

JANUARY'07

MINDTEXT JANUARY '07

Volume-2 Issue-1

CPPR is not responsible for the views expressed in this journal. Authors own responsibility for their articles

Editor : Hariprasad R.C. Layout & Design : T.V.Vinu



Centre for Public Policy Research Vaikom Road, Cochin Kerala, India - 682 301 www.cpprindia.org E-mail : program@cpprindia.org

CONTENTS

EDITORIAL	4
ATTENTION	5
IN FOCUZ Execution of Saddam- Victor's Justice?	6
JAM	9
WAKE UP	9
REALITY CHECK Economic Instruments and its importance To Indian Environmental Policy	10
REFLECTIONS	13
RTI CORNER A Report	14
PHOTO GALLERY	15
REVERBERATIONS	17



LOOK AHEAD

At the dawn of New Year, there was this e-mail posted to almost everyone explaining why 2007 is a very good year. The e-mail enumerated different reasons in support of this statement. One of the facts that it gave was that in 2007, no public holiday fell on a Sunday and hence we can enjoy maximum holidays this year. Although the e-mail was just another funny forward this particular fact and its interpretation throws light on something important the work culture in our country.

India has begun its cruise to become a developed nation. It's wonderful to see that our economy has become one of the largest in the world today. The liberal policies have started paying rich dividends with the markets opening up in different sectors and trade barriers softening. In spite of all these encouraging signs one of the issues that is causing constant headache to the companies in India is the general work culture of our people. The point is evident in that e-mail. Our basic instinct has become one of looking ahead for holidays. This reminds one of an old mallu joke in which an unemployed person is looking forward to get a job so that he can start applying for leaves!

At this point one cannot but notice the passion that the Japanese have towards their work. In Japan the workers spend a few extra hours a week in the factories. The reason they cite is that during those hours they work for their nation and not for money. We should emulate this kind of passion at our workplace. However, if we choose to remain complacent counting the number of holidays in a year and looking forward for the vacation trips then the future of the nation is at stake.

Let us not work hard instead work joyfully.

Let us learn to look ahead for the days we can spend toiling for the nation.

Taking inspiration from what our President Dr A P J Abdul Kalam said in his Republic Day eve speech, let each of us visualise what we can do for India by identifying our unique capabilities and work with courage towards the mission that we set for ourselves.

Wishing all the readers a dynamic year ahead,

Editor



ATTFNTION

Dear All,

It is our great privilege to let you know that Dr Sebastian Paul, Member of Parliament from Ernakulam Lok Sabha Constituency, has given his consent to be an Honorary Advisory Board member to Centre for Public Policy Research with immediate effect. We look forward to his advices and suggestions to the Centre on various policy initiatives and research programs.

D.Dhanuraj For Centre for Public Policy Research

Dr Sebastian Paul, M.A. (English), M.A. (Politics), LL.M., Ph D. (The degree of Doctor of Philosophy was awarded by Cochin University of Science and Technology on the basis of the thesis: The Press Council - An experiment in guarding free speech.)

Dr. Sebastian Paul has served as the Sub-editor/Reporter of Indian Express (1973-80). He is a lawyer practicing in the High Court of Kerala and the Supreme Court since 1980. He is presently teaching press laws in Kerala Press Academy, Kochi, and is also hosting a weekly media analysis programme in Malayalam on Kairali TV. Dr. Paul has been Member of Parliament in 11th, 13th and 14th Lok Sabha and Member of Kerala Legislative Assembly 1998-2001.



າວຸລາສາມລຽກ, ນາເຫັງຄືເລີ ຄອບແບນເຮັດໃຫ້ ເກົາຫາ "ອະເລັດໃຫ້ນີ້ ແຫ່ນ້ຳ. ມູນໃຫ້ ເອເບັງໃຫ້ ແລະ ເມື່ອກວາກາ ກຳອາສະ ເຫດແຫ່ງຜູ້ເລັດງານ.

