INTRODUCTION

The Gandhi Smriti Library has brought out a revised service in a new shape entitled Editorials: a Compendium”. The main objective is to disseminate the information about classified various editorials and opinions appeared in various leading daily Newspapers of India. This bulletin is released on weekly basis.

This bulletin is the most important Primary publication. It is designed to meet mainly needs that with the help of editorials and opinions, one is able to enrich his knowledge of each of the items included. It is produced by scanning, selecting and compiling relevant news from about 07 major Newspapers from all over the country. The purpose of editorial is to create awareness and to improve the effectiveness and efficiency of Faculties, research scholars, teachers, students, instructors and trainees through the identification of best commentary on different subjects.

SCOPE

This bulletin covers editorials on the various disciplines, which are extracted from 07 Newspapers. The period is covered from 1-7 March 2017.

ARRANGEMENT OF ENTRIES

The entries are made under the subjects, which are arranged alphabetically. The Editorials downloaded online from the following Newspapers. Entry follows as:
Name of Newspaper,
Title of Editorial
Date of Publication
Editorial Content

COVERAGE OF NEWSPAPERS

This bulletin includes the following Newspapers:
- Deccan Herald
- Economic Times
- Financial Express
- Hindu
- Indian Express
- Times of India
- The Tribune

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DR. O.P. VERMA

PRINCIPAL LIBRARY & INFORMATION OFFICER
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Agriculture

Sleeping at the wheel
Government letdown of farmers, again

The Tribune: Mar 4, 2017

Potato glut is a recurring problem, so is the government’s failure to handle it. This time demonetisation dried up demand and contributed to the pile-up. Farmers dumping potato on roads is a familiar sight. The growers’ outcry and screaming headlines wake up the government, but only temporarily. This has been going on for years now. So has been the talk about having an effective marketing network and a reliable supply chain. The UPA attempts to bring in foreign direct investment in multi-brand retail did not get much political support. That is a dead issue for the NDA. A functional supply chain involving sufficient scientific storage and leakage-proof transportation remains a work-in-progress.

Central Government policies are geared more towards tackling shortages and curbing price rise than protecting farmers on the edge. Industrial manufacturers and traders are allowed to benefit from a shortage, but not farmers. They have to make do with the minimum support price (MSP), which at times fails to cover even input costs. Recently faced with wheat shortage and firming up of prices, the Centre slapped an export ban. In July last year when a spurt in potato demand drove up prices, the government imposed a minimum export price to increase domestic supplies. Now when potato growers are in distress, little concrete has emerged beyond the usual official talk of action. A price stablisation fund proposed with gusto in the budget has not been put to use.

In 2015-16 India became the world’s second largest potato grower with 43 million tonne production. Exports account for just 1 per cent of the production. The Akali Dal professes to be farmer friendly but its government did not oppose Central curbs on wheat and potato exports. An Akali representative heads the Central Ministry for Food Processing but that has not changed the situation on the ground. Because of high taxes on farm produce, including market fee, rural development fee and arhtiyas’ commission, bulk buyers skip Punjab mandis. The Centre is working on a single National Agriculture Marketing or eNAM, but Punjab sticks to the old ways, hesitating to either support or reject Central “reforms”.
Amnesty International Annual Report 2016-17

Amnesty blasts India on rights record

Deccan Herald :, March 4, 2017

The Amnesty International’s annual report for 2016-17, which was released last week, has drawn attention to the widespread human rights violations in India. These abuses have taken place in many parts of the country and in most fields of life where citizens have enjoyed a constitutional guarantee of basic rights. Amnesty is the world’s human rights watchdog and its reports have regularly given a credible picture of the state of human rights in the world. The situation in India, described in the report, is a matter of serious concern because it recounts the attacks on and the threats to the basic rights of citizens from both the state and non-state agencies. These attacks are in the form of abuse of existing laws, creation of new oppressive laws, excessive and unjustifiable executive action and plain illegalities and covert actions against people. Those who fight for the rights of people, especially the weaker sections, are targeted. Those at the lowest rungs of society become victims more than others.

The report has cited many types of rights violations and assaults like the use of laws such as the Foreign Currency Regulation Act and sedition laws to silence critics of the government and to harass civil society organisations like NGOs, intimidation of human rights activists and journalists, and many cases of attacks on Dalits, adivasis and minorities. The suicide of Rohith Vemula, the attack on Dalits by cow vigilante groups and the killing of two journalists in UP and Bihar have been mentioned in the report. Freedom of expression and association and even the right to life are routinely denied. Custodial deaths and encounter killings are not uncommon and the culprits are shielded by governments. In Maoist-affected and insurgency-hit areas, normal laws are given the go-by. Undemocratic laws are enforced and atrocities and repression are regularly resorted to. The report makes a special mention of Kashmir where excessive force is used by the armed faces against protesters, civilians including children are held in illegal detention and freedoms are regularly curbed.

The suppression of rights, threats and violence are increasing steadily too. Human rights have become a bad word and those who advocate and support the rights of people become anti-nationals. Amnesty’s reports are documents which should increase awareness about the need to respect basic human rights. They should inspire and lead people to fight for their own and others’ rights, and to resist attempts to suppress them.
Banks & Banking

RBI, scrap these cash transaction charges

Economic Times: March 3, 2017

In February, the government said that 20 million new zero-balance bank accounts had been created, ostensibly to get India’s underbanked citizens into the formal financial system.

Less than a month later, three of the country’s largest private sector banks — ICICI, HDFC and Axis — have imposed costs on consumers for transactions in cash at bank branches.

Only four cash withdrawals or deposits would be free per account in a branch. From the fifth transaction, a minimum of Rs 150 would be added on as cost.

ICICI Bank would levy an additional Rs 5 every Rs 1,000 transacted. ATM transactions are exempt, they say: only branch transactions are affected. Oh, really?

A country of 1.33 billion people has less than 2.2 lakh ATM machines, mostly confined to metropolitan sites.

Everybody else in the vast hinterland has to operate through branch banking. Restricting third-party cash transactions to Rs 25,000 per day as HDFC Bank proposes, or Rs 50,000 per day, as ICICI Bank will have it, along with these new cash transaction costs, can destroy small and medium business, the informal and farm economy, and slam the brakes on growth.

Zero-balance and salary accounts have not been spared the four-transactions-per-month rule by private banks. If the government and Reserve Bank of India (RBI) do not step in immediately to stop private banks from imposing these transaction costs, state-owned banks might also follow suit.

If that happens, then the hope of extending formal banking to most of India will be proved a farce. A new banking apartheid, which favours wealthy customers and large transactions and excludes the small person from the banking system, will become the norm. The aim should be to make digital transactions so easy and costless as to make use of cash look foolish.
Banking blues

RBI should ask banks to rethink decision to charge customers for cash transactions at branch

By: Editorial

Indian Express: March 6, 2017

Beginning March 1, India’s top three private banks — ICICI Bank, HDFC Bank and Axis Bank — have started charging customers a transaction fee for cash withdrawals and deposits at their branches. Customers will now have to pay a minimum of Rs 150 for every additional cash transaction at the branch after the first four transactions, which are free. India’s largest bank, the State Bank of India, is also set to charge customers Rs 50 for cash deposits beyond three such transactions in a month. The move to impose charges has been justified by these banks as a measure to promote digital payments in alignment with the government’s broader push to nudge more people to migrate to electronic forms of fund transfer and reduce the extent of cash: A digital economy is expected to further tax compliance and, in turn, higher revenues. The move comes at a time when the latest RBI data shows a month-on-month decline in electronic transactions in the months of February and January.

It begs the question if forcing people to switch to digital forms of payment through fiat or by levying steep charges is an optimal solution in an economy, where the use of cash is still widespread and with a large unbanked population and informal sector. What is being lost sight of by bankers is the fact that banking is a privileged business where regulators allow a limited number of entities after making sure that they are the ones customers can trust. This was the basis of the RBI’s decision to ask some of the top private banks in India to retract their decision to impose costs on customers for ATM withdrawals a decade ago — the rule has been modified since with caps on number of free withdrawals.

One of the accepted principles of good regulation is proportionality, or weighing the costs to customers against the perceived benefits, of a proposed move. No such rationale has been offered so far making it imperative for the regulator — in this case the RBI — to direct these banks to reconsider their move. A competitive financial system does have its benefits, but surely there is merit in a public policy which dictates that banks ought to also fulfill some of the aspirational needs of the country. The RBI, whose mandate also extends to customer protection, and the government need to step in and ensure the right balance between state policy and consumer rights.

A better way for banks, including those focussed on market capitalisation and bottomlines, to promote digital payments is to offer incentives to consumers and firms to shift to digital
platforms. Instruments like transaction fee may lead to cash hoarding, put off potential customers and render financial inclusion an even more difficult task.

**SBI’s penalties on minimum account balance discouraging as govt moves for digital economy**

In recent weeks, steps introduced by some major banks have betrayed one of the key purposes of demonetisation—large-scale adoption and sustained use of banking services to move India’s cash driven economy to a digital economy.

*Written by Kanishka Singh*

**Indian Express : March 6, 2017**

After doing without it for five years, the State Bank of India has announced that it will impose penalties on non-maintenance of minimum balance in accounts from April 1. It also announced a revision of charges on services like ATMs. But, does this step, one of many new changes in banking regulations imposed after demonetisation, help in achieving the government’s larger goal of currency recall—keeping the larger portion of people’s money in the banking system?

A number of changes in banking regulations have taken place since the November 8 announcement of demonetisation and currency recall. But, in recent weeks, steps introduced by some major banks have betrayed one of the key purposes of demonetisation—large-scale adoption and sustained use of banking services to move India’s cash driven economy to a digital economy. One of the prime achievements of currency recall was that a huge amount of money came back into the banking system which gave it a much-needed boost. What was needed were easier banking regulations as an incentive for people to keep their money in banks. Penalties were definitely not the wisest way to go.

According to SBI’s announcement, failure to maintain a minimum average balance (MAB) in SBI accounts (SAB) will invite a penalty of ₹100 plus service tax if the balance falls below
75 per cent of MAB. If the drop is 50 per cent or less, then the penalty levied will be ₹50 plus service tax. In other revisions, SBI will allow only three levy-free deposits in savings bank accounts in a month and after that it will charge ₹50 and service tax on each transaction. Levies on current accounts could go as high as ₹20,000. Charges at ATM transactions have also been set. The bank will charge ₹15 as SMS alert charge for people who hold debit cards and maintain average quarterly balance of ₹25,000 during a three-month period.

India is essentially a cash driven economy and after the push for digitization after demonetisation and currency recall, the dependence on cash is returning to previous levels. According to the Reserve Bank of India, ATM cash withdrawals in the months of October last year was ₹2.55 trillion. In November and December, it reduced to ₹1.24 trillion and ₹0.85 trillion, respectively.

However, as remonetisation kicked in and limits on cash withdrawals were removed, ATM withdrawals in January 2017 increased to ₹1.52 trillion. In subsequent months from October 2016 to January 2017, the number of ATM transactions in the country were 802.68 million, 561.76 million, 630.85 million and 712.79 million, respectively. In October 2016, out of the total currency in circulation worth ₹17,540.22 billion, currency with the public was ₹17,022.10 billion. The figure in January reduced to ₹11,067.91 billion in circulation and ₹10,635.27 billion with the public.

It is natural that the public would want to withdraw and keep as much cash handy as possible as enough currency notes become available. During such time, a move like a penalty on non-maintenance of minimum account will reduce the confidence of a poor, economically weaker or even a lower middle-class person who doesn’t earn enough or earn at all and hence is unable to maintain the minimum ₹5,000 balance.

