

REFLECTIONS OF ENLIGHTENED YOUNG MINDS

- *Safety of Women, White Collar Crimes,
Civil Society and Good Governance*

**Kush Ganatra, Varsha Srinivasan,
Vasudha Ramakrishna and
Dr. Sabeena Gonsalves**



FORUM
OF FREE ENTERPRISE

*"Free Enterprise was born **with** man and shall survive as long as man survives".*

- A. D. Shroff
Founder-President
Forum of Free Enterprise

SHAILESH KAPADIA

(24-12-1949 – 19-10-1988)

Late Mr. Shailesh Kapadia, FCA, was a Chartered Accountant by profession and was a partner of M/s G.M. Kapadia & Co. and M/s Kapadia Associates, Chartered Accountants, Mumbai.

Shailesh qualified as a Chartered Accountant in 1974 after completing his Articles with M/s Dalal & Shah and M/s G.M. Kapadia & Co., Chartered Accountants, Mumbai. Shailesh had done his schooling at Scindia School, Gwalior and he graduated in Commerce from the Sydenham College of Commerce & Economics, Mumbai, in 1970.

Shailesh enjoyed the confidence of clients, colleagues and friends. He had a charming personality and was able to achieve almost every task allotted to him. In his short but dynamic professional career, spanning over fourteen years, Shailesh held important positions in various professional and public institutions.

Shailesh's leadership qualities came to the fore when he was the President of the Bombay Chartered Accountants' Society in the year 1982-83. During his tenure he successfully organized the Third Regional Conference at Mumbai.

Shailesh was member, Institute of Fiscal Studies, U.K.; member of the Law Committee and Vice-Chairman of the Direct Taxation Committee, Indian Merchants' Chamber. He was also a Director of several public companies in India and Trustee of various public Charitable Trusts.

He regularly contributed papers on diverse subjects of professional interest at refresher courses, seminars and conferences organised by professional bodies.

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Introduction

Effective public speaking has been described as "the most potent tool" for achieving success in public life by the Guru, Dale Carnegie. It is the shortest step to progression in one's career.

A.D. Shroff, Nani Palkhivala and M.R. Pai, who were actively connected with the Forum, were effective communicators, besides their great prowess in their respective fields. Therefore the Forum is fortunate to be involved in celebrating the 26th of January each year as Annual Youth Day in Mumbai when the A.D. Shroff Memorial Inter-Collegiate Elocution Contest (for colleges in Mumbai), the Nani A. Palkhivala Memorial Elocution Contest (for students of Law colleges located in and around Mumbai) and the M.R. Pai Memorial Inter-School Elocution Contest (for schools in and around Mumbai) are held. The Contests are held under the aegis of the three Trusts, named after the three eminent persons named above.

The Annual Contests have evolved with passage of time. The presentations, preparation and eloquence on the part of young students have matured. This is most heartening. What is even more pleasing is the time and effort put in by the participants and the gusto with which the speeches are delivered.

Many of the judges in these contests have observed that they are fascinated with the fluency and

confidence displayed by the youth and which can surpass many seasoned speakers. While, we do our best to recognize and give awards to the winners, picking the winners has become a Hobson's choice as most of the participants display such oratorical skills. This is, indeed a great augury for the future.

My colleagues and I are thrilled at witnessing such empowerment amongst the youth. We are sure it will only get better as we go along and many of the participants will flower into eminent public speakers.

The main object of the **A.D. Shroff Memorial Elocution Competition**, conducted since 1965-66, is to encourage young college students to think and speak on economic subjects. To date over 4,000 competitions have been held in 13 states in which over 45,000 students have participated. Many of them now occupy important positions in business, industry and public life.

The 49th **A.D. Shroff Memorial Inter-Collegiate Elocution Contest** in Mumbai was held on 26th January 2014. In this booklet the speeches delivered by the four prize-winners are published. The precision exercised in compressing their thoughts is admirable. The Forum thought it befitting to publish these presentations to motivate youngsters to engage more actively in public life.