പോലീസിന്റെ അധാർമികത ചോദ്വം ചെയ്യേണ്ടത് നിയമം അനുസരിക്കുന്നവർ: ജസ്റ്റിസ് കെ.ടി.തോമസ്

കുപ്പം തിയമങ്ങൾ എർണമായി അനുസരി പ്രണ്ടർട്ടിസ് കെടിന്നൊ

ത്. എട്ടം ചെയ്യു സമ്മാതിക്കാൽ സം ക്ക് പുല്ലെങ്ങു സമ്മാതിക്കാൽ സം കരുന്നു. ഇത് പോലിസിൻ തന്നെ അന്ത് വർഷതെ

ഗുണകര & അനുബന്ധിച്ച് വോശാപ്പ് മാനിരംഗ് പാഴില്ലെ മ. അനുഭ . ന്ന സീർദേശം പടിക്ഷണാടിസ്ഥാനത്തിൽ of. Eugal asilemethyletatur' sees alegana newslaut

ສວງສູ່ ເຫັນອາຫານີ ແມ່ນອາຫານີ ແມ່ນອາບານ ແມ່ນອກການ ແມ່ນ ພະການ ແມ່ນອກການ ແມ່ນອກການ ແມ່ນອກການ ແມ່ນອກການ ແມ່ນອກການ ແມ່ນອກການ ແມ່ນອກການ ແມ່ນອັ້ມ ແມ່ນ ພະການ ແມ່ນອກການ ແມ່ນ ພະການ ແມ່ນອກັ່ນ ມັ້ວ ແມ່ນ ພາງ

ചടിപ്പകൾഷ് മറുംജി പാങ്ങു മറസിഡൻസ് അന്ധാസിയാഷൻ ലാഭാരഹി പി.കെ.ഗോ analagailand, acrust eeeegi apalipt

Justice K.T.Thomas speaks on in a discussion on "Police Reforms in Kerala", conducted by the Centre for Public Policy Research in association with the Ernakulam Public Library at Ernakulam Public Library Hall. Dr. Sebastian Paul and Mr.P.Vijayan, IPS attended the function. (Reported in Mangalam Daily)



IN FOCUZ

EXECUTION OF SADDAM HUSSEIN VICTOR'S JUSTICE?

-Aravind Menon-

On 30th December, 2006, Saddam Hussein was executed. His execution marks the end of an era, which was marred by violence and utmost defiance towards imperialism. His life had mesmerized anti-imperialists and anti-Zionists. But, Saddam Hussein's execution was controversial, as his life, not to mention his trial.

Iraqi invasion is widely seen as an 'act of aggression' by the international legal community ¹. The much publicized trial of Saddam Hussein and the Iraqi top brass, remained controversial from the beginning itself. First of all, America 'vetoed' the idea of an International Tribunal in the lines of ICTR AND ICTY ². They were not enthusiastic in sending him to International Criminal Court. The trial of Saddam and former Iraqi top commanders for their alleged 'Crimes against humanity' was one of the most high profile trials, after the Nuremburg Trials. It's primarily because, after 1945, it was for the first time that the entire top brass of a nation, 'including a sovereign ³' was being tried for International crimes. But in terms of fairness and legality, Saddam's trial cannot be compared with that of Nuremburg trials.



First of all, the charges framed against him, was too trivial, when compared to those crimes which he is alleged to have been committed ⁴. Secondly, right from the onset, the trial procedure was tampered by politics because of the ever present American involvement ⁵. The Iraqi High Tribunal was actually an adhoc tribunal, more over; its statutes were specifically meant to target Saddam ⁶ which seems to have been specifically made to make even a President guilty for Crimes against humanity.