Also, one of the problems witnessed after demonetisation was hoarding of valid currency notes. People were not willing to deposit the currency back into banks once it came in their possession. Imposing levies on deposits, essentially, seems illogical as it pushes people against depositing money in banks.

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Black Band, Red Card

By threatening government over arrest of their colleague, IAS officers in Bihar set a disturbing example.

Written by Editorial

Indian Express : March 2, 2017

IAS officers in Bihar are on the warpath over the arrest of a senior member of their fraternity. Sudhir Kumar, the chairman of the Bihar Staff Selection Commission (BSSC), was arrested by a special investigation team of the Patna police recently in connection with the leak of questions and answers concerning a competitive examination. Last week, the IAS Officers Association decided to wear black arm bands to work to protest what they say was police highhandedness and threatened that no official would take up the post of Kumar, who is under suspension following the arrest. They have promised to continue the protest until Kumar is released from the jail and the case is transferred to the CBI. The IAS body also declared that hereafter verbal orders from ministers, including the chief minister, will not be obeyed.

The concern among bureaucrats for a fellow officer is touching — but entirely misplaced. Kumar has been accused of alleged irregularities and favours to his relatives by helping them access the question paper. Certainly, IAS officers have a right to defend a colleague and talk about his “unblemished record in service so far,” but they are expected to know the meaning of due process and the rule of law. That’s why the protest sends out a disturbing message. It has the trappings of a power elite threatening the political executive for not protecting their privileges. The government has done well not to bow to their pressure. Nearly 17.5 lakh candidates were to take the BSSC exam, which the government was forced to cancel following the leak of papers. It is important that the people behind the paper leak are traced and booked. Chief Minister Nitish Kumar has said the SIT will be given a free hand to investigate and an example will be made of the investigation. There is no reason to fault the CM unless there is evidence to suggest otherwise in the police investigation. If the IAS officers want to be taken seriously, they should stand up for a fair probe. Instead, they have revealed a clannish intent to safeguard one among them at the expense of dispensing with the credibility of the executive.

The veiled threat the IAS body holds out is that officials can slow down the administration; Nitish Kumar’s success as an administrator had a lot to do with the synergy and trust he had built with bureaucrats. This case seems to have breached that trust and while the government must ensure that due process is followed in this case, the officers need to step back and let the law take its course.
Censor Board

Censor Board move irrational, wrong
Deccan Herald : March 2, 2017

The Central Board of Film Certification (CBFC) has gone beyond censoring scenes to refusing to certify a film altogether. The film Lipstick Under My Burkha, produced by Prakash Jha and directed by Alankrita Shrivastava, has been rejected entirely by the board led by Pahlaj Nihalani. The rejection of a film means a ban on it, as in the case of books which governments sometimes choose to ban. Ironically, the film has drawn high praise abroad, and has won awards including the Best Film on Gender Equality and an audience award. But admiration by foreign audiences may even have gone against the film because Nihalani thinks he is the custodian of the country’s traditional values which are corrupted by foreign cultures. In the two years of his helmsmanship at the censor board, he has not been concerned with artistic excellence, social relevance or other qualities of films. He has clearly said that films should be sanskari (traditional).

The reasons for refusal of certification are ridiculous. The board says ‘the story is lady-oriented’, puts ‘fantasy above life’ and contains ‘sexual scenes, abusive words and audio pornography’. As champions of Indian culture and tradition, Nihalani and the board would not accept any of these in films, however they are treated. The film is an all-woman artistic venture which explores the women’s world through their own fantasies and in other ways. It has always been difficult for the male establishment to accept women’s sexuality. Fantasies are a part of sexuality and life, and have their place in women’s inner world. Men have always been uncomfortable with a woman’s idea of herself and her world seen with her own eyes. Nihalani’s censor board has asserted the patriarchal view of women and frowned on any autonomous space for them. That is why it finds a women-oriented film objectionable and unfit for viewing, though being women-oriented should actually be the strong point of a film.

Not just art, but the freedom of expression of the artist is also involved in films. Nihalani has not cared for it, and as a political appointee, he may be doing the work expected of him. The idea that only ‘traditional’ values should be encouraged and other views and perspectives expunged also gets a boost from the larger environment of exclusion and intolerance. By supporting it, Nihalani has proved that he is unfit for the job he is doing.

The filmmakers may now have to go in appeal against the decision as the makers of Udta Punjab did successfully. Censoring should also give place to classification of films, as the Shyam Benegal committee has recommended.
Chhattisgarh

The tribal versus development
Chhattisgarh’s adivasis are seen as the main obstacle to huge private profits

Written by Umar Khalid
Indian Express :: March 3, 2017

Whenever those who call themselves the vikas purush of our times talk of development, destruction awaits the adivasi communities of our country. If someone has paid with their blood, their lives, every time a big development project has been undertaken, it is the adivasis of India. As per a 2004 report of the ministry of tribal affairs, adivasis constitute only eight per cent of the entire population — however, when it comes to the population displaced by development projects, their numbers rise to 55 per cent.

We should not mistakenly trace the ongoing conflict in adivasi areas as caused by a lack of development. Rather, it is the very model of development being followed by those ruling our country that has precipitated and aggravated this conflict — a model of development where sensex and GDP figures matter, but not basic indicators like health, schools, rates of mortality, etc.

Our diverse adivasi communities — the Gonds, Bhils, Santhals, Hos, Mundas, Oraons, Koyas and many others — are the damned people of our country, subjected to, as B.D. Sharma put it, an unbroken history of broken promises. Their villages might not have a single school or hospital, but their biggest tragedy is what lies beneath their feet: Like vultures, the mining mafia has been eyeing the mineral resources of central and eastern India for the trillions of dollars it might get them. It is the adivasis who are standing between these companies and their profits. Therefore, this war.

In fact, the story could be taken as far back as the early 19th century when the British first tried to enter these areas. But the adivasis could never be completely subdued. They revolted several times, forcing the British to retreat. Legislations like the Chota Nagpur Tenancy Act (of 1908) after the rebellion led by the legendary Birsa Munda can be cited as examples of when the adivasis compelled even the British to recognise their rights. The present government, which is amending this legislation to make the process of land acquisition easier, it could be said, has even trumped the British in this regard.

The militarisation of the adivasi hinterland and development projects go hand in hand. The previous prime minister’s infamous statement in 2005 that Naxalism is the “biggest internal
security threat” coincided with over 350 Memorandums of Understanding being signed with big corporations. The notorious Salwa Judum, funded by several corporations, was also formed the same year, on June 5, the death anniversary of Sangh ideologue Guru Golwalkar. Maybe, as a reminder of the deadly cocktail of Hindutva and development, the Chhattisgarh government reportedly signed a mining deal with a huge steel company the same day.

The horrors of Judum are well recognised now, even by the Supreme Court. But beyond horrific atrocities, the Judum served a larger agenda. By razing over 644 villages and forcing more than three lakh villagers to migrate out of the region, it simply tried to remove the obstruction that lay between the companies and the resources they were eyeing.

This task continues to be performed today by newer vigilante gangs and paramilitary forces swarming the forests since 2009. The Modi government has fortified this region further reportedly by sending 14 additional battalions of paramilitary forces: Bastar in Chhattisgarh is one of the most militarised regions in the country. The last two years have seen an intensification of the assault on adivasi lives and livelihoods — the NHRC has attested to mass rapes and fake encounters allegedly by security forces. But we’re told only the Maoists believe power flows from a gun.

Right now, building roads constitutes a major focus of what the government calls bringing development to these regions. But here, even roads are not neutral development projects. When tribal villages undergo a road survey, adivasi communities become very apprehensive. For roads bring with them companies, which bring with them troops, and all of it leaves a bloody trail behind.

In devastated landscapes of hollowed-out earth and red rivers, this war has only got gorier. Yet, it makes no headlines. For adivasis are dispensible, nowhere people fighting for survival. Far from being the cure, this model of development is itself the problem.

The writer is a JNU PhD scholar and a member of the Bhagat Singh Ambedkar Students’ Organisation. This article is from a research paper the writer was to present at a seminar at Ramjas College, Delhi University, on February 21. The seminar was cancelled following protests over the writer’s inclusion.
Corruption

Many meanings of corruption
The Supreme Court’s recent reading of the law of contempt comes as a welcome relief

Written by UPENDRA BAXI
Indian Express: March 6, 2017

Everybody agrees that judgments, and accompanying interim orders, should not be sold and bought for a price. But other surrounding concepts await deeper analysis.

Not much has been written by way of scrupulous scientific research about judicial corruptibility, but much has been said about it. Several chief justices of India (CJI), incumbent justices, and superannuated justices have lamented the fact that the widespread systematic governance corruptibility has resulted in discrete acts of judicial corruption.

The narrative basically, even now, remains deeply hierarchical. It is heavily focussed on the district judiciary: Retired CJI V.N. Khare said in an interview that “corruption in lower courts is no secret”, and recommended a team of “dedicated judges” (mostly retired) to monitor and arrest its further spread. The second narrative suggests that the “rot” may have reached some high courts; and the origins of transfer of judges as a national policy lay firmly located in this narrative.

The third narrative suggests that acts of corruption have reached even the shores of the Supreme Court. Shanti Bhushan (and Prashant Bhushan) created a perfect moral storm in 2010 by naming eight CJI among 16 justices who were allegedly corrupt. He gave the names in a sealed envelope to the Supreme Court and even dared it to prosecute them for contempt! And this narrative was embellished by the irrepressible Justice Markandey Katju, as late as 2015, to morally impeach many justices in “higher courts”.
The trouble with all these narratives is they are many sided. One, the allegation of corruption is rather easily made but is very difficult to substantiate. Trading in suspicion and even slander, is different from establishing guilt beyond a reasonable doubt. Second, allegations are mainly anecdotal and emerge from the Bar grapevine; the Bar’s passion and penchant for telling stories is well known. Gossip of today (as Michel Foucault once remarked) becomes the truth of tomorrow; and grapevine constitutes the rule and often assumes the visage of public truth. Third, “corruption” is hardly conceptualised.

Everybody agrees that judgments, and accompanying interim orders, should not be sold and bought for a price. But other surrounding concepts await deeper analysis. Is “son stroke” (where near relatives of a sitting judge practice in the same jurisdiction) a corrupt act? Do always buying of land and property by close relations of a judge evidence judicial corruption? What if a judge’s spouse is an independent professional or otherwise lucratively employed? Is a membership by incumbent justices of retired justices housing society a corrupt act? Does an informal agreement to head a statutory body or a commission prior, or on the eve of retirement, amount to corruption? Should past association with a firm of lawyers, or an individual counsel, be regarded retrospectively as a potentially corrupt act or at least a ground of judicial transfer? And, how is any appellate justice to be adjudged as performing a corrupt act under the recent NJAC judgment, which suggests Third Schedule (oath of office) obligation not to recuse? How is one to describe the varieties of judicial “misconduct” as different from impeachable offences?

Careful writing will draw some bright lines between corruptibility in general and specific acts of corruption, or folklore of corruptibility and the fact (actual incidence) of judicial corruption. There is thus a distinction between (as philosopher Seyla Benhabib counselled) “generalised” and the “concrete” other. Even as a folklore grows, facts are hard to come by or establish. The folklore matters as an “evidence” of widespread popular belief about judicial governance corruption. The dominant judicial narrative accentuates contempt jurisprudence, lest popular mistrust may grow and generate collective disobedience of court’s orders, and directions. But too frequent activation, or deployment, of contempt powers may also produce a chilling effect on freedom of speech and expression and of the media freedom to report.