Minoo R. Shroff
President

March 4, 2014

Forum of Free Enterprise

REFLECTIONS OF ENLIGHTENED YOUNG MINDS*

I

Role of Civil Society in Ensuring Safety of Women

by

Kush Ganatra*

I'd like to state, at the outset, that you're welcome to discount anything and everything I say from here on. I'm male. No matter how much I try to close my eyes and put myself in a woman's position, I will never in my darkest nightmares be able to fully comprehend the sheer sense of violation and powerlessness that an act like domestic violence or rape can inflict on a woman.

There's no silver lining to this cloud. The closest thing to it is the fact that society has initiated a conversation. A conversation that we should have

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had years ago, a conversation every parent in this country should have had with his or her children. But they didn't and as a result a conversation that should have been pre-emptive is now reactionary and like all things reactionary it's shrill, hysterical and a little too late!

There are women who claim they face it every day, the moment they step out and at times even at home. One of the most fundamental things we can do is stop being mute spectators and act. Domestic violence for example is something that is ignored in the garb of "ghar ka mamla hai" and so on and so forth. We always run away from addressing issues. Unfortunately, people are more horrified by a rape joke than a rapist getting away. For starters that attitude needs to change!

According to a recent survey of the G20 nations, India is actually the worst place to be a woman, ahead of Saudi Arabia. It takes real talent to fall behind Saudi, a country where a woman could get whipped for showing too much eyelash.

In the case of rape, castrate the guilty, screams the gallery. The jury's out on whether that'd change anything, but let's assume it would. Even if you did assume that, you'd have to remember that castration is punishment, the part that comes later. To earn a punishment, first you need to get convicted. According to the National Crime Bureau records, in 2010, less than 30 per cent of reported

rape cases resulted in a conviction. Add the thousands of rapes that never even make it to the police list and the figure is even more dismal. The legal system requires urgent tweaks in order to set examples that such acts are going to send you in for good! Isn't the obvious step ensuring that those who are guilty of committing such crimes don't make it to the streets? Is that happening?

What we need to do, is: look into the fabric of what we call our culture, and ask ourselves why and how we've created an environment where somebody feels like it's okay to do this at all. Our society's attitude towards women is reflected very clearly every time we listen to the number of cases of female foeticide.

The catchall phrase in use is "We need to teach men and children to respect women." I think we might need to go further back into the DNA of the Indian male and first teach him a thing or two about himself. Teach him that even if he thinks "she invited it on herself", he needs to turn that invitation down. And maybe we need to stop equating masculinity with the power to take things from people at will. Men are not born biologically violent — we make them so. Boys and men are raised in our society to think that we are men because we demand, we take, we win, we conquer. We cannot legislate good behaviour, as the saying goes, we have to build its DNA — in schools, in homes, in public

spaces, in our media, which obviously has been in the eye of the storm after a certain magazine head honcho asked for and I quote "six months of penance to lacerate himself " after a lapse of judgment in a lift!. Also our outrage is fuelled by vested interest most of the time. Ask Vijay Jolly! You have to appreciate the genius in (supposedly) taking a pro-women stance by harassing a woman. It's like showing your support for PETA by using an ivory bat to club baby seals.

We unfortunately never take a STAND in the true sense of the word. A tweet or Facebook status is not going to change society. No one is ready to spare some time and act. People are too busy in trying to enrich their lives not realizing that the very environment that surrounds them is crumbling and it is these very busy people that predict the fate of our country every morning reading their newspapers, sipping their tea.

At the end of the day, we can only hope for a better, safer India if we stop blaming others and show more courage and stand up for each other. The truth is if one of those who were around had stopped that fateful night and picked up the girl who lay bleeding on the street for two hours, taken her to hospital, she could well have been alive today. They didn't. They didn't care enough. Not all the outrage, not all the candlelight marches can hide that simple, tragic fact. Rape is awful. Indifference

is infinitely worse. Maybe society if it looks beyond the superficial anger and acts to work on that rusting legal system of ours, and THOSE sexist and regressive mindsets we could look at a safer society for women.