1. UN General Assembly, Resolution 3314(1974 : 143), 'the first use of armed force by one state against another as *prima facie* evidence of an act of aggression", the invasion or attack by the armed forces of a State of the territory of another State, or any [resulting] military occupation, however temporary." As reiterated in *(Military and Paramilitary Activities in and against Nicaragua) Nicaragua .v. USA, Merits, Judgment, I.C.J. Reports 1986.*

2. International Crimes Tribunal for Rwanda and Yugoslavia. Both are adhoc tribunals.

3. In Nuremburg trials, sovereign was not tried, because Hitler committed Suicide. Italy was excluded from trials. In Japan, Emperor Hirohito, was pardoned and excluded from Tokyo Trials, thanks to the efforts of the General Douglas Mc Arthur.

4. Dujail Killings was related to the trial and execution of 148 shias, and the destruction of farmlands. But, much more gruesome crimes such as Chemical attacks on kurds, Al Anfal Campaign, Iran-Iraq War, the suppression of Shia uprising in Basra, the invasion of Kuwait etc were not included.

5. There was a US Embassy's Regime Crimes Liason Office (RCLO), which supervised entire trials proceedings. Moreover, the trial was carried out in the high security 'Green Zone', meant that the trials heavily depended on American Co-operation.

6. Statute of Iraqi Tribunal Article 15 (C), "The official position of any accused person, whether as *president*, prime minister, member of the cabinet, chairman or a member of the Revolutionary Command Council, a member of the Arab Socialist Ba'ath Party Regional Command or Government (or an instrumentality of either) or as a responsible Iraqi Government official or member of the Ba'ath Party or in any other capacity, shall not relieve such person of criminal responsibility nor mitigate punishment. No person is entitled to any immunity with respect to any of the crimes stipulated in Articles 11 to 14".



The trial seems to have violated all the international law principles, especially, the provisions enshrined in the International Covenant for Civil and Political Rights, 1966. A competent administration of court is the 'fulcrum on which the trials pivots'. But the working of the Iragi High Tribunal seems to be plagued by difficulty, which is being characterized under three heads:

- Administrative difficulty. 1.
- 2. Procedural Problems.
- 3. Substantive Problems '.

The existence of an Inquisitorial system meant that the role of the investigative judge was crucial. There was no independent administrative department in IHT, unlike that of the Adhoc Tribunals of Rwanda and Yugoslavia⁸. But the Tribunal had a history of changing two judges, citing different reasons⁹. This created several problems related to 'Victim Witness Protection Unit' and actions of defense office etc.

Article 14 of the ICCPR, 1966, guarantees 'Right to Fair Trial'¹⁰. This entails that every person shall be entitled to fair and public hearing by a competent, independent and impartial tribunal, established by law, before his criminal charges are determined. But, 'Equality of Arms' and 'Presumption of Innocence' ¹¹ unless the contrary is proved beyond all reasonable doubt, which forms the 'bedrock' of a free and fair trial, was violated in the case of Saddam's trial. But, the former principle was violated, as neither the defendant nor his defense councils were given adequate opportunity to put up a good defense. While the prosecution side was given training in 'International Criminal Trials and Procedures', the same was denied to defense. Since, Non-Iraqi's were denied the post of leading councils, there was no person in Iraq, well versed in International Criminal Law. The latter principle was also violated, as the attitude of the Judiciary and that of executive was a pre-determined one. Many, including the Iragi Prime Minster to the Rebel Shia cleric Mugtada Al-Saddar, had openly said that 'Saddam was guilty and deserves death sentence'.

The principle of 'Right to be informed of the charges' ¹² was violated. There was bulldozing of charges against Saddam, and the evidence presented against him, had its authenticity wanting. Moreover, the charges against him were not proved beyond reasonable doubt. Prosecution failed to accrue evidence, which held 'Saddam personally liable for the Dujail killings. But still he was held guilty for 'Crimes against Humanity', and sentenced to death.

THE PRINCIPLE OF 'RIGHT TO BE **INFORMED** OF THE CHARGES' WAS VIOI ATFD



7. Judging Dujail- The First Trial before the Iragi High Tribunal; Vol:18. No. 9 (E), November 2006. Www.hrw.org

8. Id<>They had an independent administrative department called ' Registry'. But Iragi High Tribunal had no such department. Here the administration was in the hands of President of the Tribunal. Also see Guenael Mettraux 'International Crimes and the Adhoc Tribunals', 2005, Oxford University Press.

