cheapest) method will be selected for national implementation. It is expected that India’s vast NGO/religious agency network will play a significant role in proper identification of the poorest of the poor. Further, counter-checks will be placed through private audit agencies, with carefully designed contracts that punish for wrong identification.

These NIT payments will become fully operational in the fourth year across the country and, after a year of implementation and evaluation, all subsidies will be scrapped and the public distribution system wound up.

In addition to NIT, we will create a specific create policy for disabled persons, noting that caring for the disabled is the primary responsibility of the family or parents.

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| BOXFurther explorations in this areaWe will explore the idea of linking cellphones with bank accounts and Aadhaar numbers so that everyone would be able to access and operate their accounts through the mobile phone network, instead of creating local bank branches at high cost. The idea would for phones to be used to transfer money from a person’s account to anyone else through a secure system. Once everyone has access to such a system, the government can collect income taxes and link any automatic transfers of the social minimum through such accounts. All subsidies in kind would then be abolished: no further buying, storing and selling of foodgrains through a leaky food distribution system, no NREGA, just an unconditional transfer of top-up funds to those determined to be poor. A further advance in this regard might be the following, that mobile cash would eliminate the need for bank accounts. Banks would have to borrow cash from mobile holders. Each bank should be made to offer a small number of options like mutual funds combining different levels of liquidity, risk and returns. And banks should convert their loans into hundis - marketable debt or equity certificates - and sell them in the market. Apart from investing in mutual funds, people would be able to buy the hundis of businesses they know, and lend without paying bank charges. Banks would earn their living, not by managing people's cash, but by selling amelioration of investment risks. |

## Ensuring access to high quality school education for the children of the poor

We are committed to putting the needs of students before the special interests of unions when approaching elementary and secondary education reform. As a general rule, state intervention in the licensing of schools, colleges, universities and research institutes has resulted in abominable decline in educational standards. The product of these institutions is unemployable except by the socialist public sector organizations. Students enrol themselves to official institutions of education as places for extracurricular activities and go to the numerous tuition classes to prepare the best they can for examinations. We will liberate the education system from shackles imposed by government.

In particular, we believe that children of the poor must be given a reasonable equal opportunity to succeed and achieve their potential through access to high quality education.

For this purpose we will ensure a system that gives electronic vouchers to parents (with the poorest getting a very high amount, and the rich not receiving any) that can be encashed in any school. This will allow parents of the poor to admit their children to the best schools in their locality. This will also enable high quality schools to be established in rural areas since the parents in these schools will have access to significant amounts of money to attract the best teachers.

### A world-best school education system for all children

Twelve years of education is now a norm in most free nations. We will guarantee support for the education of all permanent residents of the country who want to study up to standard 12 or age 18(whichever comes first), noting that this does not amount to compulsory education. This would also include support for equivalent vocational training. Today, about 16 per cent of India’s children in the age group 6–14 do not go to school at all, amounting to tens of millions of children. Most also drop out of school well before completing high school.

Getting every Indian to complete standard 12 may therefore sound like a pipe dream. But it will be achieved quickly with the policies outlined below. Our solution will be to deliver high quality education to *all* children of India at the cheapest possible price. Since schooling is largely a state subject, therefore this policy will apply initially to Central Government schools only. However, states will be given incentives to move to this model.

We will fund parents for their children’s education, and not manage schools or appoint teachers.If we apply the criteria for the review of government activities to the school sector, we find that the government does not need to build, own and maintain schools, or deal with lakhs of school teachers directly, in order to educate every child. The current approach is too centralized and bureaucratic. It leads to mediocrity since local information can never be factored into the equation. Our current approaches are completely inappropriate, both theoretically and empirically.

Governments are also very soft on their own failures. A Director of Schools will generally demand stringent standards from private schools that want to be licensed but will be pathetically indifferent to the shoddiest quality of education provided by government schools themselves. However, if all education services are provided by the private sector (i.e. by private citizens themselves), a government regulator can become an effective judge of school quality. We also know that parents generally prefer to send their children to private schools because the standards of accountability of these schools are much higher. Parents get full value for the extra money they invest in their children’s education. Privatizing all government schools will therefore ensure that all schools in India are fully accountable. Further, under the current system, the lands and buildings of government schools are not being used in the most efficient manner. Privatization will ensure much better resource utilization. By giving ownership – in most cases through educational consortiums – to teachers, the commitment of private school owners towards the maintenance of buildings and school infrastructure will also be enormously strengthened. As a rule, whatever exists without a specific owner is destined to be neglected. Finally, we know that managing a school is a hands-on exercise like managing a business. Governments are very inefficient in doing hands-on things and running businesses. The average government bureaucrat or teacher has good intentions but no incentive to deliver world-class educational services at the lowest possible cost. The private sector, on the other hand, can only make a living if it delivers high quality services in a cheaper and better way than its competition.

It will not be of concern to us whether privatized schools are run as ‘for-profit’ or ‘not-for-profit’ institutions. If, at the end of the process of maintaining a school and providing high quality educational services, a school can make a profit, this will only help, not hinder, the supply of *more* good schools. Profitability is the finest signal of quality in a marketplace. There is no reason why it should be prohibited in the case of schools.

In this model, each child’s school education will be funded, *individually*, up to year (commonly known as ‘standard’ in India) 12, as follows:

* Schooling will cost child ‘A’ *nothing* if parents choose a school which charges their ‘A’ a fee equal to or less than what the government is prepared to fund that particular child.
* Schooling will be *partially subsidized* where parents choose a school which charges a fee for ‘A’ over and above what the government is prepared to fund that particular child.