II

White Collar Crimes and their Economic Implications

by

Varsha Srinivasan*

Let's assume, I've got a box here. I put in 200 rupees and you contribute 200 rupees. Now I'm willing to sell this 400 rupees worth box to you for 300 rupees. You're very happy you make a profit of 100. You get 400 rupees in return for 300. But why would I do that? Because I am making a gain of 100 too. I put in 200 but sell it for 300.

Handsome deal, isn't it? So let us repeat this process multiple number of times and make more money? But how long before you realise that you have been conned here? This is manipulation. You spend a totality of 500 rupees just to get 400 in return.

Lying, cheating, stealing, this is precisely what white collar crime is all about. Except that it is a 100 rupees here but it is a 100 billion there.

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A single scam can destroy a company, it can devastate families by wiping out their life savings, it can cost investors millions and millions, or sometimes even all the three, as in the case of Enron. On 2nd December 2001, when the scam was unearthed, the shares which were once quoting at 34\$ were now seen selling for cents. Another stark example was the Lehman Brothers' case. Not only did the share price crash, hundreds of employed lost their jobs. An ever bigger illustration would be the worldcom scam. Believe me or not, 33000 employees lost their jobs on a single day. What can be the economic implications of such large scale layoffs.

It means that all these 33000 are going to rush into the labour market at the same time, willing to work at the lowest labour rates, thousands will default on their bills and mortgage payments.

The economy loses the productivity of a once employed person who now becomes a mere burden on the system. According to data estimated by the United Nations Millennium project, there is an annual revenue loss of 500 trillion dollars due to white collar crimes.

A prudent man once said if you want to discover the truth, follow the money. The street crime, especially snatching and motor vehicle theft, was relatively down compared to 2010.

The year 2011 truly belonged to the faceless white-collar criminals. The numbers of such criminals arrested by the crime branch that year saw a massive increase — 108 per cent — as 148 people were arrested for dabbling in white-collar crime as opposed to just 71 in 2010. The slick and sophisticated term "white collar" crime envisages as many as 25 types of frauds. Some of the most prominent ones are bank fraud, computer fraud, insurance fraud, credit card fraud, cellular phone fraud, bribery, embezzlement, investment schemes fraud, insider trading, forgery, blackmail and the list goes on.

What makes white-collar crime so tempting? One reason is that a person who steals from a business can rationalize that his or her theft will hardly put a dent in the CEO's handsome salary. In an episode of the television series "The Simpsons," Homer Simpson rationalizes committing insurance fraud by figuring that the only effect will be that his boss will have to go without buying an "ivory back-scratcher." Although white collar criminals might like to think that they're cheating only highly-compensated executives, these crimes can have a devastating ripple effect.

Even if fraud is suspected, there are no bloody footprints, no DNA evidence, no eyewitnesses and no smoking gun. People who commit white-collar crimes are sometimes the same kind of people who

are in a position to see to it that their crimes are not defined too detrimental.

These crimes not only impact the economy by increasing the cost of doing business, it affects the industry competitors too.

With world com's sales touting in billions, they often served as a benchmark for the market players. And when such a huge industry giant crashed, so unexpectedly, all the numerics, all the math in the industry went wrong. And the whole telecom sector shivered for a moment. And when we are talking about the telecom sector, how can one miss to mention the 2G scam, Kalmadi ji and the more recent Lajuji?

Politicians and businessmen are just the tip of the proverbial iceberg. If illegal abortions and misrepresentations at court committed by professionals like doctors and lawyers are not white collar crimes, then what is?

There are two schools of thought while contemplating on this topic. One says that these crimes impair development, the other says white collar crimes are just a side effect of prosperity. Irrespective of which school you belong to it is a well established fact that white collar crimes severely affect the world economy. White collar crimes influence the extent to which national and regional stability can be achieved. Poor and developing nations rely on public and private organizations to invest and

grow their economies. This creates jobs and tax revenue. When white collar crimes increase and are directed particularly at private organizations, these organizations reduce investments, have fewer people, and generate lesser tax revenue. In some cases, businesses that become targets of white collar crimes are forced out of the economy. This decreases the likelihood that similar businesses will invest in the region. This in turn influences the warlords & criminal elements as they become the primary source of employment opportunities which is seen particularly in many African nations. And hence for the economic prosperity & stability, white collar crimes need to be restrained before the fire burns the entire economy. But the sad truth is, they do not receive the right amount of attention that they ought to. Probably because, it is not as dramatic as a scandalous murder mystery or an outrageous rape.