11. Article 14 (2), of ICCPR, 1966, refers to the fundamental human right of 'presumption of innocence'. 12. Article 14 (3) (a) of ICCPR, 1966.



 ^{9.} Article 4(4) and Article 33 of the IHT statute was grossly abused. While the former allowed the council of ministers to suspend, dismiss or transfer any judge for misconduct. While the latter. Specifically excluded ex- ba'ath party members from holding the posts.
10. "All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and

obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. The press and the public may be excluded from all or part of a trial for reasons of morals, public order (ordre public) or national security in a democratic society, or when the interest of the private lives of the parties so requires, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice; but any judgement rendered in a criminal case or in a suit at law shall be made public except where the interest of juvenile persons otherwise requires or the proceedings concern matrimonial disputes or the guardianship of children"

Iraqi statute had a specific provision for appeal before the 'Cassation Panel', against the verdict of trial court ¹³. Only if the appeal is rejected, then, the execution must take place within 30 days ¹⁴. But it seems that both the Iraqi government and the American government wanted Saddam dead. Iraqi statute had no provision which conferred on the sovereign, the power to grand pardon ¹⁵. This provision is a violation of the Article 6 to the ICCPR ¹⁶. Mr. Nouri Al-Maliki, the Prime Minister of Iraq, told BBC's John Simpson, that Saddam will be executed by the end of this year ¹⁷ months before the court verdict. The apparent haste in which the execution was carried out and the fact that the news of execution was first reported by US controlled news channels even before the Iraqi state television leads to the conclusion that this has the American finger print written all over it.

The gruesome nature of his execution which became evident after an amateur video, apparently from a cell phone, was posted on the internet. He was abused verbally and his body beaten up after the execution. He was not given the basic dignity neither at the time of execution nor after it. This execution will deteriorate the already fragile ethnic situation in Iraq. Everybody, except the United States, acknowledges the fact that Iraq is on the brink of a 'civil war'. The minority Sunni's see Saddam's execution as an attempt by the majority 'Shia-Kurd' government to sideline them. Al-Qaeda has tightened its grip on this region and the warring Shia faction pose a threat to 'Democratic Irag'. With hundreds of civilians and American troops dying, many question as to what will be the condition of Iraq after Saddam. Ironically, Saddam's infamous trials and humiliating execution proved to be counterproductive, not only for the Irag government but also for the Bush Administration. It became an embarrassment for them. Saddam Hussein attained 'Martyrdom', thanks to America and its 'Puppet government' in Iraq.



Execution of Saddam Hussein is the most high profile incident of 2006. When we consider the facts in totality, we can see that the treatment meted out to Saddam was not at all fair. His execution was carried out just before the morning prayers were to begin on the holy day of Bakrid. In the end justice prevailed, but the malady is that it is "Victor's Justice". Saddam Hussein was undoubtedly a dictator; he was ruthless and had committed several atrocities. But Americans are equally responsible for killing about 6 lakh civilians in Iraq and committing numerous atrocities. Whatever may be the case Saddam will leave behind a legacy of a Secular and Progressive leader who defied the imperialist forces till the very end.

14. Section 9, Article 27 (2) of the Iraqi High Tribunal Statute.

17. John Simpson - " Tyrant met his end by with fortitude", December 31, 2006 <u>www.timesonline.co.uk/article/0, 2089-2524471,00.html</u> <> on 21-01-2007.

The writer is a student of National University of Advanced Legal Studies (NUALS), Cochin.



^{15.} Ibid. Section 9, Article 27 (2) "No authority, including the President of the Republic, may grant a pardon or mitigate the punishment issued by the Court".

^{16.} Article 6(1), of the ICCPR, says that, "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life" and Article 6(4), "Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases". Moreover, Iraq had signed and ratified The Second Optional Protocol to ICCPR, 1989, which aimed at abolishing the death penalty.