Schools will bill the government for each child *individually*. Schools will not receive funding as a lump-sum which is unrelated to the size and nature of their enrolments; they will get a specific amount for each *specific* child they enrol. Schools will therefore have the incentive to go out and literally beg parents – such as parents of child labourers – to send their children to school. The more the children that these schools can enrol and pass out at an agreed, independently tested standard, the greater the money they will receive.

This method of private sector provision of education is *as* guaranteed to succeed *as* India’s current method is guaranteed to fail. This method will also ensure that the choices made by parents are honoured. Honouring parents’ choices can only be a good thing. No one could be a greater well-wisher of a child than his or her own parents. A government should never interfere with a parent’s choices without very good reason – only if both parents have a conclusive record of neglecting their children can a government make better decisions on behalf of the child.

#### School Privatization:

* As a first step, we will get completely out of school ownership and management. Over the course of the first 30 months, all government schools will be privatized. Their land,[[3]](#footnote-3) buildings and equipment will be sold at market rates through an open tender in which educationists working in these schools will be encouraged, through a (small) preference in the conditions of the sale, to form consortiums which can be registered as companies or societies, and make a bid. It is expected that such consortiums can create a persuasive business case to raise bank loans and buy the schools with repayments to be made from earnings made over the years.[[4]](#footnote-4)
* Funds raised from the sale of schools will form part of a one-off increase in government revenues to be used to offset the initial increase in core function expenditures.
* The following conditions would apply to the sale:
* The school’s land cannot be sold for 50 years. The government would retain the right to acquire land from school owners for other public purposes where it becomes necessary to do so, upon payment of slightly greater than market value, after making suitable arrangements for the children affected.
* The school’s land or buildings cannot be used for any primary purpose other than school education. School owners will be allowed to operate business activities approved by the (local government) council from the school campus after school hours. There is no incompatibility between having temporary shops or a small gym as a side-business operating in the school building after school hours so long as the funds raised from these activities by the school help to keep it solvent and keep its fees low, while also meeting the quality standards prescribed by the education regulator.
* The consortium which buys the school will not disadvantage existing staff for up to five years from the time of purchase of the school on a similar sliding scale referred to earlier.
	+ Schools will not be protected from competition in any way. Practically anyone could set up a school anywhere, charge any fee and try to attract students. There will be no quotas or limits on the number of schools in an area, even if this may make it harder to raise loans. This openness is necessary to prevent monopolies of any sort arising in what should be a completely free market. So long as a school complies with quality requirements, through ‘deemed licensing’, it could be launched. Schools would self-assess against standards established by an independent association of educators nominated by the education industry, and notify the education regulator of their existence – that would amount to becoming a licensee. Stiff penalties would apply if a school was later found to have violated the standards. Schools would be permitted to enrol children *only* at the beginning of a school year and parents will not be able to change their children’s schools during the year unless there are exceptional circumstances.
	+ To prevent the financial collapse of schools through mismanagement, each school will be compulsorily required to purchase bankruptcy, fire, workers’ compensation and public liability insurance from the market, to be reinsured initially by the education regulator until the rates of school collapse are better assessed and private market premiums fine-tuned. If the buyers of a school turn out to be bad managers, or worse, this insurance will prevent the school from going belly-up and children from suffering.
	+ This model will create a competitive market for high quality schooling. Only the most efficient schools, fully accountable to the parents for the quality of education they provide, will survive. Poorly managed schools will be bought out by more efficient schools. There will be no barrier to the potential size of a consortium. An efficient consortium could potentially buy out *all* schools in the country. So long as even one other efficient competitor could set up a school in any place in the country, the size of the consortium would not matter.

**Child-based funding:**

* + School will bill the government each month (or quarter), seeking reimbursement against *eligible* *vouchers* (eligibility below) for each child, *by name*.
	+ By the thirtieth month, we would have allotted a unique identification number to each child in India between the ages of four and eighteen, in preparation for this program. This number would be linked to a database which records key biological features of the child and photographs of his/her parents, to prevent potential falsification of records commonly done by illegal immigrants to India. A new identification number would thereafter be allotted to each child who subsequently reaches the age of four. This database will be linked to the previous year’s income tax return of the child’s parents,and would generate a voucher of a *specific value*, linked to that income and to the expected educational costs for a child of that age. Vouchers will therefore differ in value. Children of poor parents will get vouchers of a much higher value than children of wealthy parents.
	+ Children would go to a school selected by their parents. Parents would pay an amount over and above what the government voucher reimburses the school for each of their children separately. Poor parents would of course not pay anything since they would have high-value vouchers. Richer parents will pay a top-up amount.
	+ This higher allocation for poorer parents is a crucial part of the model. The system today does not provide genuine equal opportunity even though it is based on the ideology of equality. The quality difference between government and private schools is therefore quite vast, and does not allow children from rural areas or slums to prosper. Our policy would make schools in rural areas or slums extremely attractiveto potential school owners, since children with predominantly high-value vouchers will attend such schools. Therefore schools in economically backward areas will be able to afford much higher salaries for teachers, and potentially attract even better teachers than schools in urban areas. In this manner, all schools will be able to provide a robust quality education at the minimum.
	+ An annual adjustment would be applied to the value of a child’s voucher after the income of the child’s parents is declared to the tax office. Excess payments made for the child to the school would be recouped through the parent’s future taxes.
	+ The voucher system will be managed by a range of private service providers under strict conditions of accountability. The independent education regulator will monitor the quality of these providers and ensure the overall integrity of the voucher system. Stiff penalties will apply if preventable fraud is detected at any level.
	+ Schools would be required to report a child’s death or transfer from the school within one month to the voucher service provider. Should it be found that a school has charged the government for a child who was no longer studying there, the school will face financial penalties including potential withdrawal of the school’s license and criminal prosecution of the school owners.
	+ Education departments and directorates, as well as inspectorates of schools, would be mostly disbanded by the end of the thirtieth month; many of their teaching and non-teaching staff would have been, by then, employed by the larger consortiums. The social infrastructure department, which will manage the overall budget for school education, will work with the independent education regulator to ensure that minimum outcome standards of educational attainment are met by each school, and that vouchers are administered properly.

