

# THE HINDU



**Editorial Discussion\_ 27 May 2017**

The loss of innocence

India over the years has learnt the lessons of stoking animosities. Is it unlearning those lessons now?



Red tape berring?

Thinking the 1978 gas guidelines are almost 50 years old is to be misled

Nearly four months after Finance Minister Arun Jaitley presented his budget proposal to the Lok Sabha, the Finance Minister, Arun Jaitley, has received a nod from the Union Government to amend the 1978 Gas Guidelines... The gas guidelines, which were introduced in 1978, were a landmark step in the liberalisation of the Indian economy...



Author's photo

The year's biggest challenge is the 1978 Gas Guidelines. The Union Government has decided to amend the 1978 Gas Guidelines. This move is seen as a step towards liberalising the gas market and promoting competition...

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A rewriting of Nehru?

Appreciating India's first Prime Minister on his death anniversary



Portrait of Jawahar Lal Nehru

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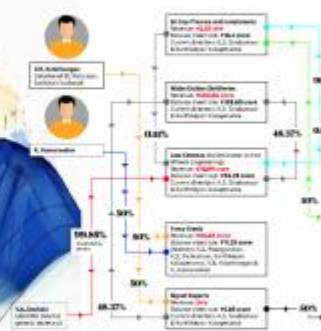
LETTERS TO THE EDITOR

Various short letters and comments from readers. Topics include the 1978 Gas Guidelines, the rewriting of Nehru's history, and other current events.

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The Sasikala web

A maze of shell companies with fake addresses, no business activity and large transactions link up in myriad ways to U.S. Sasikala last family and friends



Missing People: Fake Addresses

The Sasikala Natarajan group has a maze of shell companies with fake addresses, no business activity and large transactions link up in myriad ways to U.S. Sasikala last family and friends. The companies are located in various states across India and have no visible business activity...

Another Lehman

Is the Indian banking system under stress?

The Indian banking system is under stress. The Union Government is trying to resolve the issues. This move is seen as a step towards resolving the issues of the Indian banking system...

Other companies on the web

Table with columns for Company Name, Location, and Status. Lists various companies mentioned in the article.

Fans' Starch

Various celebrities and public figures are mentioned in this section, discussing their public lives and the media's role in their lives.

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## Red tape herring?

- ❑ With the rest of the world **turning protectionist**, India needs to remove the vestiges of impediments to inflow of capital.
- ❑ **FIPB acted more like a middleman** and was made up of five secretaries and discussed FDI proposals with several ministries.
- ❑ It seems more logical if the ministries take decisions directly on proposals concerning their ministry.
- ❑ it was also **getting redundant** with more than 90-95 per cent of investment coming in through the automatic route.



# FIPB Abolition

- ❑ FIPB was set up in the early 1990s as an inter-ministerial mechanism to vet investment proposals from abroad.
- ❑ 11 sectors that are still **not in the automatic FDI approval** list.
- ❑ The department would have to be **consulted by line ministries, which have been empowered to take** 'independent' decisions on investments proposed in their domains.
- ❑ Cumbersome rules, **not the FIPB, have been responsible** for a less than enthusiastic response from foreign investors in some sectors.
- ❑ For instance, global insurers can hold up to 49% ownership in Indian ventures but only if Indians retain management and control over these entities – this is an onerous definition of control that has inhibited deal-making.
- ❑ Archaic land acquisition and labour laws continue to make it difficult for large factories to come up.

## QUESTION

**Abolition of FIPB was bold move but still more needs to be done to make India favourite destination for FDI. Comment**

## Towards responsive justice system: Compensation for false arrests must be mandatory

- ❑ No way to compensate for the mental agony, the fact of **families being destroyed** due to various reasons including the main **bread-winner being in jail** or the damage to reputation
- ❑ Rudul Sah vs state of Bihar in 1983, for the first time, the Supreme Court (SC) addressed this issue of compensation for violation of fundamental rights;
- ❑ In the case of those acquitted in the Akshardham case in 2014, SC took a different view and said that an award or a compensation would set a dangerous precedent.
- ❑ in the case of Ahmed Wani—an accused in the 2000 Sabarmati Express blast case—Barabanki court has taken a tough stance, albeit
- ❑ Barabanki district court has asked the state to award Wani compensation for the years lost behind bars
- ❑ .

## Contd...

- ❑ SC should take **a proactive role** in the matter and, after reviewing its own judgements in the past, make compensation an automatic extension of acquittal
- ❑ In New Zealand, for instance, there are guidelines for determining pecuniary and non-pecuniary losses, with a starting point of NZ\$100,000 for every year served in jail.
- ❑ Compensation is one way to atone for damages caused by the state