WAKE UP!

Today we are all proud about the giant strides that our nation is taking in space research programmes under the leadership of Indian Space Research Organisation (ISRO). At this point it would be great if we could remember the great discoveries that our forefathers did thousands of years back in astronomy. We are starting a series from this month onwards dedicated to the profound progress that ancient India achieved in the field of space research.

Ancient Indian astronomers had found out the precise numerical values of the planetary motion in such a time when not many sophisticated instruments were available for them. This is possible only because of the concentration power and subtle thinking capacity earned by them from the Indian culture.

The thorough knowledge of the Indian astronomers is evident in the following sample from Aryabhatta's work about Planetary Motion:

"kakshyaa prathi mandalagaa bhavanthi sarve graha: swamchaaren Manochchaadnulom prathilomam caiva sheekhrochchath."

All the planets whether moving in the orbits or in eccentric circles, move anti-clockwise from their apogees and clockwise from their perigees.

-Aryabhattiyam Chapter 3, Verse 17.

This law was stated in the 5th century A D, much before Johannes Kepler gave the first law of planetary motion in 1609 AD.

(To be contd.)

Courtesy: Awakening Indians to India

JAM

QM.5.

Name the hottest chilli grown on earth.

Answer to QM.4.

The earliest reservoir and dam for irrigation was built in Saurashtra.

Send in your answers to edit@cpprindia.org



REALITY CHECK

ECONOMIC INSTRUMENTS AND ITS IMPORTANCE TO INDIAN ENVIRONMENTAL POLICY

-Anil Parathara-

1. BACKGROUND

The UN Conference on the Human environment (Stockholm declaration, 1972) has been the real impetus on which present environmental policies of developing countries are framed. In the process of globalization world nations have given less heed to environmental matters, causing depletion to the ecosystem that could no longer be ignored. The rapid industrialization and urbanization has caused great environmental concern to the Indian subcontinent. A new industrial revolution is being created in India by promoting foreign investment, export production and providing exemptions in various regulations. In this race towards modernization the environmental regulations are either being compromised or completely ignored. Economic development of a country is correlated to its environmental and social condition, which is often disregarded by many world nations.

Some of the major environmental problems that the world currently faces such as deforestation, loss of biodiversity, ozone depletion, global climate change, pollution and over-consumption of natural resources have a direct impact on our ability to develop our economy and the health of people, plants and animals ¹. Scholars have long recognized the interdependence of economic, environmental and social factors as a triangular relationship. The first clear enunciation of this interdependence came as the result of a report commissioned by the United Nations Commission on Economic Development known both as the Brundtland Report and Our Common Future ². This report defined the term "Sustainable Development" as "development which meets the needs of the present without compromising the ability of future generations to meet their own needs.³" Sustainable development has been a guiding principle for the international community since the 1992 Earth Summit. For attaining the goal of sustainable development the entities, organizations, public bodies and individuals should be regulated by an environmental policy which is both cost and transaction effective.

2. ECONOMIC INSTRUMENTS V. COMMAND AND CONTROL INSTRUMENTS

For the past two decades regulations for environmental concerns were conventionally carried on by centrally-planned command and control (CAC) instruments in the form of fines, penalties and threats of legal action for closure of the factories and imprisonment of the owners. Regulators, environmentalists, and industry alike tended to be more comfortable with the familiar terrain of traditional regulation ⁴. Due to inherent administrative difficulties in the implementation of (CAC) methods governments nowadays rely more on market based instruments popularly known as economic instruments. Environmental economic instruments are a market mechanism in contrast to regulatory instruments which work by command and control and have no element of market choice. In the 1980's, the OECD⁵ recognized the potential application of economic instruments, and began to give the concept wider circulation amongst policymakers. This combined with the increasing awareness of the limits of traditional regulatory enforcement, has led to the growing acceptance and use of economic instruments in western industrial states ⁶. Today, economic instruments are regarded by many as 'the hottest growth industry in environmental law'⁷