In the event that the above privatised system does not work in some remote areas (although there is no reason why it shouldn’t), procurement of school education will be considered from private suppliers through a modern tender system, with a significant portion of funding at risk on the basis of the quality of the output. This tender would have two independent components: one for school buildings and maintenance and the other for school management. In any event, the government will not directly deliver school education anywhere in the country, but get it delivered to the poorest of the poor.

### Improved teacher quality

We believe there is a role for the government in the short run (while higher education reforms are embedded) to significantly ramp up the supply of quality teachers across India. We will make special efforts to promote this, including through the use of modern techniques including e-learning. This special funding for the supply of good teachers will be rolled into the normal higher education system once higher education reforms are fully implemented.

### Promotion of Sanskrit and Indian languages

We believe that Sanskrit, Hindi and regional languages need to be preserved and to that extent, we will ensure stronger uptake of indigenous Indian languages through broad regulatory measures for schools.

### Pre-school education

We strongly believe in the value of pre-school education. We will encourage private enterprise in this area, including through charitable work, even as we strengthen the regulatory regimes to incrementally increase quality and accountability.

## Ensuring emergency health for all, and basic health for the poor

Health care can be split into two elements – basic health and elective surgery; and emergency hospitalization. Unlike higher education, basic health forms part of the requirements of equality of opportunity. However, to the extent that people should meet the costs of their visits to doctors and medication from their own savings or through insurance, this is a usual part of living and no extra effort is called for to equalize the playing field. The poverty line for purposes of negative income tax would include a buffer to allow for such routine costs to be incurred by the poor, in the form of a premium for such basic health.

However, for major medical matters, things can become complex. Ideally, each free citizen should take private insurance or self-insure. However, people who have not insured but end up on the doorsteps of a hospital once they fall badly sick or injured cannot be turned away in a humane society, just as no one can be allowed to starve. Therefore the concept of voluntary insurance or self-insurance breaks down for such hospitalization and emergency care.

Emergency health care therefore becomes a public, not a private, good, being non-excludable. It calls for compulsory insurance. In the manner we pay for roads, defence and police, i.e. in proportion to our incomes and not in proportion to our use, emergency care will be provided by the government to every citizen by charging a levy or tax which will form a compulsory insurance premium. People will be free to take private insurance at levels beyond this coverage, such as for ambulance services, designer spectacles, a private hospital room, treatment at a hospital of choice or by a doctor of choice, use of experimental medicines or medical techniques not available for general use, early booking of elective surgery, or cosmetic surgery.

Having collected the hospitalization premium, we will not directly deliver the service, but get it delivered through private enterprise through economic design principles to keep competition high and costs down. A simple model would involve tendering out such services for everyone’s emergency care a single geographical area, on a long term basis. This would allow competition in supply, a cap on costs incurred, and in-built incentives for private hospitals to promote preventative health care.

In particular, infant mortality and women’s health will be major areas of concern.

Any health intervention should take particular account of the moral hazard involved, where free support at taxpayer expense can lead to people being less responsible in managing their own health.

## Non-discrimination by the state

In addition to ensuring non-discrimination in public office on grounds of religion, caste, occupation or political affiliation, freedom and the defence of our life requires the state (after its first order functions are fulfilled well) to put in place a system of equal access to education for all children, and a scheme of social insurance that insures all citizens against significantly adverse events through the tax system, noting that the social minimum should be enough to eliminate dire poverty but not to provide comfort, so as to avoid without hampering the incentives to work. Should it be necessary, economic and feasible alternatives such as retraining of workers could be considered at minimal cost.

Discrimination within the education system for reason other than merit undermines the foundation of reasonable equality of opportunity and must be severely dealt with through appropriate laws and enforcement.

### Phasing out reservations

We support efforts to help low-income individuals get a fair chance based on their potential and individual merit; but we reject preferences and quotas as methods through which fairness can be achieved, whether in government, education, or corporate boardrooms. In a free society, the primary role of government is to protect the inalienable, inherent rights of its citizens, including the rights to life, liberty, and the pursuit of happiness. Merit, ability, aptitude, and results should be the factors that determine advancement in our society.

Dr. B. R. Ambedkar wanted reservations only for ten years. But now there appears to be no end in sight to this policy of reverse discrimination. This policy, which violates the foundational principle of equal treatment under the law that is enshrined in the Constitution, is cause for much desperation among those who are not even remotely associated with the social discrimination it seeks to redress.

The initial period of reservations, as foreseen by Dr. B. R. Ambedkar, is now more than six times over. Today, reservations are used by self-proclaimed champions of the disadvantaged in a manner that has divided the nation and threatens its integrity. At the minimum, it gives one more reason to meritorious people to leave India.

The system of reservations suffers from many fundamental infirmities. Caste certificates can often be wangled and manipulated. Caste is not the only source of social handicap. Gender, creed, economic status and physical infirmities also give rise to differing types of discrimination. Not every member of the caste discriminated against has necessarily suffered from social injustice. Reservation is unjustified unless there is a convincing evidence of personal suffering. Reservations for one community necessarily inflict a disadvantage on other communities. To punish a citizen for an act with which he is not even remotely connected is unfair. And compensation for past injustices is against the principles of law.

We believe that religious leaders should work towards total abolition of caste-based discrimination.

The government, on the other hand, is merely our servant and should not try to influence social matters. Instead, it should ensure equal opportunity through access to high quality education for all children, and in doing so minimise any ill-effects of any continuing discrimination practiced by society.