But conceptually thinking, one of the largest dangers of a white collar crime is the amount of unaccounted money that it infuses into the economy. Not only does the government lose its share of tax but the purchasing power gets concentrated in the hands of a few people who commit the crime. And we have all read in our economics textbooks, the good old definition, when too much money chases too few goods it causes inflation.

These white collar criminals are not hardened muscled up men, they are normal everyday people like you and me. You never know, your well mannered neighbour who tips his hat at you every day at the corridor, may be a white collar criminal.

So I say, watch out everybody. A man whom you don't know, looting a 600 billion dollar company that you are not related with may be the reason you paid rupees 60 for your onions a couple of months back. And now, even for your tomatoes!

III

Good Governance is the need of the hour

by

Vasudha Ramakrishna*

Governance, as a concept goes back 2500 years, deriving from Greek naval terminology, kubernesis, and referred to as the act of piloting a ship – both by providing direction to accomplish the ship's purpose and by ensuring its protection in that process.

Governance is a universal, overarching concept which refers to the decision making process and its implementation in a social institution or social set up. It is thus a model of management which ensures that an organization produces a worthwhile pattern of good results while avoiding an undesirable pattern of bad circumstances.

Governance, being an important process in the management of an organization has also been assigned certain standards. The degree to which

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these standards are achieved is indicative of the efficacy of the organization. Here in, the concepts of good and bad governance come in.

What comes to mind when one thinks of good governance? We think of a multi party government, people's, participation, accountability, equitability, efficiency, and observance of the rule of law.

India faces many challenges. For solving these challenges decisions and actions have to be taken. Any decision making process involves some judgment. In the last few years, a lot of questions have been raised on judgments whether they are right or wrong, in the name of good governance. This has led to an environment where there is a policy and action paralysis.

Development thus languishes and costs escalate, implementation is slow and policy on critical areas is in a limbo.

For instance, one of the key elements of progress for our country's infrastructure development is power. 1,35,453 MW of power was required in the previous fiscal year, however a 12,000 MW deficit was recorded due to projects pending clearance and policy issues on coal and fuel allotment, again in the name of good governance.

Mumbai, the commercial capital, needs implementation of many projects to sustain its mounting population, such as the Transport

projects like the Trans harborlink, the airport, metro etc. Inordinate time has elapsed in evolving a policy and in clearing these projects, whereby the city is sinking into a morass overwhelmed by the influx of humanity.

So, this conventional notion of good governance, whatever margin we have of it is no good in India, at least in the immediate future. Yes good governance is the need of the hour, but not this version of it. We need to redefine good governance for India's immediate short term requirements...

So, good governance is the need of the hour.

This form needs to have more emphasis on expeditious, decisive action. Enough emphasis has been laid on putting structures and frameworks in place, we now need to invest in the implementation front. A quip on the Indian government, which is presently invested only in committees, reports and inquiries goes like this, " first God created a beautiful, sturdy horse, he then appointed a high order working committee to improve upon his creation. The committee reengineered the horse and the donkey was born!"

So if policy were analogous with this horse, what we need to do is stop stifling it with unnecessary grooming processes, and set the horse free!

IV

Role of Civil Society in Ensuring Safety of Women

by

Dr. Sabeena Gonsalves*

S*afety of Women* - These are words which have been in the spotlight due to the spate of women-related horrendous crimes that have shaken up our nation. These crimes are varied. They range from female foeticide, domestic violence, acid attacks, rapes, brutal gang rapes, immoral trafficking, molestation, voyeurism, stalking, cases of incest, sexual harassment, sexual assault, obscene MMS crimes, dowry harassment, dowry deaths...the list goes on.

Whom do we hold responsible for all these heinous crimes? Is it only the male perpetrators who are to be wholly blamed? Isn't it the culmination of various other factors that lead to the commission of a crime?