^{7.} W.E. Orts, 'Reflexive Environmental Law' (1995) 89 Norhtwestern University Law Review 1227 at 1241



^{1.} Nicole C. Kibert, Extended product responsibility: A tool for achieving sustainable development: Journal of Land Use and Environmental Law; (Spring 2004); 19 at 503; Florida State University; USA

^{2.} World Commission on Environment and Development, Our Common Future (Oxford University Press 1987). 3. Id

^{4.} S. Kelman, 'Economic Incentives and Environmental Policy: Politics, ideology, and philosophy' in T. Schelling (ed), Incentives for Environmental protection (1983), MIT Press, US, pp. 291-331

^{5.} Organization for Economic Co-operation and development

^{6.} R. Eckersley, Markets, the State and the Environment (1995), Macmillan Press, Melbourne; and E. Rehbinder, 'Environmental Regulation Through Fiscal and Economic Incentives in a Federalist System' (1993) 20 Ecology Law Quarterly 57-83

BACKBONE OF ECONOMIC INSTRUMENTS

. The polluter pays principle can be regarded as the backbone on which present economic instruments are designed. This principle requires that each actor in the production and consumption process shall be responsible for the pollution linked to its activities. Panayotou has classified economic instruments to the following categories which are the most comprehensive one among all. They are property rights, market creation, fiscal instruments and charge systems, financial instruments, liability instruments, performance bonds, and deposit refund systems⁸. All the above mentioned instruments are formed from the principle polluter pays which means the creator of pollution has to bear its costs. The efficiency of any regulatory mechanism depends on its efficiency to commensurate the cost of the product with environmental impact of the product.

INDIAN ENVIRONMENTAL STATUTORY FRAMEWORK AND ECONOMIC INCENTIVES

The principal sources of our environmental law are the Constitution, environmental legislations, international environmental treaties, Central regulations, State regulations, local laws and interpretations of the law through various decisions of courts. Environmental jurisprudence in India made a beginning in the mid-seventies when Parliament enacted the Water (Prevention and Control of Pollution) Act, 1974. But soon, there was a quantum leap with the amendment of our Constitution in 1976 and incorporation of Article 48-A^{\circ} in the Directive Principles of State Policy and Article 51-A(g) ¹⁰ in the Fundamental Duties of every citizen of India. Both these Articles unequivocally provide for protection and improvement of the environment. Inevitably, Parliament enacted the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986. With this core group of three enactments, a modest beginning was made by Parliament.

The Government of India came out with a Policy Statement for abatement of Pollution in 1992, which declared that market-based approaches would be considered in controlling pollution. It stated that economic instruments will be investigated to encourage the shift from curative to preventive measures, internalize the costs of pollution and conserve resources, particularly water. In 1995, the Ministry of Environment and Forest (MoEF) which is now the apex administrative body for environmental protection constituted a task force to evaluate marketbased instruments, which strongly advocated their use for the abatement of industrial pollution. Various economic incentives have been used to supplement the command-and-control policies. Depreciation allowances, exemptions from excise or customs duty payment, and arrangement of soft loans for the adoption of clean technologies are instances of such incentives. Each actor in the production and consumption process shall be responsible for the pollution linked to its activities

^{10.} Fundamental duties It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.



^{8.} T. Panayotou, Economic Instruments for Environmnetal Management and Sustainable Development (1994), a report to the UNEP. Expert policy Instruments for Environmental Management, Nairobi, August 1994.

^{9.} Protection and improvement of environment and safeguarding of forests and wildlife. The State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.

NEED FOR A PARADIGM SHIFT

Compared to most other developing countries, India has a fairly comprehensive array of laws that address a wide range of environmental concerns. However, despite the amount of legislation, India's environment has continued to deteriorate, the pace of which has increased by the introduction of enhanced economic liberalization. This made the administrative bodies to turn their attention to other alternative instruments for effective environmental management.