The constitutional courts in India remain confronted by a democratic dilemma; they have tried to walk a fine balance but the belief in contempt power is so strong that media stories are routinely killed in the apprehension of protracted judicial proceedings. The Supreme Court of India breathes a fresh air when it virtually quashes the contempt action against Transparency International and the Centre of Media Studies. It rightly remarked that such surveys “instead gave opportunity to address the malady in the system”. A bench led by Chief
Justice of India J.S. Khehar (comprising also Justices D.Y. Chandrachud and Sanjay K. Kaul) said the law of contempt would not “ordinarily” extend to interview and compilation concerning corrupt judicial practises (such as bribing and exercising influence). “Where will research go if this is contempt?” asked the Court.

This is welcome relief, but we must, however, note that it came after a 11-year wait! The learned CJI, around the same time, suggested a “mechanism” for taking a “second call” on government litigation. His Lordship estimated thus a 10 per cent case-load reduction. Of course, there is some linkage between the oft-noted judicial governance corruptibility and workload delays, providing a further argument for urgency of judicial appointments and elevation.

Judicial corruption (in the strict sense of buying and selling orders and judgments) is a serious menace to basic individual freedoms. It is also inimical to judicial independence and to the constitutionally desired social order. The constitutional process for the removal of justices need not be politically cumbersome, if a constitutionally sincere approach were to prevail. And this is one constitutional process that may not belong rightfully to the judiciary, lest it prove contrary to the rule of law maxim: No person shall be a judge in her own cause.

Justice K. Ramaswamy said wisely and well, as far back as 1995, that “criticism of a judge’s conduct or of the conduct of a court even if strongly worded, is, however, not contempt,” if it is “fair, temperate and made in good faith and is not directed to the personal character of a judge or to the impartiality of a judge or court”. And we may do no better than to adhere to this constitutional prescription.

_The writer is professor of law, University of Warwick, and former vice chancellor of universities of South Gujarat and Delhi_
Failing the university

JNU administration’s new admission procedures go against the university’s ethos and character.

Written by Sukhadeo Thorat

Indian Express : March 2, 2017

The university administration’s proposed procedure for admission to PhD programmes, and the cap on number of PhD students per supervisor, following the UGC’s 2016 regulation, has caused immense discontent among the students and faculty.

Jawaharlal Nehru University is in resistance mode again. The protests, this time, have implications not only for JNU but all universities in the country. The university administration’s proposed procedure for admission to PhD programmes, and the cap on number of PhD students per supervisor, following the UGC’s 2016 regulation, has caused immense discontent among the students and faculty. There would be serious ramifications if other universities mechanically follow the UGC’s 2016 regulations. The UGC and the university should rethink them.

Three issues are at stake. First, the 2016 regulation requires clearing a written examination and an interview for entry to a PhD programme. This change was required because, in many universities, admissions to PhD were conducted in an arbitrary manner, often leaving it to the faculty’s willingness to supervise. Introduction of the written test and viva formalised the admission procedure. Recognising the university system’s diversity, though, the UGC left it to individual universities to apportion weightage to the written test and the viva. The JNU administration’s proposal involves one round of elimination at the written examination stage; the final selection would entirely be based on the performance in the interview. The faculty and students think this would go against the established weightage of 70 per cent for written and 30 per cent for viva. The proposal also comes at a time when there is demand for reducing the weightage of the viva to 10 per cent.

JNU’s formula of apportioning weightage has evolved over a period of time based on the university’s experience, much before the UGC’s 2016 regulation. From 1969 till early 1984,
JNU used written and viva for MPhil, PhD, undergraduate and post-graduate programmes; weightage was also given to family income, the backwardness of the district from which the applicant hailed, gender, and to first generation learners. The university undertook a major exercise in 1984, which led to the viva and the income criterion being discontinued for undergraduate and post-graduate admission. A committee led by historian Bipan Chandra showed the courage to drop the income criteria because it was misused. Similarly, the recent demand to reduce the weightage of viva for admission from 30 per cent to 10 per cent is based on the evidence of biases faced by Dalit, Adivasi and OBC students during interviews. The administration should have considered the university’s experience while suggesting elimination at the stage of written exam, without any relaxation for Dalit and Adivasi students. Students and the faculty believe that making the final selection entirely contingent on performance in the viva will go against the merit and social justice provision in the university’s Act. The administration could have worked out an acceptable weightage for written and viva, and not gone mechanically by the UGC rules — they, in any case, do not ask for mechanical adherence.

The second issue relates to the cap of eight students per MPhil/PhD supervisor. This provision does not go well with JNU’s research-oriented character and is also inimical to the diversity in the university system. Some universities are more research intensive than others. The UGC’s cap on the number of students per supervisor is intended to reduce the faculty’s burden, but that should be left to the collective decision of the faculty. In fact, the university’s 126th Academic Council had decided “to implement in a phased manner the guidelines on number of MPhil/PhD students with each faculty member till the recruitment as per sanctioned strength is completed”.

The third disagreement pertains to the recently modified system of faculty selection, which gives the VC the power to decide the experts who will conduct the interview. In the earlier system, the VC selected experts from a pool provided by the academic council through the centres. This time-tested system drew on the understanding that the departments know the best experts in their disciplines and at the same time left the final choice to the VC to safeguard against any bias.

At the core of these disagreements is the possibility of an erosion of a governance system that draws on collective academic opinion on the campus. Decisions on vital issues should be taken with the consent of relevant bodies, including that of the faculty and students. The UGC, in fact, encourages the use of best practices. I remember conveying the UGC’s opinion
as the agency’s chairman: “…universities are autonomous institutes and have necessary freedom to… adopt practices which they consider appropriate for promoting excellence, and equal access within the broad framework of national policy. Thus, while… reforms have to be initiated on a priority basis, the universities, may also combine with other best practices which the university has evolved.”.

The UGC’s role is to coordinate and maintain the standards of higher education by laying down a general regulatory framework. It provides space for the specificities and best practices that promote excellence and good governance. The UGC should issue a clarification to the universities about the flexibility on the relative weightage for written and viva, and students limit for supervision. It’s equally important for the JNU to retain the present system through a dialogue with the faculty and students and convey to the UGC what suits the university the most.

The writer is professor emeritus, JNU and former chairman, UGC.

Telangana govt’s diktat on ‘married women a distraction in colleges’ is squarely regressive

To begin with, it is squarely undemocratic, if not also constitutionally illegal, for state-run institutes to discriminate against a section of eligible students on the basis of their marital status.

Written by Nandini Rathi

Indian Express : March 2, 2017

1) The candidates have to obtain rank cards from the Society Website tswreis.cgg.gov.in after 30.04.217.
2) The admissions into 1st Year Degree Semester wise Course offered by TSW Residential Degree Colleges will be made on the basis of marks secured in TSWDCET-2017 by following the rule of reservations (item-V & VI)
3) The candidates who have completed Intermediate or its equivalent annual examination held in 2017/2016/2015 with a minimum of 40% marks are eligible for admission in to 1st year Degree courses.
4) Married Women candidates will not be considered for admission in to 1st year Degree courses.
5) Candidates whose annual income of the parents is more than Rs.2.00 lakhs in Urban areas and Rs.1.50 lakhs in Rural areas are not eligible for admission into 1st Degree Courses.
6) The counselling schedule/dates/venue for admissions into 1st Year Degree/Semester wise Courses will be announced/published in Society Website tswreis.cgg.gov.in.

Sometimes unmarried women, and at other times married women become the cause of ‘distraction’.

The Telangana government has acted with bizarre thoughtlessness by taking a step-fatherly attitude towards married women students, instead of encouraging them to continue with education after matrimony. A Times of India report stated that in a circular released by the Telangana Social Welfare Residential Educational Institutions Society (TSWREIS), only unmarried women have been invited to apply for admission in the 23 degree colleges providing education, food and accommodation free of cost to women from backward
communities. This has been going on for a year. The reason cited: visits by husbands of the married ones would cause ‘distraction’ to the unmarried women students. The government’s priority should obviously be to provide educational opportunities, rather than levy laughable barriers to it. To begin with, it is squarely undemocratic, if not also constitutionally illegal, for state-run institutes to discriminate against a section of potential eligible students on the basis of their marital status. The cited reason is regressive to the core – that the sight of a few men walking through the campus once in awhile will ‘distract’ and derail girls off their courses. As if unmarried girls never come across men as friends, boyfriends, teachers, in the streets and as coworkers. Are sightings of men a bigger threat than lack of education?

One wonders if they would ever dare to ban married men from colleges. Married men with families have long shared hostel premises with their bachelor counterparts – the phenomenon is rather common in Indian educational institutions where separate accommodation for married students is usually unavailable. So why must the women’s education suffer because they are married — especially when in considerable Indian communities — including in Telangana — girls are encouraged by their families to marry at a relatively young age. And still, if somehow the government is so ‘concerned’ about the ‘distraction’ caused to unmarried women by the visits of husbands of their married counterparts – it is their duty to figure out a solution to it, perhaps by providing separate floors or buildings for accommodating married and unmarried girls. Instead, in a country where illogical censorship, patronizing attitudes and bans seem to have become daily fare, this “solution” roughly seems like an absurd diktat of ‘chop the arm if the finger aches’.

**Closing of the University**

As the right stamps itself, central universities will see politicisation that destroyed state universities.

**Written by Pratap Bhanu Mehta**

**Indian Express : March 3, 2017**

Young women cannot express independent political views without being subject to misogyny, violence and political intimidation.

The moral sickness and thuggery on display in the aftermath of Gurmehar Kaur’s brave Twitter post is too nauseating for intellectual analysis. The patterns are depressingly familiar.
Young women cannot express independent political views without being subject to misogyny, violence and political intimidation. This form of casual brutality may almost have the character of a social pathology but it is also empowered by a total lack of political outrage. An otherwise prudish culture seems quite comfortable with open talk of rape threats as an instrument of politics.

Second, Kashmir remains the mirror in which Indian nationalism dare not look itself in the face. It is still nearly impossible to have a holistic, free and frank discussion on Kashmir in all its aspects: From state oppression to militancy to the plight of the Pandits. How much intent there is to suppress all dissent is an open question. But Kashmir is an issue on which the suppression of dissent wears the garb of popular imprimatur. With other universities canceling events on Kashmir, this trend is likely to continue. Third, there is the sheer institutional bloody mindedness. If our cabinet members spent half as much sincere moral outrage acknowledging the complexities of the Kashmir issue as they spend on fueling conflicts on campuses we would be far better off.

Finally, there is the organised attempt to delegitimise what remains of the public university system. An organised pattern is emerging. Use the “JNU pretext”, as it is now called, to unleash the ABVP or, in some cases, university administrations, to harass, intimidate and engage in violence. Once the spark is lit, there will, of course, be other perpetrators of violence who will get into the mix, which will then also allow the ABVP to play victim. My sense is that the point of all this is not captured simply by the idea of suppressing dissent. The ideas and people sought to be being suppressed get more publicity: That is the paradox of modern censorship. It is rather to create conflict itself. Conflict is used to mobilise political support around nationalism. Conflict is convenient because it allows everyone to present themselves as victims. By a strange alchemy all of this will end up with the “Right” presenting itself as the victim. So the core issues of violence, appropriateness of institutional norms and misogyny will soon be forgotten.