Once reasonable equal opportunity has been assured to all children, we will take steps to abolish reservations in seats to elected bodies, educational institutes, jobs and promotions.

Reservation is particularly inappropriate to correct gender discrimination (assuming a government has any role in this area at all). Reservation of seats for women often results in the spouse or close woman relative of established political leaders parading as “representatives” of women, with power being retained in the political family. Instead of this we believe that each political party should give greater representation to women. We are committed to giving greater political representation for women through our party processes.

### A minimum standard for everyone, not a Uniform Civil Code

Article 44 of the Constitution contains a directive principle that the state shall endeavour to secure for citizens a uniform civil code throughout the territory of India.

We believe that a Constitution – solely focused on the defence of life and liberty – should not include policy mandates for governments. Policy-making is the privilege of an elected government, to be made based on cost-benefit analysis and consideration of appropriate transitional arrangemens.

Religions often specify matters of details on marriage and divorce. These are personal laws and involve the most intimate unit of human existence: the family. Any religious requirements applicable to families are outside the scope of the government’s jurisdiction. Even on non-religious personal arrangements, such as regarding marriage, there is basically no role for government. Families should be able to structure themselves without, however, violating the life or liberty of family members.

However, we believe there is merit in the government establishing a norm-setting personal law code which establishes a minimum standard on all personal matters such as minimum maintenance requirements upon divorce, and minimum inheritance requirements in absence of a will. In complying with requirements of their individual personal faith, citizens could be asked to abide by any agreed minimum standards. This standard expectation on minimum standards is consistent with individual liberty.

Apart from such minimum standard on personal matters, there is no role for the state in religion. We will review religious laws (e.g. Hindu Laws or Muslim Laws) and replace these with generic rules of accountability.

### Ensuring greater respect for women

Although a government is not best placed to undertake social change, through protecting the equal rights of all, including women, we will allow women to rise and take their rightful place based on merit in any field of their choice. In particular, we will remove all restrictions on women in any field in government services, such as armed forces.

Women have excelled in every sphere of life given the right opportunity and enabling environment. We actively seek their participation in the political process, policy making and economic development. We will ensure equal opportunities for women and create an environment conducive to excelling in the field of their choosing.

### No role for the state in matters of religion

We advocate the complete and total separation of the state and religion. Our religious and political goals are different domains and should not be allowed to mix. Note that this does mean the state must be secular; it is best to see it as non-denominational, and tasked with a different job to that of religion.

While debates among different religions are a natural part of free society (so long as these are conducted in a non-violent environment), the government can have nothing to say about the merits of the content of these debates.

Making political claims based on religion can often provoke or lead to violence. A government’s job is to come down heavily on individuals and organizations that advocate or use violence, irrespective of the basis of their advocacy – including religion.

Government cannot financially support religious activities. For instance, subsidies for Durga Puja on the ground that these will increase tourism in a particular city are not admissible expenditures from the public purse, since they effectively fund a particular religion. Similarly, subsidies for religious pilgrimages such as for the Haj. or temple management by government functionaries is not acceptable in a free society.

We believe that a government must be ‘religion-blind’, ‘caste-blind’, ‘tribe-blind’, ‘language-blind’. In particular, a government has no cause to recognise ‘minorities’ as a specific category using religious (or related) classifications. Indeed, if everyone has equal freedom, then a separate category of ‘minority’ rights will not be needed. However, until the rule of law is well-established in India, FTI recommends preservation of Articles 29 and 30 of the Constitution, while ensuring that no subsidisation of any religious or other minority takes place.

### Letting tribal India engage with modernisation at its own pace

We believe that tribes of India need continued protection by the state to allow them to develop at their own pace. We believe that tribals who live in the forests have an unalienable right to live and enjoy their culture. Any economic development and exploitation of natural resources must protect their livelihood and way of life.

This also means that any protections and exemptions will be reduced for those who have embraced modernistation and achieved parity with the rest of India.

# Second order function: Infrastructure

In India, for long decades it has been taken for granted that the development of infrastructure facilities like roads, railways, telecommunications, canals, etc. would be created and maintained by the government alone. This has resulted in a slow and stunted growth of infrastructure facilities and poor maintenance. The failure of the railways, the telecommunication system, the choking of roads by throngs of fuel inefficient small vehicles constitute serious bottlenecks. Even the creation, utilization, maintenance of infrastructure facilities should be subject to laws of market and, therefore, handed over to private initiative. Since the private sector has lost the habit of undertaking work in this field, some transitional period will have to be allowed to pass so that the transfer from the State to the private sector will be more smooth.

## Physical infrastructure

We will ensure that India gets world class infrastructure. We will create excess capacity in infrastructure, sufficient to comfortably meet the highest expected demand growth, given the new polices we will introduce.

Inefficiency and waste resulting from unnecessary government involvement has resulted in stunted maintenance and growth of infrastructure. Our railways, telecommunication system, and choking roads are serious bottlenecks to economic prosperity of citizens. Wherever possible, we will ensure that the creation and maintenance of infrastructure is handed over to private initiative and subject to the normal laws of markets. Even in areas of supply of water and sanitation, significant private sector involvement, under regulatory supervision, can be advanced.

Similarly, there although there is a great need for greater internet broadband penetration, this is an area where government will play only a regulatory role.

Through these means we would expect the emergence of world class airports, ports, metros, railways, roads and bridges, and other forms of infrastructure. We will also investigate the feasibility of high speed rail networks where economically self-sustaining and with least taxpayer support.

### Private investment in infrastructure

Except in the rarest of cases, all direct management of construction and maintenance of infrastructure by government departments or public sector agencies will be brought to an end. Instead, the private sector will be given the opportunity to build and maintain infrastructure through competitive contracts that drive value. This is particularly feasible in public transport, communication, energy and water. Where possible, franchising or privatizing existing services will be considered in the first instance, under competitive regulatory oversight.