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A psychologically faulty upbringing, habituation to coercive control, the wrong peer group, the regressive rudimentary mindset of people or then our ancient traditionally conservative patriarchal code whereby from a very tender age, it is inculcated into the minds of the young male members that women are supposedly the weaker sex in society and that men are always to be considered superior in every sphere of life!

What is even more ghastly is that in many cases, it is a woman who turns out to be another woman's worst enemy. This woman could be in the form of a greed struck mother-in-law, a nasty sister-in-law, a viscous step mother, a cruel aunt, an insensitive mother, mistress/s of the married man, the ill famed 'madams' of various brothels and bordellos where naïve, innocent girls are traded on a daily basis and their lives are ruined forever.

As per the National Crime Records Bureau, the statistical figure for crimes related to women in the year 2012 across India has been 2,44,270 of which, the figures for the state of Maharashtra alone are 16,353.

These are only the figures of the crimes which have been reported by the unfortunate but very brave women who comprise of merely 20% of the actual female victims. Most of the times, these crimes are unreported due to the social stigma and ostracism, fear psychosis, family or parental pressures etc.

It is very unfortunate that although India is a country that worships its mythical Goddesses like Durga, Saraswati and Laksmhi, it mistreats its real life Durgas, Sarawatis, & Lakshmis amongst others.

The point we need to ponder upon is at what level & when do all these crimes stop? Many a times we read and listen to discussions pertaining to the role of a so called "Civil Society" in ensuring the safety of women, BUT how many of us actually understand the true meaning of a civil society? What comprises a civil society? Is it the 'literate strength'? the 'Urban environment'? OR the 'lifestyle of the people' that constitute a civil society?

NO, None of these!

The core constituents determining a civil society are, the unbiased and modest upbringing of a person be it male or a female, the sensitivity, emotionality and thoughtful expressions portrayed towards an issue, freedom of speech, an uncompromising right to life and liberty, an independent judiciary which is prompt and efficient in its deliverance of justice, a swift and non-corrupt law enforcement agency and finally, educational awareness (Here again, by educational awareness it is not necessary that the person ought to be literate. A person may be illiterate but educated enough to know of the repercussions of his/her act).

In a civil society, the men respect women, the husbands treat their wives as equals and there is no discrimination of any sort between the daughters and sons of the house. The civil society does NOT play the blame game or point a finger at the woman and say that 'It's Your Fault' for all the wrongs that happen to you. Infact. women are wholeheartedly protected, supported, educated, guided, made aware of their rights and an empathetic approach towards their needs and requirement is followed.

The civil society very well recognizes the fact that Gender/ Sex does not lie between the legs, it lies between the ears - that is, within the MIND of a person. When women are empowered and educated, they learn 'NOT to be silent sufferers' or tolerate any sort of violence. They gain the courage and get bold enough to say STOP to any kind of atrocity inflicted upon them or those around. This is the basic role of a civil society in ensuring the safety of women.

There is a famous phrase which goes as, 'Hell hath no fury like a woman scorned'. If our civil society fails to ensure the safety of women, the constant suppression and imbalance will reach a point whereby women will start taking the law in their hands and justify every act they do in retaliation to the bigoted behavior of society that they have been enduring all along. God forbid, but if this ever

happens, then the day won't be far when there will be discussions on 'The Role of Civil Society in ensuring the Safety of MEN!'

Think about it...

The views expressed in this booklet are not necessarily those of the Forum of Free Enterprise.

"People must come to accept private enterprise not as a necessary evil, but as an affirmative good".

- Eugene Black
*Former President,
World Bank*

FORUM

OF FREE ENTERPRISE

The Forum of Free Enterprise is a non-political and non-partisan organisation started in 1956, to educate public opinion in India on free enterprise and its close relationship with the democratic way of life. The Forum seeks to stimulate public thinking on vital economic problems through booklets, meetings, and other means as befit a democratic society.

In recent years the Forum has also been focusing on the youth with a view to developing good and well-informed citizenship. A number of youth activities including essay and elocution contests and leadership training camps are organised every year towards this goal.

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