Alternative institutions for the control of environmental pollution are (a) Market, (b) Government and (c) Community or Associations of people ¹¹. A sustainable development can be achieved only if the true environmental costs of all inputs and products are reflected in the market price. When markets and government policies fail to factor in the true price of the ecosystem, the communities can induce the government/industry to take action and correct for adverse effects in the system. Thus a community can potentially play a significant role in the environmental management of an economy, besides the government (regulator) and the industry.¹²

A paradigm shift has taken place in the formulation of environmental regulatory laws by incorporating both non-market based and market based instruments for an effective environmental administration. Indian government is now giving more concern towards the economic instrument for environmental regulations. As business decisions are driven by financial considerations, the ideal way to incorporate environmental improvements into day-to-day business decisions would be to implement the polluter-pays principle and to make sure that all environmental effects were ultimately integrated into the cost of products, services and processes.

Our government should experiment with more market based instruments for regulating the entities and consumers who cause pollution which can be achieved only through a tripartite mechanism consisting of the government, industries and community. Where the governments and industries fail, individuals and communities can raise their voice and come forward for effective regulation. The influence of Indian community in the regulatory mechanism is evident from the numerous Public Interest Litigation filed by individuals, communities and other non governmental organizations. Thus the inclusion of economic instruments along with the traditional command and control methods is vital for the sustainable development of our country.

11. M.N Murthy, 'Economic Instruments in Assimilative Based Environment: A Case Study of Water Pollution Abatement by Industries in India', (Oct 2002) Institute of Economic Growth, New Delhi at p.2

A sustainable development can be achieved only if the true environmental costs of all inputs and products are reflected in the market price.



^{12.} S. Aparna, 'Managing Pollution: PIL as Indirect Market-based Tool', Source at www.epw.org.in

BIBLIOGRAPHY

Books

- 1. T. Schelling, Incentives for Environmental Protection (1983), MIT Press, US.
- 2. R. Eckersley, Markets, the State and the Environment (1995), Macmillan Press, Melbourne.
- 3. G. Neil, G. Peter & S. Darren, 'Smart Regulation; Designing Environmental Policy'(1998)1 Ed, Oxford University press, UK
- 4. F.M. John & M. Sharron, 'Environmental Law and Regulation', (2001)Blackstone press, U.K.

Articles

1. Nicole C. Kibert, Extended product responsibility: A tool for achieving sustainable development: Journal of Land Use and Environmental Law; Spring 2004; Vol 19; Florida State University; USA.

2. E. Rehbinder, 'Environmental Regulation through Fiscal and Economic Incentives in a Federalist System' (1993) 20 Ecology Law Quarterly.

3. W.E. Orts, 'Reflexive Environmental Law' (1995) 89 Norhtwestern University Law Review.

4. M.N Murthy, 'Economic Instruments in Assimilative Based Environment: A Case Study of Water Pollution Abatement by Industries in India', (Oct 2002) Institute of Economic Growth, New Delhi.

5. S. Aparna, 'Managing Pollution: PIL as Indirect Market-based Tool', Source at www.epw.org.in

Journals

- 1. Florida State University Journal of Land Use and Environmental Law
- 2. Norhtwestern University Law Review
- 3. Ecology Law Quarterly

Reports

1. The Brundland Report or Our Common Future (Oxford university Press, 1987)

2. T. Panayotou, Economic Instruments for Environmental Management and Sustainable Development (1994), a report to the UNEP. Expert policy Instruments for Environmental Management, Nairobi, August 1994.

Websites

- 1. www.epw.org.in
- 2. www.indiasocial.org
- 3. wwfindia.org
- 4. www.indlaw.com
- 5. www.wpublisher.com

The writer is a Final year LL.B. student of Govt. Law College, Thrissur

REFLECTIONS

The Broken Window Pane

Just looking out into the lane Through the broken window pane. A thousand hearts burning A thousand faces turning Dusky moments, Mounting pain Sweat and Blood, efforts in vain Lifeless lives piling, Death is everywhere smiling. Raised hands, those never got help If you want, help yourself. In the lanes, yesterday They used to laugh, merry and play. And today I see Something that can't be. The haunting cries, none to hear No one to wipe, those bloody tears. Now I never look out into the lane And I have sealed the window pane...