Such increased infrastructure investment will lead to significant economic growth.

### Efficient creation and management of state-provided infrastructure

In some cases the state will still need to take an active role in roads or even an entire river basin’s development. The user pays principle (through cost recovery) will be enforced in such cases wherever possible, thereby reducing pressure on the general budget.

We will build highways from the northeast to West Bengal across Bangladesh, and bridges across the Palk Strait to Sri Lanka, and ensure completely free movement along these new routes. When the time comes, it should also build highways across Pakistan to Afghanistan, Iran and central Asia.

We will aim to make India more maritime. Our land transport routes - rail and road - are overburdened, and we do not have the space to build new ones; buying the requisite land in cities would cost more than our GDP. So we will us take to the sea, which our ancestors once dominated. We will help build a couple of dozen artificial ports that would take ships of draft up to 20 meters.

Some infrastructure will also continue to be built in emergency situations through Test Relief, although such situations are extremely unlikely in the future, given the social insurance scheme.

In such cases where competitive management of infrastructure (under stringent rules laid down by the government) by the private sector is not feasible using world-best methodologies, we will procure work from private vendors directly through competitive bids, with accountability of relevant public sector managers to deliver results.

### Efficient management of infrastructure approvals and land

An opaque regulatory environment, delayed approvals, high cost of capital and land acquisition delays are the main reasons for India’s infrastructure deficit, hampering economic growth. We believe that:

The Physical Infrastructure department would be responsible for all approvals in a time bound manner. The departmental secretary will have final authority over all approvals, even as the law is complied with, to enable him to ensure streamlined coordination across all levels of government. This will include, for instance:

* that the land acquisition process that would need to be completed before public tendering or private investment; and
* that fuel supplies would be ensured before tendering power projects.

In particular, we will implement a streamlined, risk-based environmental impact assessment process that will match the level of assessment with the magnitude of environmental risk from projects (both in the public and private sectors). This will allow rapid creation of much-needed infrastructure and private sector projects while minimising the harm caused to wildlife and the environment.

## Water infrastructure

If water can be adequately managed and harvested, India can become self-sufficient in water, even as the water table is regularly recharged. A key reason why water is not adequately harvested today due to the problem of the commons. Something that is commonly owned is treated with disdain, and wasted. This area will continue to require some active management by government for commissioning and supporting relevant infrastructure, allocation of property rights and enforcement of penalties.

* We will commission greater infrastructure for irrigation, including linking up rivers where feasible.
* Wherever possible, private efforts towards irrigation, including cooperative efforts at the village level for water harvesting will be strengthened, such as through water users associations and other locally managed means.
* Where necessary, drip irrigation infrastructure will be facilitated to minimise impacts of monsoon failure.
* Tradable water rights will be introduced where practicable to enable efficient use of water. Privatisation of water through allocation of trading rights has proven to be an effective solution to the irrigation. Traditional water rights that form part of the characteristics of an existing property will be respected in making such allocations, even though the water is otherwise common property.
* water reservoir management to arrest water table depletion

### Access to safe drinking water for all

Large sections of our country do not have access to safe drinking water. We are committed to innovative means to empower all villages and cities to get access to clean water. We will facilitate private investment in water storage and distribution wherever possible. In some exceptional cases, the government will subsidise such investments. This includes (for example) ensuring that people in Dhemaji in Assam will not have to drink high iron content water. Reverse-osmosis and de-mineralization plants will be established in villages that suffer from high fluoride and excessive salt content in water.

There will be no subsidies for water, however, to ensure it is used conservatively.



*Water is a basic necessity*. [Picture: [The Hindu](http://www.hindu.com/2010/03/10/stories/2010031054280500.htm)]

## Transport

Rapid and efficient physical transportation of goods and people is vital for a productive economy, despite the reduction in need for travel through telecommunications and IT. Mobility remains a public good that should be available to the poor and disabled at reasonable cost.

We believe that in the future, technology will allow most roads to be fully privatised but in the meanwhile there remains a role for the Government in directly providing or in supporting private enterprise to build roads and related transport infrastructure, as well as ensuring that the infrastructure costs balance the ability to pay and need.

This area needs a first principles review of regulation. Regulatory reforms will focus on cutting bureaucratic requirements, lightening the burden on public transport entrepreneurs; making mandatory documents easier to obtain; loosening restrictive permit regimes which make entry to public transport sectors prohibitively expensive and leads to under-supply and poor service levels, and a more creative approach to fare setting to allow a more diverse range of transport options.

### Supply side issues

#### Road standards

We expect to incrementally increase the standards of roads and to levy trucks more heavily based on the distance travelled and weight, so the damage caused to roads is recovered. Registration fees would incrementally be shifted to a combination of odometer reading and truck characteristics.

#### Airports and ports

We believe that the private sector is capable of directly building and managing airports and ports, under appropriate regulatory control. We will, therefore, privatise as many of such facilities as possible, and where such privatisation is not economic or feasible, we will set in place triggers to bound any unnecessary subsidisation.

#### Subsides

All subsidisation of diesel would be eliminated, being phased out over three years.

#### Road safety

India has one of the worst records of traffic accidents in the world. The World Bank estimates that road accidents cost India 3% of its GDP each year, a figure that will climb as private motor vehicle ownership rises. Car safety standards would be enhanced through regulatory control. Deficient driving skills and absence of traffic discipline are major causes.