It is not that difficult to make the case that universities have betrayed their own principles very often. But the tragedy is that instead of restoring those principles and healing the university, we want to use it as a pretext for more control and destruction. Indian universities long ceased being spaces for a genuinely liberal education. The professoriate for the most part, in the eyes of the public, cuts a sorry figure; university leadership has, in most instances, become a postbox for the government. The destruction that governments of all political parties have wrought on the university system is now coming to bite us. For those who have engaged with the history of higher education in India, this phase is relatively mild yet. But it has deep echoes of the 1970s.
We forget that from the late-'60s to the '80s, many university campuses were politicised to the point of becoming dysfunctional. In many cases, there was sheer thuggery. But the broader politicisation of universities had four large undercurrents. First was the demand for vernacularisation. Almost all the great national universities across the nation, from Rajasthan to Osmania, were provincialised and became regional universities. Materially, this was a demand for local representation. But culturally, it was a revolt against a national elite which regional identities sought to supplant. That sub-nationalism may or may not have made the universities more inclusive in the right way. But they, for the most part, destroyed intellectualism. Most nationalism is poisonous for intellectualism. The second trend was a shift in politics. With the polity becoming more deeply politicised in the '60s, with the Congress struggling to perform the mediating function, many new political groups saw their opportunity. The Left wanted to displace the Congress and there were pitched and violent battles, of which Calcutta was the most extreme example. The third was an economic crisis that made student politics the most potent means of social mobility. Finally, there was the Emergency and the spectre of authoritarianism that deepened the politicisation of the university.

This settled into some kind of equilibrium, but at the cost of most state-level universities becoming hollow shells. There was also more of a sense in the students that disruption was harmful. But now the old trends are returning in three ways. Central universities will now experience processes similar to those that destroyed state universities. There has been a shift in the ruling politics. So the ABVP will use state patronage to violently oust the incumbents, especially the Left. And where the Left has shards of power in Kerala and Bengal, it responds in kind. This move is also congruent with BJP’s project of creating an ideological state apparatus, like the Left did.

Second, just like regional politicians and forces managed to portray the universities in their states as elitist, exclusionary and out of touch with cultural identities, the BJP and ABVP will launch an assault on what they regard as elitist, privileged, culturally distant cosmopolitanism. Nationalism is the perfect wedge by which to highlight this distance. Growing up, the first political slogan I ever heard in the then-excellent Himachal University was “Himachal for Himachalis”. Now there will be the search for the “authentic” Indian to represent the Indian universities. The complicated sociology of Indian campuses, the fact that many students on these campuses feel alienated from intellectual life, for linguistic or social reasons, makes this a resonant cry. The relative optimism that characterised a lot of Indian campuses over the last couple of decades, about jobs may also be coming to an end. Perhaps that optimism was always misplaced. But imagine a scenario where students are no longer
confident about their job prospects. What might that do to university politics? And finally, the fourth element: The spectre of authoritarianism will deepen the politicisation.

Politicisation can be a good teachable moment. The last wave did wonders for many political careers. But it ensured that the conversation about universities became about everything except the university, its practices and its pedagogy. The bubble of social forces and the organised way in which the BJP will continue the time-honoured practice of assaulting public universities, will once again ensure a corrosion of liberal and intellectual values and just plain decency.

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Election

The stakes in Manipur

The Hindu : March 03, 2017

A four-month-long blockade is the main issue in the Assembly election

Manipur will vote in 38 of its 60 Assembly constituencies on Saturday in the first of two phases. This election is shaping up into something new for Manipur’s polity, a direct contest between two national parties, the Congress and the Bharatiya Janata Party. The Congress is seeking to defend its 15-year record in power, while the BJP fancies its chances in a State that has generally voted favourably for the party ruling at the Centre. The four-month-long blockade by the United Naga Council of highways leading up to the valley has dominated the discourse in the run-up to the elections. The Manipur elections are important for both national parties. The Congress is seeking to retain its hold as the only party that has electoral support across various ethnic and geographic regions in the State, while the BJP is keen to get power in another northeastern State, after its victory last year in Assam. A contest between the Congress and the BJP in Manipur is welcome, as both parties do not represent any specific ethnic groups, unlike other parties in the fray in previous elections. But the BJP lacks a grassroots base in Manipur and largely comprises leaders who have defected from the Congress. This has resulted in a political campaign largely made up of accusations and counter-accusations of corruption, besides the blame game on the ongoing blockade.

The decision in early December 2016 by the Okram Ibobi Singh government to notify the formation of seven new districts, creating 16 districts in the State, was momentous. It allowed the Congress to seek support from the hill areas for this decision, as the new districts in the hills made for better administrative access in areas far from the valley. However, it resulted in the intensification of the blockade sponsored by the UNC, severely hitting normal life in Manipur. The persistence of the blockade has led to some degree of disaffection owing to the inability of the Congress government to bring it to an end, even if the government’s defence that any punitive measures against the UNC would have led to violence cannot be summarily dismissed. The Congress blames the Centre for not prevailing upon the UNC and other Naga groups to end the blockade, while the BJP blames the Congress for precipitating the crisis. In a State where insurgent groups remain active and that is still dependent on Central transfer of resources to shore up its economy, the electorate would have welcomed a genuine discourse on such issues in the run-up to the elections. Sadly, this did not happen.
UP’s Last Stretch: 89 eastern UP seats will be critical in swinging fight for Lucknow

*Times of India : March 2, 2017*

The UP poll is easing into its final stretch, where 89 seats in 14 districts in eastern parts of the state will go to polls on March 4 and 8 respectively. UP’s eastern regions are vastly different from the western parts, Rohilkhand and Bundelkhand that have voted earlier. In a state that is more populous than Brazil and extremely diverse, elections in each region follow their own rhythm and are vastly different.

Twenty-eight districts in eastern UP have extremely low per capita incomes of Rs 12,741 annually, almost half that of western UP at Rs 21,659 annually. The geographical divide is reflected in a vast gulf in industrialisation and farm output as well. Western UP has the geographical advantage of possessing fertile land between Ganga and Yamuna rivers which makes it the most prosperous region of the state. It has almost seven times the number of factories (13) per lakh population compared to the east (2).

Eastern UP or Purvanchal is a hotbed of caste politics while a strong Muslim presence in the west makes it more about minority politics. BJP’s Yogi Adityanath (Gorakhpur) and BSP’s Mukhtar Ansari (Mau) represent the two (like) extremes of east UP’s political cauldron where feudal satraps rule the roost. Unlike their better-off counterparts in the west, poverty in the east means that implementation of government schemes is a major electoral theme.

The yearning for a better future is embodied in eastern UP’s voting pattern as well. Comprising 150 seats, it voted in favour of Mayawati’s BSP in 2007, giving it 79 seats. SP rode the wave of disenchantment with BSP in 2012, bagging 85 seats while BSP was reduced to just 25. Last week, Mayawati reiterated that she will break UP into smaller states including Purvanchal if she comes to power. Neglect of regions like eastern UP has been a factor in the region’s stagnation. Moreover it is the sheer diversity of UP, absent a ‘wave’ like the one that prevailed in favour of BJP during the 2014 LokSabha elections, that makes the assembly poll so difficult to call. But whatever the poll outcome might be UP remains a fit case for radical reorganisation for the sake of administrative efficiency, as has already been done with other large Indian states.

Hills Vs Valley

*Times of India : March 3, 2017,*

*Why both Congress and BJP feel confident for Manipur elections*

Manipur is heading into the first phase of its assembly election, scheduled for March 4 and 8. Conducting this election will be challenging because it comes in the midst of a months-long economic blockade by Naga groups. But both its two principal parties claim to be confident of a good showing. Incumbent chief minister, Congress’s OkramIbobi Singh, is upbeat about
winning a fourth consecutive term, while BJP is eyeing Manipur as another scalp in its forward march in the Northeast.

There’s no denying that deep political divisions run between Manipur’s hills and the Imphal valley region. In the current context, the seeds of this division were sown by the 2015 agitation for an Inner Line Permit system to keep out ‘outsiders’. This saw the state government pass three legislations, including the Protection of Manipur People Bill. However, these were seen as discriminatory by hill tribes like the Nagas and Kukis. Then last year the state government carved out seven new districts from the state’s five hill districts, again raising Naga hackles and leading to the present blockade.

As things stand, Nagas accuse Ibobi Singh of adopting a divide and rule policy to hold on to power – 40 out of the 60 seat assembly are majority Meitei seats concentrated in the valley. Conversely, Meiteis suspect the Nagas of colluding with BJP to carve out greater Nagaland – they cite the secretive Naga accord signed between the Centre and NSCN (IM). Accordingly, BJP has focussed on highlighting corruption under the Ibobi government, while Congress has made the territorial integrity of Manipur its main poll plank. Add to the fray activist turned politician IromSharmila who has promised to repeal the draconian Armed Forces Special Powers Act, and Manipur polls are heading for a close finish.

The love index of Uttar Pradesh: Dimple bhabhi brings some joy to star-crossed Romeo and Juliets

Times of India : March 4, 2017

The Montagues and Capulets are a byword for love’s torment. But howsoever unfairly an ancient grudge these two households bore in fair Verona, in fairer Lucknow/ Varanasi/ Meerut/ Kanpur even more inflexible walls are put up between lovers by caste and religion. Unfortunately for the star-crossed Romeo and Juliets of Uttar Pradesh, yet another election is passing by without any party whole-soul championing their cause.

In fact the high heat of campaigning may have sent many lovers into hiding. O Romeo, Romeo, wherefore art thou Romeo? Maybe he is on the run from anti-Romeo squads.

Amit Shah and the BJP manifesto say these squads will be raised to ensure greater safety for college-going girls and safeguard their honour. But safety should be provided by police and honour should not be policed by political henchmen. When even Shakespeare didn’t keep Juliet confined to the balcony, don’t go trying to lock her in a chastity belt today.

Well-wishers of Uttar Pradesh have long obsessed over raising its Human Development Index indicators and its ranking in the Ease of Doing Business Index. It’s time they devoted similar energy to making sure the state also improves its performance on the Love Index.

Interestingly the chief minister and his wife do score high here. Their inter-caste romance reportedly bloomed when they were in college. The way it overrode social resistance gives other star-crossed lovers hope. As do the campaign speeches of Dimple bhabhi.
Far from adopting an anti-Romeo posture, she reaches out to Romeo, talking about how the SP government has provided him several safe public spaces like a park where he can take along his mother, wife or girlfriend, or play with children. You could complain that this seems like a very sanskari sort of park. But there’s nothing better on offer for the lovers this election.

Another way bhabhi has cheered the Romeo and Juliets of Uttar Pradesh is by promising them that after Lucknow the metro will also come to Kanpur, Meerut and Varanasi. Even the thought of romantic adventures like the ones surely enjoyed all the time in the metro trains speeding through Delhi, Bengaluru and Shanghai makes young UP walas so breathless. Of course bhabhi’s promises would have been much more persuasive if Akhileshbhaiya had done a better job of providing law and order. From unsafe colleges to parks, Mayawatibehenji suggests there never was a story of more woe.

So if the Romeo and Juliets of Uttar Pradesh come together as a votebank, what would they demand? Simple stuff, like celebrating Valentine’s Day without being harassed. Freedom to choose life partners irrespective of caste and religion. Not making some horror out of honour. Happy endings instead of unhappy daggers. Resignifying ‘love jihad’, celebrating inter-faith relationships as a blessing not depressing. For this alliance may so happy prove, to turn UP households’ rancour to prosperity.