One-Day Workshop on RTI Act

A Report by Harishankar K.S.

The Ernakulam Insurance Institute in association with CPPR arranged a "One-Day Workshop on RTI Act" on Friday, 19th January 2007 at Hotel Gaanam, Ernakulam. The Program was aimed at training the Public Information Officers of Insurance sector in the State, and to advance their understanding as to how they should deliver their duties contemplated under the Act.

The State Information Commissioner, Mr. V.V.Giri, inaugurated the workshop at 10:30am and addressed the participants in the morning session. He also shared his experience as the State Information Commissioner of the State for the last one year.

As far as CPPR is concerned, this was a special occasion, as it was for the first time that the Team CPPR was addressing a group of PIOs, since the start of the RTI campaign. During the past one year the team had organized about 26 workshops throughout Kerala for the general public as a part of the campaign. This time around 80 PIOs, including the Divisional and Branch Managers, of different public sector insurance companies like, LIC, GIC and New India Insurance Co. were the audience.

After the inaugural speech by the Chief Guest Mr. V.V.Giri, the morning session was handled by Mr.Harishankar (Law Student and CPPR Member). Mr.Harishankar gave the participants a brief idea about the contents of the RTI Act, 2005. He enlightened the audience about the duties of PIOs and other legal aspects of the Act. A PowerPoint presentation on RTI Act prepared by Mr.T.V.Vinu (Law Student and CPPR Member) was also presented. It also covered the history and other salient feature of the Act.

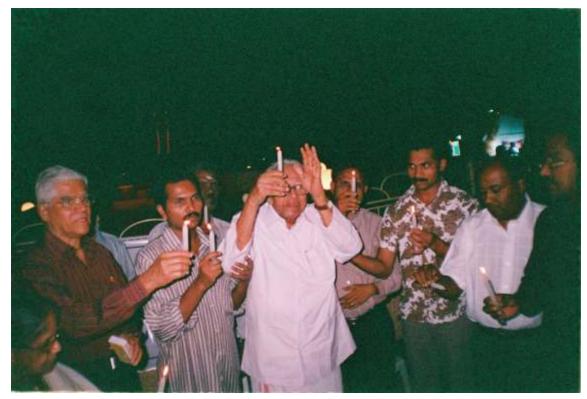
Later an interactive session with the participants was lead by Mr.D.Dhanuraj (Chairman CPPR). He clarified the doubts raised by the participants regarding the RTI Act and its implementation. He also shared some of his experiences as a part of the National Campaign For RTI along with other organizations like the CCS, Parivarthan, etc.

The post lunch sessionwas handled by Adv.D.B.Binu (Advocate, High Court of Kerala). He revealed some shocking incidents he witnessed as a front-runner in the campaign for RTI Act in the State. He is of the belief that this Act will definitely bring drastic change in the Governance of this Country. He advised the PIOs present in the workshop to take the Act in its positive sense.

The one-day workshop was concluded by 4:30PM in the evening. All the participants were given a copy of "Right to Information Act, 2005", published by the Govt. of India.



PHOTO GALLERY



Lighting the Candles at Gandhi square- Justice V.R.Krishna lyer speaks on the occasion



Mr.V.V.Giri, State Information Commissioner, giving a speech at the seminar conducted by Centre for Public Policy Research in association with the Ernakulam Public Library, at the Ernakulam Public Library Hall.





RTI Act campaign at Ernakulam carnival



RTI Campaign- We don't spare any one.



REVERBERATIONS

MindText has exceeded my expectations in bringing out the voice of the youth on a more vibrant level than most other e-magazines. MindText stands out from the crowd for its superior thought process and refreshing design implementations.

Even then, I would suggest to include more articles on what the youth can achieve. I believe that MindText can be a supporting platform for displaying greater level of thinking and making a difference.

-Abhay

-End of Document-