Driving licences are frequently bought, sometimes without the applicant taking the driving test (Bertrand et al, 2007). As a result, both commercial and private licence holders may have all the necessary licences and documents to drive legally, but are often bad drivers with poor vehicle handling ability, scant knowledge of road rules and lacking awareness of the needs of other road users, including vulnerable users, such as pedestrians and cyclists. This function of licencing is being successfully privatised, with regulatory oversight. The entire system would be redesigned from scratch to ensure high quality outcomes. Driving culture shall be improved through advertising campaigns, making flouting of rules socially unacceptable, better enforcement and stricter penalties.

#### Parking

Parking has become a nightmare in commercial, shopping and residential areas, often leading to fights, injuries and bitter social acrimonies. Market based solutions and regulatory standards will be used to increase the quantum of safe parking through private enterprise, encouraging increased supply through private car park operators. New buildings will be required to provide adequate parking. Individual parking lots will be permitted to be traded or rented out through appropriate design of property rights and market-based mechanisms.

The possibility of making some paratransit vehicle parking spaces, especially at night, compulsory in every car park shall be investigated. Enforcement of parking regulations will be tightened in relation to private vehicles.

#### Public transport

High-income Asian cities, such as Tokyo, operate world class public transport systems which are used by all sections of society. We envisage cities in which a significant proportion of journeys are made on a public transport network that is efficient, fast, safe, comfortable and affordable.

To ensure this infrastructure is created with minimal direct government management, competition and consolidation would be managed to assure a diverse array of services and service levels that provide decent livelihoods for their operators who are unencumbered by labyrinthine regulations and hostile policies.

To entice drivers out of their vehicles, public transport will need to offer seamless connections between origin and destination. Such full integration amongst different modes of public transport is best resolved through innovative market based solutions which are responsive to the constantly changing needs of the commuting public. Such solutions can include a bus rapid transport, where possible; and private bus stops which arbitrage the needs of commuters with the commercial requirements of service providers, and declare relevant schedules.

A mix of such private sector solutions would include private buses, autos, taxis and rickshaws, with due regard to congestion effects of the slower vehicles. We cannot hope to tempt a BMW driver out of his car if the alternative is a poorly maintained bus or autorickshaw. We must allow providers to charge more in order to invest in themselves and in the vehicles/services they provide. It is expected that with more freedom of options, competition and modern technology, innovative solutions to increase car pooling, shared autos/taxis, rental cars, and other options shall come into existence.

#### Taxi and auto regulation

There is value in competition, but in the transport sector, competition without coordination often turns out to be a curse. We cannot hope for better services (e.g., taxis, autos and cycle rickshaws) if owners, drivers and pullers are forced into debilitating price competition. Price regulation and licencing will need to be bolstered to ensure a balance between supply, and quality. Permission for variable pricing within an approved pricing band will help ease some of the supply issues without lowering quality. Minimum standards for the operators shall be regulated, without standing in the way of diversification and innovation.

#### Walking and cycling

Motor vehicles are making cycling and walking, the modes of transport of the poor, very risky, creating a negative cycle with even greater motor vehicle use. The share of walking and cycling would be consciously enhanced by making these safer, faster and more pleasant.

Significant improvements are needed to make cycling a choice as opposed to a necessity. Creating special cycle lanes and cycle stands are two measures that will be implemented with full vigour. Pedestrian infrastructure shall be improved: better pavements, safer crossing points, pedestrian bridges, infrastructure to shield walkers from the road, etc.

#### Traffic control

The primary purpose of enforcement shall be to instil a sense of both fear of and respect for the law. Information technology shall be deployed through the entire value chain of enforcement: including the licence issuing authority, challan writing agencies, traffic courts and compliance units. Historical records of a driver as well as a permit-holder shall be maintained and recalled at the time of disposal of challan. Driver retraining and community service may be ordered in lieu of monetary penalties and punishments. A network of CCTV cameras shall be established to support law enforcement agencies.

### Demand side solutions

Increasing the supply side of ‘motorization’ through new ground infrastructure such as flyovers, grade separators, toll roads and synchronized signals is not a long term answer to the transportation problem. In the capital, 80% of the budgetary allocation of the Jawaharlal Nehru Urban Renewal Mechanism has been allocated to roads and flyovers (CSE, 2012). Just 0.1% was allocated to cycling and pedestrian projects (Manchala and Vagala, 2012). No standards are applied to road construction, traffic signals and traffic signages.

Pedestrians and cyclists are put to considerable risk by roads and pavements which are not designed for the mixed traffic they carry. Bicycle riders are forced onto wide roads with broad medians, dark, badly located underpasses and have nothing to shield the slow, vulnerable cyclist from fast traffic flows. Pedestrians must walk on fragmented strips of poorly maintained pavements. Where they exist, pavements are often blocked by parked cars, forcing pedestrians onto the road. The lack of safe crossing points for pedestrians makes crossing wider roads risky and time consuming. It also segregates the city, cutting off areas on either side of the road from each other. It has been remarked that driving up one side of a busy road, turning and returning on the opposite side is far safer and often far quicker than simply crossing on foot.

The longer term solution involves demand side remedies which allow the space to be used more effectively and equitably. Primary among these remedies is the user pays principle which ensures that most costs of the transport infrastructure are recovered from those who value it most, such as users of trucks and cars. However, the highest value users, by being levied a congestion tax at market clearing prices, should cross-subsidise public transport and walking/cycling infrastructure, thereby increasing efficiency and increasing access to mobility to everyone at a reasonable cost.

The Government of India should continue to manage nationally important roads, with the states and local governments managing the smaller roads. In doing so, the unique geography, history and heritage of cities should be recognised, and the infrastructure so created should remain sensitive to the environment.

#### Congestion

Average traffic speeds in Delhi are around 15kmph, similar to the speeds of the 1960s when fewer vehicles were motorized (Pucher et al 2007). Rush hour peak periods have elongated, lasting up to five hours in the morning and evening. This erodes the time available for actually working and visiting shops, restaurants, cinemas and other recreational activities, which not only reduces quality of life but also impacts the livelihoods of those providing these services.