UP’s last lap: BJP brings its big guns to boom for assembly poll, and they may bear fruit

*Times of India : March 7, 2017*

The race for crowning political glory in Uttar Pradesh has entered its last lap with polling left in only 40 of the 403 assembly seats that are up for grabs. The high decibel campaign has come to an end in a do-or-die battle for BJP, BSP and the SP-Congress combine in the state. The temple town of Varanasi, also Prime Minister Narendra Modi’s parliamentary constituency, had become the focal point for all political parties. Modi spent three consecutive days in Varanasi campaigning for BJP candidates. Apart from Modi BJP has brought out all its big guns, appearing to line up all its Hindi-speaking ministers for the UP election campaign.

Chief minister Akhilesh Yadav addressed seven rallies on the last day of his campaign for Samajwadi Party. BSP chief Mayawati ended her 32-day-campaign after addressing over 50 public meetings across the state and is now busy gathering feedback and reviewing party preparations for the last phase of polling on Wednesday. But the ruling SP’s problems were highlighted when Governor Ram Naik wrote a letter to Akhilesh on the presence of tainted minister Gayatri Prajapati.

The minister has been absconding ever since the police filed an FIR in connection with separate cases of gang rape and attempt to rape another woman, on directives from the
Supreme Court last month. This is supremely embarrassing for the state government and has given another handle to opposition parties to target it over lawlessness and crime. An absconding Prajapati has harmed Akhilesh’s assiduous attempts to cultivate an image of a clean politician. It prompted Modi to take a dig at Akhilesh’s much-hyped Dial 100 service and claims of UP police arriving within 15 minutes to arrest the guilty.

If one looks at the precedent of civic polls in Maharashtra, demonetisation has not had adverse consequences for BJP. That, together with the fact that BJP won 42% of the vote in UP’s last election in 2014, should stand BJP in good stead in this election – not to mention the booming firepower that BJP has brought to bear on the campaign and the prevailing state of lawlessness under SP. But UP is a sprawling and diverse state with many interests, and it’s also possible that a coherent picture may not quite emerge out of this assembly poll.

The ideas election

Maharashtra civic poll results are a vote against narrow western progressivism.

Written by Prasanna A. Deshpande

Indian Express: March 3, 2017

Factors like the charisma of the BJP campaign, the projection of the state government’s accomplishments and the ever-operative Modi effect, have definitely had a role in turning the tide of votes towards the BJP.

The victory of the BJP in the municipal elections in Maharashtra is not just a vote against the NCP and Congress. It is also a rejection of the “provincial progressivism” of the social organisations nurtured by these parties. Factors like the charisma of the BJP campaign, the projection of the state government’s accomplishments and the ever-operative Modi effect, have definitely had a role in turning the tide of votes towards the BJP. At another level, the social significance of the BJP’s victory is that people of Maharashtra have voted against the provincial and imported theory of progressivism and liberalism that originated in the West. This homogenising progressivism — used for political tokenism and as a tool for abusing the innocuous traditional and family values of the people of Maharashtra — has cost the Congress-NCP their political presence.
Western theories perceive progressivism as a process of avant-garde reasoning through a resistance to the institutionalised Semitic, monolithic society. Polity and politics are to be separated from the clutches of religious systems. This notion of democracy does not recognise the inherently liberal and inclusive culture of the people of India and in Maharashtra’s case, as a guiding principle of the state. The western idea of secularism demands an absolute ideological autonomy from spiritual and religious values because the Semitic philosophy is essentially expansionist. Hence, western intellectuals approach progressive politics as a critique of any subservience of the state to cultural traditions and resist reciprocal relations between them.

In India, our sensibilities and consciousness are distinct from the West. This distinction needs to be recognised and reflected in our polity. The so-called progressive brigade, on the contrary, adopted a derisive language against the culture of the people rooted in tradition. The Congress and NCP undertook a short-cut to create a “rational society” through an imposed aloofness towards popular beliefs and culture. This terminology — of rationalism, vivekvaad, secularism, freedom of speech, Hindu terrorism, anti-superstition — became the weapons of (mass) culture destruction.

The cultural politics of progressive activists, bound by NGOs indulging in festival-shaming, tradition-bashing, ritual-punching, faith-deriding and debunking popular culture, has always been supported by the Congress and NCP in the name of the “progressive” values. This culturally leftist activism was found by these parties to be a handy instrument of countering the pro-tradition, pro-nationalism image of the BJP. This insurgence was neither apolitical nor a genuine activism of the “reformist” type. These “naysayers” and “why” brigades had all the political ammunition save one: They did not use conscience. Their anti-tradition activism was directed against even those traditions which the people at large found indisputable. The liaison between Congress-NCP and this “progressivist” activism has not gone down well with the masses.

Another feature of this distorted progressivism is the ill-informed approach to the study and of the teachings of Chhatrapati Shahu, Jyotiba Phule and B.R. Ambedkar. The Shahu-Phule-Ambedkar phrase was made into an emblem of this alienating and provincial progressivism. The distorted appropriation of these thinkers established “caste versus caste” politics as the only tool for social awakening. This model of hate-mongering conveniently ignores the integrating aspects of the life, deeds, writings and teachings of the great social reformers. Shahu, Phule and Ambedkar did fight against inequalities but their writings did not disintegrate society and polarise individuals and communities into caste units and organisations. Rather, they offered ingenious solutions for nation-building through liberty,
equality and fraternity. Theirs was a truly Indian progressivism, much broader and inclusive than the provincial progressivism of the dissenting gangs that revolutionise everything and change nothing.

The provincility of their progressivism has cost political parties their political presence and brought into question the relevance of their divisive cultural activism. It is not about elections at a lower level or a higher level, it is about the relevance of ideas. The people of Maharashtra have voiced their rejection of the naysayers.

*The writer is assistant professor, department of English, Fergusson College, Pune*

**Inside track: Family asset**

Dimple has proved to be a big hit among young voters and women. Her smart repartee, often directed at Prime Minister Narendra Modi has drawn much applause.

*Written by Coomi Kapoor*

*Indian Express : March 5, 2017*

Oddly enough, even her husband Akhilesh did not realise her full potential. Dimple was fielded as a speaker on the campaign circuit only after the first phase of the polls. Dimple has proved to be a big hit among young voters and women. Her smart repartee, often directed at Prime Minister *Narendra Modi* — “Mere angane mein tumhara kya kaam hai”, “Kaam ki baat karo, mann ki baat nahi” — has drawn much applause. Some of her speeches may have been scripted for her but she delivers them with aplomb and talks constantly of “tumhare bhaiya’s”
development aspirations for UP. The Congress is somewhat taken aback by Dimple’s success since it had hoped that it would be Priyanka who would make waves. Akhilesh is now contemplating a bigger role for her in state politics — irrespective of whether he wins or loses.

Tweet dreams

Shilpi Tewari, an ardent Twitter follower of Narendra Modi, could hardly believe her luck. She had expressed admiration for the peacock blue stole the PM was wearing, tweeting, “I want that stole”. Less than 24 hours later, a parcel arrived with the stole. Along with it, there was a printout of her tweet, with the PM’s signature. A dazed Tewari tweeted, “Am I dreaming?”

House productivity

Akali Dal MP Naresh Gujral wants to introduce a private member’s Bill in the Rajya Sabha to enhance Parliament’s productivity. The draft Bill points out that in its initial years, Parliament used to function between 100 and 120 days a year. It has now come down to 70-80 days, and much of this time is wasted in disruptions. The draft Bill proposes that Parliament meet for at least 100 days a year and at least seven hours a day. There should be an additional session, apart from Budget, Monsoon and Winter, it says. And that all disruptions should be compensated by extending the session by as many hours as the House is adjourned due to the disorder. The draft also says the Business Advisory Committee should allocate 50 per cent of the hours for discussion in the fourth session to non-ruling-party members, irrespective of the party’s strength.

Mannargudi muscle

The power tussle among Sasikala’s Mannargudi relatives continues. Her nephew T T V Dinakaran, who has been appointed acting general secretary in her absence, has the upper hand, but there are other contenders, including her brother Divakaran. Dinakaran was reportedly not inducted into E K Palaniswami’s Cabinet as there is an Enforcement Directorate case against him for alleged FERA violations, and some other pending cases. Dinakaran, a former MP who was once expelled from the party by Jayalalithaa, hopes to get around this hurdle by being appointed special representative of the Tamil Nadu government in New Delhi, with the status of a senior minister. Dinakaran believes he can then sit in the Tamil Nadu secretariat and Tamil Nadu House in Delhi and get access to official files. That way, he can keep an eye on the administration and liaise between the Centre and state on projects.
No language formula

DMK working president M K Stalin flew to Delhi last month to mend his party’s image after hooliganism in the Tamil Nadu Assembly during the confidence vote for Chief Minister E K Palaniswami. The problem for Stalin is that unlike his sophisticated step-sister Kanimozhi, a DMK MP who is at ease in the Capital’s power circles, Stalin finds himself at a disadvantage since he knows no Hindi and very little English. At a meeting with some journalists in Delhi, the DMK heir apparent restricted himself largely to addressing fellow Tamilians. The two non-Tamilian journalists had a tough time and had to get other journalists to translate for them.

In-house temple

V P Singh, a scion of the former royal house of Badnore, who was recently appointed Governor of Punjab, noticed that in the sprawling grounds of the Raj Bhavan in Chandigarh, there is a gurdwara and a shrine for a peer. Singh, formerly a senior BJP MP from Bhilwara, has added a small temple for Lord Hanuman in the garden.

Veiled threat

The BJP’s demand to screen burqa-clad voters is inconsistent with Election Commission protocols

By: Editorial

Indian Express : March 6, 2017

A burqa-clad woman showing her inked thumb, women in veil standing in queues, yet others in their traditional attire and head cover, flashing their voter ID cards. These images are a regular feature of election coverage in India. The country may have some way to go in terms of gender parity when it comes to participation in elections. But the image of the woman in the veil at the polling booth has become one of the indicators of the success of the country’s election process. The BJP, though, thinks that the women in the traditional Islamic attire are a threat to fair elections. On March 2, the party asked the Election Commission (EC) to deploy women force — including central paramilitary forces — at polling booths in the last two phases of the UP assembly polls to check the identity of burqa-clad female voters and prevent bogus voting. Women in all manner of veils exercise their franchise. That it’s the burqa-clad woman who makes the BJP uncomfortable shows that the fear of bogus voting is only a ruse for targeting a section of the voters.
This is not the first time the BJP has made such a demand. During assembly elections in Assam last year, it went to the extent of demanding voice tests for women voters in burqa. The EC had then pointed out that a voter — including one in burqa — is allowed to cast her vote only after the poll officer verifies her photo identity card. It seems that the BJP’s remarkable win in Assam has done nothing to change its stand on women voters in the traditional Islamic attire. The party’s new demand also shows that it is either ignorant of the protocols of the EC or wants to undermine them. These protocols do not give security officers the authority to check a voter’s identity. The agency’s Handbook for Returning Officers has a provision for the identification of pardanashin women. They permit the presiding officer to rope in a local woman to identify a woman in a veil of any sort in case of doubt.

Female voter turnout in the country has increased from 46 per cent in the 1962 general election to more than 65 per cent in 2014 — the gap between male and female participation has narrowed down to 2 per cent. The BJP’s attempts to give a communal colour to the participation of a section of women in the electoral process could reverse the trend. The party would do well to retract its demand to the EC.
Advantage India
US companies may need H-1B visa more than workers

The Tribune: Mar 6, 2017

The H-1B visa scare from the US is real for thousands of Indians, largely technical graduates, who hope to find not only work in America but may also harbour hopes of living the “dream”. There are, however, indications that the threat may not ultimately turn out to be that bad. President Donald Trump, for one, has seemed less ardent after coming to office than before in carrying out his threat of a clampdown on the visa available to highly-skilled workers — 85,000 in 2016. We are told that an Indian delegation led by Foreign Secretary S Jaishankar has been assured by the Trump Administration that any action on H-1B visa would only be part of a larger “immigration reform”, and there may be no immediate or specific action. And the assurance comes despite the fact that the President has faced significant bipartisan flak for not delivering sooner on his promise.

The go-slow approach should not be surprising. Ever since the first visa restrictions were imposed by a 1924 law meant to check post-World War I immigration, the US has eased restrictions every time it needed workers, whether farm labour, nurses or computer engineers. Another Indian delegation in the US, led by Nasscom chief R Chandrashekhar, has pointed out that America actually has millions of unfilled technical jobs. Insinuation that Indians are taking away Americans’ jobs is, therefore, unfounded. Moreover, the work Indians do there actually helps US companies grow, and thereby create more jobs. And no one can understand that better than the businessman President Trump, whose own companies employ thousands of immigrants.

A significant advantage for India is that the IT sector is human resource intensive, and we have an unending supply of skilled manpower. And this knowledge industry is growing equally outside the US too, including in China and India itself. If we play the cards right, India may well become the world’s resource for technical manpower. In China, in fact, there has already been talk of looking at Indian talent instead of the more expensive Western. The larger economic equation is simple: we need jobs, they need workers.
Freedom of Speech

Standing Up

LSR faculty show the way — teachers can help protect a student’s right to free speech.

Written by Editorial

Indian Express: March 1, 2017

Gurmehar Kaur has retreated from the “Not Afraid of ABVP” campaign as well as from social media saying “I have been through a lot and this is all my 20-year-old self could take”. Kaur’s creative engagement with university politics, however, has received unequivocal support from her teachers — the faculty at the department of English at Lady Shri Ram College, Delhi University. In a signed statement the faculty said, “We feel that it is the bounden duty of educational institutions to nurture sensitive, responsive and critical thinking students without the fear of violent retaliation”. This effort at presenting a united front is not only welcome, but also necessary, if the university as a place for originality and innovation is to be preserved.

The teachers’ statement couldn’t be more relevant. Of late, attacks on freedom of speech in institutions of higher education have not been limited to students alone. At the Jai Narayan Vyas University in Jodhpur, an assistant professor was suspended by the university administration for organising a seminar at which JNU professor Nivedita Menon spoke on nationalism, Hindutva and Kashmir. The violence at Ramjas College did not discriminate between teachers and students, nor have the JNU faculty been spared the “anti-national” tag.

In July last year, Ashoka University, a private institution, did not want its name associated with a petition by its students demanding an end to state violence in Kashmir. The idea of the university as a place for discussion and debate must be protected by all those who have a stake in its growth. Too much of the discourse now seems to be centred on the political morality of speech-acts. Former Finance Minister P. Chidambaram put it best when he said, “I think we’re confusing universities with monasteries. A university is a place where I have the right to be wrong.”

The path taken by the LSR faculty must be followed by the university administration. The way to deal with disagreement, particularly in institutions of learning, cannot be name-calling. Robust economies and secure polities are marked by the quality of their universities and the novelty of thought they produce. After all, Make in India, cannot be limited to just goods and services. To be a true global leader, India must generate ideas, look at a campus as a crucible for thought, its students as agents of the future. Not as an “alliance of subversions”.

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Listen to Him

The president has spoken, his underlining of free speech and what a university should be couldn’t have been more relevant.

Written by Editorial

Indian Express : March 4, 2017

The hate-mongers who would send their political opponents to Pakistan now know where they can go themselves. In a public function in Kochi, President Pranab Mukherjee has said that “there should be no room in India for the intolerant Indian”. It amounts to an eviction notice for the trolls who have dominated the political discourse both online and offline. In addition, the president has specifically pointed to the university as a disputed site in the battle between competing ideas of India, and to the need to preserve its freedoms. And he has stood up for women, arguing that brutalising a woman wounds the soul of Indian civilisation. In the wake of a shameful attack on a woman student in which a Union minister allowed himself to be embroiled, this amounts to a direct indictment of the government.

The prime minister generally hears out the president. In October 2015, Narendra Modi had broken his silence on the Dadri lynching to respond to Mukherjee’s insistence that diversity, tolerance and plurality are core values binding the country together. Calling him the “pramukh mukhia” of India, Modi had embraced his line and urged the people to follow suit. Rhetorically, he had asked people not to deviate from it even if Narendra Modi told them to. Later, at a function in December, the prime minister had expressed his gratitude for Mukherjee’s guidance in the early days of his government. He had kept Rashtrapati Bhavan updated through the period of turmoil following demonetisation and in his New Year’s address, the president had sensibly pointed out that the people needed immediate succour, and that the year-end relaxations provided a flimsy shield.

Now, while decrying the meanness and ugliness which has cast a shadow over politics as the states go to the polls, President Mukherjee has said that leaders must listen to the people, engage with them, learn from them and respond to their needs and concerns. It is valuable advice for a government which hopes to change the way India lives and thinks. It cannot achieve positive change by unilateral action, and dissent can be demonised only at the expense of democracy. In particular, it must be appreciated that students go to university to learn how to think, not what to think. They must have the freedom to explore knowledge without the fear of being penalised for thoughtcrime, or eventually, the knowledge economy which this government values so much will collapse. Listening to the people and governing according to their needs rather than political imperatives is an ambitious project. But the government could make a small but significant beginning by listening to, engaging with, learning from and respond to the needs and concerns of the president.
**GDP**

**Centre's GDP data selective, unreal**

*Deccan Herald: March 6, 2017, DHNS*

By now, it is generally realised, even within the Union government and the ruling BJP, that the ill-advised demonetisation of currency to the extent of 86% of its value played havoc with the economy. Every citizen and every sector of the economy — industry, trade, agriculture, transport, ports, airports, hospitals, cinema halls, hotels, restaurants — was hit by a lack of cash. For about two months, beginning November 9, the entire nation was visibly battling either the bank queues or suffering some other consequences of note ban. The impact was too obvious and the disruption was almost complete. The markets had very few customers, inventories with the producers or the dealers were building up while casual labourers in cities had gone back to their villages where farmers were left with rotting potatoes and other crops disposed in distress sales. Those arguing about the impact being limited to informal sectors should illustratively take a look at the falling sales of two-wheelers, large advertising campaigns being put on hold and investment plans being pushed to the backburner with the result that instead of creating new jobs, the industry and trade were finding it difficult to retain the existing strength.

But the Union government and the Central Statistical Organisation would like us to believe that all the impact being loudly talked about was “anecdotal.” According to them, 7% growth for the October-December quarter was more authentic, based on “empirical” data. For the entire fiscal 2016-17, the Indian economy is supposed to be growing at 7.1%, still the fastest among the major economies. Though the GDP had grown by 7.9% in 2015-16, 7–7.1% growth is pretty good in the face of disruptive demonetisation. But more than disruptive, Prime Minister Narendra Modi downward to Finance Minister Arun Jaitley and other ministers would rather like the nation to believe about its “long-term” positive impact. They even taunted internationally acclaimed economists, pitching “Harvard-wallahs” against “hard working” Indians, especially within the government after the CSO released the GDP data on February 28.

It is nobody’s case to treat the CSO data as “fudged,” but certainly the data is too broad-based yet selective and omits a large section of the economy. Technicalities do not interest the common citizen whose legitimate question is: how come manufacturing remained robust when industrial growth was a meagre 0.2% in Q3 of 2016-17. Agriculture stands out with 6% growth in Q3, but the paradox is that the rural stress is too evident to be buried under the data which is of least interest to distressed farmers.
Whatever the Q3 growth rate, get on with reforms

Economic Times: March 2, 2017

On the face of it, the Central Statistics Office’s (CSO) second advance estimate of economic activity would suggest that the financial shock of removing 86 per cent of the currency from circulation in an economy where more than 90 per cent of transactions were in cash has not hurt economic growth.

Growth in the quarter ending December, when the impact of demonetisation would have been the worst, is estimated to have been 7 per cent and the estimate for 2016-17 as a whole is 7.1 per cent. The robust growth in agriculture, of 6 per cent in Q3 and 4.4 per cent for the whole year, after two years of drought does not quite explain it: after all, agriculture, forestry and fishing account for just 15 per cent of GDP. But there are rational explanations for this seeming mismatch between expectation and outcome.

To begin with, growth in gross value added is forecast to come down sharply from 7.8 per cent last fiscal to 6.7 per cent this year. Only a rise in the indirect tax burden pushes the GDP growth rate above 7 per cent. But how could manufacturing have grown 8.3 per cent in Q3, faster than 7.7 per cent for the year as a whole?

CSO estimates GDP using the financial results of companies and sales tax paid by traders. It is conceivable that quite a few entities declared unusual levels of income and sales, to bring hoarded cash into formal channels and, thus, presented an inflated picture of economic activity.

This bump in activity would disappear in the fourth quarter, if this were so. And the CSO figures imply precisely that: growth in Q4 is expected to turn in at 6.9 per cent. And it is conceivable that when data are firmed up, revised estimates would bring out a different picture, of lower growth in Q3 and the year as a whole.

But how does this matter? The point about demonetisation was not that there would be no short-term pain; rather, it was justified on the expectation that once the bitter pill was swallowed, healthy recovery would follow and the economy would gallop ahead in 2017-18 and thereafter. That remains to be validated or disproved. Meanwhile, the imperatives of goods and services tax and banking reform remain unchanged.
GDP growth: Headline numbers suggest only services bruised by note ban

Financial Express : March 2, 2017

Official data in India has been called statistically bewildering, but never before have economists been as stumped as they were by the GDP numbers for the December 2016 quarter. The economy must have felt the pain of demonetisation, most said, so the GDP data just doesn’t add up. With December GDP clocking 7% y-o-y growth versus 7.4% in September, and with GVA at 6.6% versus September’s 6.7%, it would appear there has been little loss of momentum. The headline numbers suggest it is only services that have been bruised—GVA growth has moderated to 6.8% from 8.2%—pulled down by financial, real estate and professional services. This flies in the face of the data for sales of cars, two-wheelers and CVs—which contracted both in November and December—or even sales of consumer staples, cement and steel.

The 10% jump in the private final consumption in December is particularly baffling even though it was festive time, or the Pay Commission bonanza ensured government employees shopped like it was going out of style and Indian weddings were still big and fat—after all, if a major part of cash was rendered unavailable, how was the expenditure funded?

But if you leave aside expenditure-side data which is notoriously unreliable on a quarterly basis, there are somewhat plausible explanations. For one, as compared to the R28.5 lakh crore GDP in the first estimate for the December 2015 quarter, the latest data gives a number of R28.3 lakh crore for the same quarter—once this new, and lower base is used, this boosts the December 2016 growth significantly, from 6.2% to 7%. Some of better performance in the December 2016 quarter can also be explained by the strong showing in the agriculture sector which grew at a bumper 6% against expectations of 5%, leaving a lot more in the hands of rural households. Also, the near-20% jump in government consumption would boost demand for a host of goods and services—this looks odd given the Centre’s conservative fiscal stance, but state government spending is rising rapidly.

Though it can be argued GDP data doesn’t capture the informal sector as well, financial results of 2,570 companies makes it clear the formal sector didn’t do too badly in the December quarter. Net sales rose at their highest levels in several quarters while operating margins expanded by 150 basis points as the benefits of softer input costs helped lower the raw-materials-to-sales ratio by 100 basis points. In fact, ebitda-plus-employee-expenses, a proxy for GVA, rose close to 12%, higher than in the two previous quarters. Some of this
blends in with the performance of the core sector which was relatively strong in the December quarter.