Where technologically possible at a low cost, a congestion tax / entry charge will be levied on low occupancy private vehicles in high traffic areas, variable by time of day. Parking levies that vary by time of day will also be used to allow roads to achieve optimal travel speeds. This will allow those with greater value of time to cross-subsidise others who will then get access to better public transport. In addition, special corridors and lanes will be allocated for public transport and high occupancy vehicles.

Taxes on vehicles and on transport fuels should aim to contribute significantly to the cost of maintenance of roads. Taxes on passenger vehicles should be based on the ratio of the number of seats to road space occupied, and should be lower on faster vehicles since they occupy less road space-time for a certain distance travelled. However, heavier vehicles would need to pay more to compensate for the damage to roads.

## Electricity/energy

Our policies aim at energy security to ensure an affordable, stable, and reliable energy supply for all parts of the country and all sectors of the economy. Energy security is intimately linked to national security both in terms of our current dependence upon foreign supplies and because some of the money we pay for foreign energy may end up in the hands of terrorist groups.

We will abolish the monopoly of states in electricity. The ideal is to ensure that anyone can produce and sell electricity to anyone else. The generation, transportation and distribution of electricity will be entirely privatised, with regulatory oversight. This could also include nuclear energy, which would have much stronger regulatory oversight, particularly regarding nuclear fuel. A key principle would be that energy produced should be economically viable. No subsidies to any form of energy will be permitted and any such existing subsidies withdrawn in a phased manner.

### Diversified energy sources

We will encourage and ensure diversified domestic sources of energy in a way that is economically viable and job-producing, as well as environmentally sound.

#### Coal

Coal India's monopoly and government controls on oil product prices will be abolished.

Coal is a low-cost and abundant energy source with hundreds of years of supply. We look toward the private sector’s development of new, state-of-the-art coal-fired plants that will be environmentally responsible and efficient. We are committed to exploration for oil and natural gas both on land and offshore, in accordance with applicable environmental, health and safety laws, and regulations.

#### Nuclear

Nuclear energy must be expanded. This involves addressing issues regarding the storage and disposal of spent nuclear fuel. Our country needs a more proactive approach to managing spent nuclear fuel, including through developing advanced reprocessing technologies.

#### Renewable

We believe that cost-effective renewable energy can be developed but taxpayers should not fund such ventures. We do not believe that any source of energy that is not economically viable should be ‘supported’ by government. As new technology becomes commercially viable, private businesses will implement it appropriately.

### Electricity infrastructure

#### Spot market

We will encourage the creation of a spot market for power.

#### Transmission grid

Our government will co-invest in a high-capacity national transmission grid for smooth flow of power from surplus areas to those with deficit. Regulation will include penal clauses for severe fluctuations in power voltage fluctuations which burn out significant machinery and infrastructure across the country.

We will ensure that the grid reaches all villages. The retail wing being privately managed, it is expected that electricity will efficiently reach each household, subject to regular payment of dues. A small subsidy might be paid for supply to rural areas to these companies, but the subsidies will be phased out as the villages become more prosperous.

## Public toilets

Only 46.9 per cent of India's 24.66 million households have toilets, 49.8 per cent defecate in the open, and 3.2 per cent use public toilets. Public toilets are extremely scarce. In Delhi there are 3712 men’s public toilets and 269 public toilets for women. We will facilitate the procurement of world-class public toilets (including on user pays basis) in sufficient numbers across India.

## Disabled access to public infrastructure

There are an estimated 70 million persons with disability of whom about 27 million were counted in the 2011 census. There is sufficient evidence that a large proportion of this population has enough ability to actively participate and contribute to the economy instead of simply receiving charity their entire life. That can become a reality only if they are provided equal opportunity by removing barriers that prevent them from reaching their full potential. All public places and transportation, irrespective of ownership, will be made accessible. To the extent possible, large industries and places of employment will be encouraged to ensure such access.

# Third order functions of government

## India does not need a population policy

High fertility is more often than not a symptom of desperation; of poverty. Fertility tends to decline as people get richer and become hopeful that their children, if educated, will achieve more than they themselves could achieve. With the right education and incentives, our large population will produce unparalleled wealth. As good policies are introduced, we expect birth rates to continue to decline, as parents find it worthwhile to invest in their children’s education.

An average Indian woman now has only 2.6 children, compared with 7 that the average woman had at the time of independence. This is largely because of economic growth (which increases the value of education of children, which in turn, drives down the number of children demanded) and lower infant mortality rate (which assures parents that they do not need to have an extra children as insurance).

We believe it is extremely inappropriate for a government to interfere in personal family decisions of citizens in relation to the number of children they may choose to have. We do not treat people as a “problem” about which government has any role to play.

As can be seen from the response of most Western nations to rapidly plummeting populations, it is clear that population is an asset, assuming we have the right to consider any other human being as a “national asset”. All studies demonstrate that networking effects of a large population (and availability of a competitive, large market) drive major innovation, which in turn creates further prosperity.

Once India becomes a wealthy nation and its citizens are well educated, population will become a non-issue in every way.

We do not also see any need for government to subsidise family planning initiatives. These matters, once the health systems are fully privatised, will be dealt with by the market on the basis of any real demand from the people. We will, however, continue to permit abortion as an option to women who may choose to have one.

We also realise that there is an inhuman underbelly of India in terms of excessive abortion of the girl child. This is ultimately a matter for social reformers. We do not expect well paid bureaucrats to be able to resolve this social problem.

## Preserving our cultural heritage

A government has little or no role in matters of culture. We are committed to promoting the conservation of India’s cultural and architectural heritage through community and private initiative. Questions about culture beg the question: whose culture, and why should someone who doesn’t believe in a particular matter or belief system pay to preserve the culture of another group?

While we will continue to preserve ancient Indian monuments we believe these should be incrementally transferred back to the people with appropriate regulatory control that ensures the monument is appropriately preserved, even as much of its land is put to commercial or other cultural use. In some such cases, the ancient monument may even be permitted to be moved/ destroyed and replaced with alternative uses.

This is consistent with the need for government to withdraw in a phased manner from subisidisation of any actual religious activities or management of religious institutions.

## Global warming

A small component of the global warming that has been occurring on Earth since the end of the Little Ice Age in around 1850 can be attributed to man’s efforts to industrialise through carbon based energy sources. To date it has not been possible to distinguish between normal warming (the Earth is still cooler than what it was in the medieval and Roman warm periods) and man-made warming. We do not believe there is sufficient evidence to suggest that any small additional warming caused by man’s efforts is cause for concern. It is equally (or more) likely to provide a net benefit for life on earth.

Exaggerating potential harmful effects of global warming and taking undue steps to curtain use of energy will severely harm the life and potential of hundreds of millions of Indians. We insist that any global pressures in this regard are unacceptable.

While we believe India should monitor research in this regard, it should not undertake any direct steps to reduce CO2 emissions till (a) conclusive evidence is found and (b) all developed countries have first brought their per capita emissions down to India’s per capita level.

## Social capital and international resurgence of India

The creation of a sense of fraternity amongst the diverse peoples of India is a task long overdue. Although this is a not a role for government, we will foster and support civil society institutions and think tanks through tax breaks. In particular, we will encourage those organisations which take steps to bring back foreigners of Indian origin back to our shores.

### Sports

We believe that people should form and operate organisations for competitive sports. To assist such healthy social capital activity, we will give such organisations tax benefits and where necessary, some matching contributions for private stadia and other such infrastructure. Further, import duties would be abolished for any equipment used for competitive sports.

#### Regulation of sports bodies

We will enact a law to ensure professionalization of sports administration (particularly of national sports bodies), by mandating, for instance, professional CEOs and a mechanism of accountability to stakeholders and the public.

### Science and innovation

We believe that except in the rarest of rare cases, private enterprise and initiative (including through NGOs that receive tax exemptions) will readily support science and innovation, both through the education system and through commercialisation of technology.

We will consider tax exemptions for private R&D investment, and even, in a very few cases, direct government funding of certain activity (such as strategic sectors like fusion energy, space and robotics). However, we believe that bureaucrats are not best placed to pick winners and any direct funding of science and innovation would be taken after intense scrutiny.

# The self-reliant, responsible and free society

other a This manifesto does not detail the ‘daily needs’ of people but expects that these will be met through implementation of various policies mentioned elsewhere. The following list is illustrative.

## Housing

While we believe home ownership is important, we believe it is best fostered by an economy that creates private enterprise and jobs, and keeps interest rates competitive through competition and low inflation. This, along with professionalization of local government and land records, will allow people to purchase their own homes over time, through various market instruments. These will ensure that people get the best deal without having bureaucrats – who generally have no understanding of any practical matter - sit in judgement over what people should do.

## Education

Except for primary and secondary education where the government has a role in supporting the poorest of the poor, we believe the markets, duly enabled through good regulation and institutional support, can provide the best education to all Indians.

## Health

Except for the direct care by government of the poorest of the poor, and of all emergency situations, we believe the markets, duly enabled through good regulation and institutional support, can provide the best health to all Indians.

## Jobs

We believe that jobs are created by the people, not by governments. The actions in this manifesto will release the people to go out and produce, thereby creating a huge demand for jobs.

# Contributors to this document

We welcome to this ongoing effort all who sincerely want to ensure the future for our country. This document has been prepared by inputs from tens of documents and hundreds of individuals. The material has been bound together by Sanjeev Sabhlok to bring about consistency in the advocacy of a strong but limited government that protects our freedoms. Being a political document the material found relevant from different sources has been included sometimes verbatim, without any citation. We believe it is not necessary to reinvent the wheel, but to take the best information from wherever it can be found.

**Key contributing organisations include:**

* Sone Ki Chidiya Federation
* Freedom Team of India

**Influential documents:**

* People’s Manifesto created by the India Policy Institute
* Swatantra Party’s 21 principles
* Principles and policies of the Freedom Team of India
* Manifesto of the Swatantra Bharat Party
* *Breaking Free of Nehru* by Sanjeev Sabhlok

**Relevant information incorporated from:**

* 2012 manifesto of America’s Republican Party
* 2014 manifesto of Navbharat Party
* Gurcharan Das’s eight big ideas[[5]](#footnote-5)
* 2012 manifesto of America’s Republican Party
* 2014 manifesto of Navbharat Party
1. Draft, 11 May 2014. Written in the form of a manifesto, the Sone Ki Chidiya movement commends this to all parties. This agenda/manifesto will undergo continuous improvement. Please send suggestions to sabhlok@gmail.com. Website: <http://sonekichidiya.in>. [↑](#footnote-ref-1)
2. Mukund, Kanakalatha, *Merchants of Tamilakam: Pioneers of International Trade*, Delhi: Allen Lane, 2012. (Series Editor: Gurcharan Das), see Foreword. [↑](#footnote-ref-2)
3. Where the land (as in many villages) has been donated by the community to the school, the proceeds of the sale relating to land will revert back to the local community. [↑](#footnote-ref-3)
4. If there are no buyers for schools in particularly remote areas, the existing arrangements will continue for another year, when a similar sale is attempted again. [↑](#footnote-ref-4)
5. http://gurcharandas.blogspot.com.au/2014/03/elect-to-transform-india-with-these.html [↑](#footnote-ref-5)