It is also possible that, to beat the impact of demonetisation, firms showed fake sales to legitimise black money stashed away in the past, and also that some sales moved from the cash segment to the cheque one after demonetisation, and so got captured better. Since these transient factors, as well as the base-rate impact, won’t be repeated in the March 2017 quarter, perhaps that will give a better sense of the demonetisation impact. It may also turn out that, thanks to the monsoon-driven agriculture boom and higher government spending—no one is doubting this data—the demonetisation impact might not be as bad as feared. Especially if tax collections rise in the amnesty scheme and significantly more people start paying their dues.

Resilience reaffirmed

The Hindu : March 02, 2017

CSO data suggest that the demonetisation effect on GDP is less than feared

The resilience of India’s economy has been reaffirmed by the latest data, with both the third-quarter and full-year growth estimates belying widespread concerns that the November 8 decision to withdraw high-value currency notes would significantly dampen momentum. While the Central Statistics Office stuck with its January advance estimate for gross domestic product in the 12 months ending March 2017 to post a healthy 7.1% growth, it projected GDP to have expanded 7% in the fiscal third quarter, reflecting only a marginal slowdown from the 7.3% registered in the preceding three-month period. Notably, this expansion occurred in the October-December quarter, when about 86% of the currency in circulation in the form of ₹500 and ₹1,000 notes was abruptly sucked out of the system, potentially resulting in what the Economic Survey termed an “aggregate demand shock” and the Reserve Bank of India referred to as “demand compression associated with adverse wealth effects”. Undergirding this better-than-expected performance were the agriculture, mining and manufacturing sectors and, interestingly, government expenditure. While the overall gross value added (GVA) in the third quarter is estimated to have increased by 6.6%, agricultural GVA in the period is projected to have surged 6%, a sharp quickening from the second quarter’s 3.8% pace and in stark contrast with the 2.2% contraction in the earlier year, as the near-normal monsoon in 2016 helped lift kharif crop output substantially. Mining and manufacturing GVA too appear to have done far better than in the preceding quarter, bucking the so-called ‘demonetisation drag’ to post 7.5% and 8.3% growth, respectively. Public administration, defence and other services clocked double-digit GVA growth: at 11.9%, a robust acceleration from the 7.5% in the third quarter of 2015-16.

It is only the financial, real estate and professional services segment, which is linked to consumption, that lagged, with the pace of expansion more than halving from the July-
September quarter to a modest 3.1% increase. Chief Statistician T.C.A. Anant has said the government will continue to keep evaluating the numbers in relation to the impact of demonetisation, even as the CSO trimmed its full-year GVA growth estimate to 6.7% from the 7% projected in January. This 30 basis points cut in the GVA growth estimate is more in sync with the projection of one quarter of a percentage point to half a percentage point slowing in its baseline real GDP growth assumption of 7% that the Economic Survey had posited. The Survey had also made a cautionary assertion that recorded GDP growth would “understate” the overall impact of demonetisation as “the most affected parts of the economy — informal and cash based — are either not captured in the national income accounts or, to the extent they are, their measurement is based on formal sector indicators.” When dealing with statistics, it is safer to keep all the caveats in mind.

The GDP maze

Times of India : March 3, 2017

Modi government must not neglect the economy, whatever message it puts out politically

The latest headline number on the speed at which India grew between October and December suggests that demonetisation did not have a significant impact on economic activity. Government can thus claim the economy is fine. This conclusion is misleading. While GDP grew 7%, a rate faster than some expected, details put out by the Central Statistics Office also suggest the Indian economy has been losing steam for a year. Therefore, it is important that the Modi government continues to focus on both managing immediate economic challenges and carrying forward the process of reforms which alone can enhance long-term productivity.

India’s large informal sector makes the task of calculating the level of economic activity and its year-to-year growth challenging. Consequently, numbers are revised for up to two years or more as a greater quantum of data for the informal sector becomes available with the passage of time. For example, GDP data for 2015-16 was recently revised upwards from 7.6% to 7.9%. In similar vein, given that demonetisation’s negative impact would have fallen largely on cash intensive informal sectors, it is reasonable to assume there will be revisions.

Even the early data shows that growth of economic activity as measured by value addition has been slowing down. For example, quarterly data on gross value added growth has been slowing down for a year, recording 6.6% in the period between October and December. This suggests that even before demonetisation the economy was being held back by challenges. A serious concern is that public sector banks are in bad shape. Reviving them may be the most important challenge finance minister ArunJaitley faces.

A resolution to the public sector banks bad loan problem is also a prerequisite to revive private sector investment activity in the economy. This challenge requires the government to expend political capital as there is a danger of any solution becoming ensnared in populist rhetoric about crony capitalism. In addition to dealing with this critical immediate challenge, India needs considerable reform in land and labour markets, and in its regulatory architecture. It is only these reforms which will make us a more productive economy and create jobs of sufficient quality and quantity for the million young people who join the work force each
month. The first estimate of third quarter GDP of 2016-17 should not make us lose track of the economy’s needs.

Hills Vs Valley

‘No economic pain’

GDP data out of touch with reality

The Tribune: Mar 2, 2017

The latest GDP numbers released by the Central Statistics Office may make one recall Benjamin Disraeli’s famous remark: “There are three kinds of lies: lies, damned lies, and statistics.” Rather than accurately reflect the Indian economic reality, the robust GDP numbers for the third quarter raise questions about the quality and credibility of the official data. Similar doubts had surfaced when the new method of GDP calculation was adopted. It is plain economic sense that when 86 per cent currency of a country is suddenly withdrawn and people are left with little even for day-to-day spending, there cannot be business as usual.

Economists and analysts of all hues were almost unanimous in their prediction of a damaging impact of demonetisation on the economy; they differed only on the extent of the damage. Even Finance Minister Arun Jaitley conceded short-term pain while continuing his daily routine of pep talk to lift the nation’s dismal economic mood. But none, not even the most diehard of the optimists, had expected India to outperform the rest of the world in that period of financial distress. The government’s own Chief Economic Adviser, Arvind Subramanian, who authored the Economic Survey for 2017, had forecast an economic growth of 6.5 per cent for the current fiscal year. The IMF had expected India’s economic growth to fall to 6 per cent in the second half of the year. An All India Manufacturers’ Organisation study had showed nearly all industrial activity in small and medium units coming to a standstill, post the note ban. However, the Finance Minister, the CSO and the RBI had maintained a positive stance.

Before Jaitley starts making “I-told-you-so” proclamations, he should revisit the Economic Survey which noted that “recorded GDP will be overstated because the banking sector value added is based (inter alia) on deposits which have surged temporarily.” Much of the demonetisation pain happened in the unorganised sector, which is not properly factored in the GDP assessment. It is possible the stepped-up government spending partly countered the negative impact of the cash crackdown, but the need to make data in sync with the ground reality cannot be overemphasised.
Measuring Growth

GDP figures point to a robust economy, but what matters is investments and jobs.

Written by Editorial

Indian Express : March 2, 2017

If the results of the recent civic elections in Maharashtra and Odisha are any indication, the Narendra Modi government’s November 8 decision to invalidate all existing Rs 500 and Rs 1,000 denomination notes have had no political impact. But now, it seems the withdrawal of some 86 per cent of currency from circulation has had little effect on economic growth either. Latest quarterly data on national income from the Central Statistics Office (CSO) shows the country’s GDP to have expanded in real terms by 7 per cent during October-December year-on-year. But more interesting is manufacturing and private final consumption expenditure: These have recorded annual growth rates of 8.3 per cent and 10.1 per cent during October-December, as against their respective rates of 6.9 per cent and 5.1 per cent for the previous quarter. In other words, manufacturing and private spending, far from suffering any setback, have registered strong rebound in a quarter where the effects of demonetisation would have been palpable, if at all.

All of this would obviously fly against ground reports of production ceasing in industrial clusters from Ludhiana, Tirupur and Ichalkaranji to Morbi, Agra and Noida, alongside retrenched workers from factories and construction sites returning to their homes in Bihar, Odisha or Bundelkhand. Nor do they square up with other data indicators relating to industrial credit, automobile and two-wheeler sales or residential unit bookings across cities; all of these have registered clear negative growth since November. The CSO data, in fact, render even the government’s own assessment at least until recently — of demonetisation causing a “temporary” blip in a couple of quarters and thereafter leading to a “V-shaped” recovery — irrelevant: If growth has been robust in October-December, why debate the impact of demonetisation?

There is bound to be scepticism over the CSO’s latest estimates. This would be even more after the Economic Survey pegged GDP growth for 2016-17 at 6.5 per cent, down from 7.6 per cent last year. The CSO, by contrast, expects only a small dip from 7.9 per cent to 7.1 per cent for the entire fiscal. It is worth recounting the Survey’s note of caution here: According to it, recorded GDP growth may understate the overall impact of demonetisation because the most affected parts of the economy — informal and cash-based — are either not captured in the national income accounts or to the extent they are, their measurement is based on formal sector indicators. That caveat needs to be factored in along with another important takeaway from the CSO data, which pertains to gross fixed capital formation. The latter — an indicator of investment activity that leads to job generation in the economy — has expanded by a mere 3.5 per cent year-on-year in October-December. And that’s the real concern today, whether or not we believe that overall GDP growth is 7 per cent plus.
Statistics is growth: let’s eat statistics

While the GVA/GDP data may have sprung a surprise, many other indicators point to an economy that is not investing more, not producing more and not creating more jobs

Written by P Chidambaram

Indian Express : March 5, 2017

The Central Statistics Organisation (CSO) is an honourable institution. Dr Pronab Sen, the former chief statistician, and Dr T C A Anant, the current chief statistician, are honourable men. Ordinarily, one should have faith in them. I do.

However, what should one do when they appear to contradict each other? Dr Anant, after releasing the data for the third quarter of 2016-17 (October-December), has concluded that the GDP in Q3 grew by 7 per cent and the growth rate for the whole year would be 7.1 per cent. Dr Sen, after reviewing the data, has concluded that the data is deficient and the growth rate for the whole year is likely to be revised downward to 6.5 per cent.

Whether the growth rate for the whole year turns out, finally, to be 6.5 per cent or 7 per cent, it would be a matter of satisfaction — not self-congratulation or exuberance — for the country. That, however, is not the question troubling informed observers. The question is ‘did demonetisation adversely impact economic growth?’. The CSO data did not answer that question.

Economy slowing down
The government had claimed at the beginning of 2016-17 that the growth rate would be 7.6 per cent. Suppose we assume that, after demonetisation, the growth rate will be 7 per cent. That is an adverse impact, and the cost of losing 0.6 per cent of GDP will be Rs 90,000 crore. If the growth rate falls to 6.5 per cent, the cost will be Rs 1,65,000 crore. Neither is a small sum of money. The argument that demonetisation did not — or will not — have a negative impact on the economy is hollow and puerile.

Between Dr Sen’s and Dr Anant’s, there is good reason to lean in favour of Dr Sen’s conclusion. After the changeover to the new methodology, the CSO publishes estimates of Gross Value Addition (GVA) and Gross Domestic Product (GDP). GVA is an estimate, GDP is derived by adding tax revenues and subtracting subsidies. Let’s look at the GVA growth rates during three years:

<table>
<thead>
<tr>
<th></th>
<th>2014-15</th>
<th>2015-16</th>
<th>2016-17</th>
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<tbody>
<tr>
<td>Q1</td>
<td>7.26</td>
<td>7.75</td>
<td>6.89*</td>
</tr>
<tr>
<td>Q2</td>
<td>7.91</td>
<td>8.44</td>
<td>6.69*</td>
</tr>
<tr>
<td>Q3</td>
<td>6.29</td>
<td>6.95</td>
<td>6.61</td>
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<td>Q4</td>
<td>6.19</td>
<td>7.42</td>
<td>?</td>
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<tr>
<td>Whole Year</td>
<td>6.94</td>
<td>7.83</td>
<td>6.67 (est)</td>
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*after downward revision

Demonetisation affected every sector of the economy except three: (1) it did not affect government expenditure and government actually increased its spending after November 8, 2016; (2) it did not affect the monsoon that was bountiful and boosted agricultural production; and (3) it did not affect the revenues of utilities because the demonetised notes were allowed to be used for paying utility bills and actually encouraged payment of old arrears. Let’s, therefore, look at the GVA growth rates after excluding government, agriculture and utilities:
The conclusion from either table is simple and clear: economic growth in the non-government, non-agricultural economy slowed down since Q4 of 2015-16 and was on a decline in 2016-17. Demonetisation that happened in the middle of Q3 accelerated the decline.

Relevant numbers

Adding tax revenues to GVA and subtracting subsidies to arrive at GDP does not reflect higher growth. If excise duties are raised in the course of a fiscal year, as was done by the government, it will bring in more revenues, but not higher growth. If subsidies are compressed, it does not mean higher growth.

Growth is best captured by numbers reflecting greater investment, higher production and more jobs. While the GVA/GDP data may have sprung a surprise, many other indicators point to an economy that is not investing more, not producing more and not creating more jobs. Compare the GVA growth numbers in Q3 of 2015-16 and Q3 of 2016-17. In the Mining, Manufacturing, Construction, Trade/Hotel/Transport/Communication and Financial Services sectors, the GVA growth number has declined sharply in 2016-17.

In Q3 of 2016-17, the Index of Industrial Production (IIP) recorded a meagre growth of 0.2 per cent. Bank credit growth to industry was negative at (-) 4.3 per cent. The ratio of Fixed Investment to GDP has declined from 29.3 per cent to 26 per cent. By September 2016, net fixed assets of all firms had declined by (-) 9.36 per cent. The average plant load factor of all thermal power plants is at 60 per cent. Yet, it is claimed that demonetisation has not affected economic growth!

Just as the GVA growth numbers for Q1 and Q2 of 2016-17 were revised downward, it is likely that the GVA growth number for Q3 of 2016-17 will also be revised downward. When
data for the informal sector is also captured, the GVA growth number will be moderated and will be lower.

**Unanswered questions**

If the government is confident that demonetisation has not affected economic growth, why is the government not publishing the data on the outcome of demonetisation? Why have the restrictions on withdrawing our money not been lifted yet? Why is the RBI still counting the old notes in the old-fashioned way? How much of the old notes has returned to the system?

Which objectives of demonetisation have been achieved? Black money continues to be generated. Bribes are being given and taken. Terrorist incidents have increased in Jammu & Kashmir. Fake currency has made its appearance.

There are a number of questions about the GVA/GDP number. That number is not the answer to our questions about demonetisation.

Website: pchidambaram.in
Gender Ratio

Improved gender ratio
Changing mindset result of persistence

The Tribune: Mar 3, 2017

A daughter may still not be the first preference for a majority of families across North India, her elimination from the womb has shown a noticeable decline. The child-sex ratio, for the first time in decades, shows an improvement; there are 919 girls for 1000 boys in the 0 to 6 six years bracket. An indicator of positive social development, a result of persistent, multi-pronged efforts of the state and sections of society, the progress has been achieved not by legislation alone. Female foeticide is a social ill which couldn’t be remedied by a PNDT Act pill. The real cause behind the declining number of girls is not sex determination alone but the pitiable social status of women.

Punjab and Haryana, the states with the worst account on gender ratio in 2005, showed a positive trend in 2015. The efforts initiated by the previous government in Haryana, to showcase female sports stars as the state’s mascot, paid dividends. For the first time families with daughters felt there was no ‘shame’ in not having sons. Female wrestlers did their villages proud in the international arena. Then the state administration had to take the PM’s campaign, Beti Bachao Beti Padhao, with the seriousness it required. This resulted in the setting up of a separate secretariat in 2015 to monitor the drive against female foeticide.

A lot changed because the birth of a girl child was incentivised under different schemes. In Punjab the creation of self-help groups under the Nanhi Chhan programme saved women from unwanted abortions. Bollywood ads and feature films with a strong message condemning male preference stirred social consciousness, prompting a few to become harbingers of change — to celebrate a daughter’s Lohri and brides doing ‘ghud charhi’ in Haryana. Beyond the tokenism, a lot still needs to change. The government has to take serious steps towards curbing over-the-counter sale of MTP pills, to check rampantly used portable, affordable, handy ultrasound machines for sex detection — a new threat that evades surveillance of ultrasound centres. The battle has just begun.
Healthcare

The Challenge of non-communicable disease

Economic Times: March 6, 2017

The findings of the National Family Health Survey-4 bring good news: infant mortality has fallen, the sex ratio has improved and vaccine coverage has spread. It also brings bad news: non-communicable diseases are gaining ground — the incidence of diabetes is 20.3 per cent and that of hypertension, 22.2 per cent. These, once regarded as the diseases of the rich, call for new thinking and an innovative response.

These chronic diseases, left medically unmanaged, increase the possibility of infectious diseases. That at least one-fifth of the population suffers from chronic diseases making them vulnerable to infectious, life-threatening diseases presents a public health challenge. The Indian healthcare system, though woefully inadequate in terms of access and delivery, has been more concerned with tackling infectious diseases. While these can be tackled through mission-mode vaccination efforts, diseases like hypertension and diabetes require sustained medical care, besides lifestyle modification.

Given the high levels of out-of-pocket expense in healthcare, coupled with poor access and delivery, the poor are more likely to go without medical care, leading to higher instances of disability that would impact their productivity and income earning capability, besides pushing them into a debt trap as they borrow to treat illnesses.

The government needs to focus on improving healthcare access and delivery, ensuring availability of medical personnel and affordable medicine to manage chronic ailments. It needs to take serious measures to improve sanitation and address air and water pollution that contribute to aggravate non-infectious diseases. All this requires higher levels of investment, smart policy, leveraging of available funds and accountability in the system.

Is India Well? While health indicators improve, more needs to be done to shore up Indians’ health

Times of India: March 2, 2017

India’s health indicators have made significant improvements over the last decade. Indices such as infant mortality are down while institutional deliveries and sex ratio are up. Data gathered during the fourth phase of the National Family Health Survey show that even a state
like Haryana has experienced a commendable change in its sex ratio at birth – it went from
762 females per 1,000 males in 2005-06 to 836 females per 1,000 males in 2014-15. India’s
total fertility rate also declined to 2.2 – close to the replacement rate of 2.1 – from 2.7 over
the decade.

Add to this the increase in immunisation coverage across the country with almost 70% of
children fully immunised, compared to 44% in 2005-06. There was also a significant 10%
decline in stunting while the percentage of underweight children reduced from 42.5% to
35.7% in eight years. All of this shows that even moderate investments in the health sector
backed by good policies such as the Universal Immunisation Programme can make a
significant difference to society. If current standards of awareness and infrastructure can
bump up institutional deliveries from 38.7% to 78.9% over a decade, then imagine the
positive output if the government outlay for health was made commensurate with global
levels.

Government expenditure on healthcare is a little over 1% of GDP today. In contrast, the
world average healthcare outlay stands at 5.99%. While there does exist quality private
tertiary care in urban areas, public hospitals are poorly staffed, overburdened and saddled
with inadequate infrastructure. The situation is worse in rural hamlets. This dichotomy has
made access to healthcare expensive and hugely cumbersome for the vast majority of the
people. Add to this a shortage of nearly five lakh doctors in the country. Thus, while progress
in health indicators is commendable, much more needs to be done to universalise access to
quality healthcare in India.

Manipulated research
Results depend on the source of funding

The Tribune: Mar 7, 2017
WE all know how the powerful tobacco lobby has tried to prevent research findings on the ill
effects of smoking from becoming public knowledge. A similar script is being written by the
cellphone industry-funded research. Contradicting their findings, a study conducted by the
neurology department of AIIMS establishes that a prolonged use of cellphones enhances the
risk of brain tumour by 1.33 times. The alarming finding came to light when a secret
document was released by a California court in a lawsuit filed by Berkeley’s School of Public
Health related to the ill effects of electro-magnetic field caused by cellphones. The California
government had hid the document for seven years under pressure from the cellphone
operators’ lobby.

Shuffling between the well-being of the consumers and the profit-driven industry,
contradictory health research findings have become a norm. The consumer is left at the mercy
of a suspected government-industry nexus. The state looks the other way as long as an
industry fills its coffers. Be it the extensive use of pesticides in vegetables and fruits, higher
dosage of fluoride in water supply, brain altering anti-depressants or the fluctuating redline
mark for the blood cholesterol and cholesterol controlling drugs, public health has been at the
mercy of chemical and pharma companies in the absence of clear-cut guidelines and enforcement of health-related regulations.

Since government policies are changed according to the latest developments in medical research, their accuracy is therefore crucial to public health, irrespective of the source of funding. Cellphones have become a necessity. Given the contradictory research findings, it's challenging for the government too to convince people to restrict its use, especially youth and children who are more vulnerable to radiation. The 500 medical colleges in India are best suited to initiate a study with a broad spectrum of cellphone consumers in different terrains. Our medical fraternity and cellphone industry owe it to society at large to understand scientifically the effects of overuse of the mobile phone.

**Physician, Heal Thyself**

Politicians never lose an opportunity to get traction from a system of controlling prices of cardiac stents as forced by courts and health activists.

Written by Amar Jesani

Indian Express : March 7, 2017

Over decades, by ignoring the full development of public healthcare, the barrel makers of our country pushed a large number of doctors into private practice, making them entrepreneurs. (Express Archive Photo/Representational)

I expected the medical profession of the country to welcome the reduction of the prices of cardiac stents by 85 per cent with great jubilation. My expectation, and perhaps also of all those who trust medical professionals, emanated from the simple understanding that doctors have the best interests of patients at heart. A cheap life-saving device would facilitate their ethical commitment to do good for patients. But these expectations were soon belied. Doctors felt insecure, irritated, some even attacking price control and other regulations. Social media was full of lamentations by doctors: “Why do politicians hate us?”, “Society has
unreasonable expectations from doctors”, “Lay persons will never understand how hard we work”, “A few bad apples should not make all of us look bad” and, “Why only we?”. Each dismayed remark was invariably followed by a long narrative.

Yet, to use the analogy of a famous TED talk given by renowned psychologist Philip Zimbardo, titled “The Lucifer Effect: The Psychology of Evil”, blaming only doctors as “bad apples” would not do justice to the evil within our healthcare system. Corporates making astronomical profits using unsavoury means, writing off bad debts and making ordinary people pay, allowing top managers to draw obscenely high salaries, all these factors have created too many “bad apples”. Preaching ethics is never going to turn so many bad apples into good ones.

In my view, equally important is the barrel in which the apples go bad; that barrel is corporate-dominated, private sector-driven, for-profit healthcare where doctors practice medicine. A young doctor, who studied medicine by spending crores at a private medical college, would cherish the opportunity to get back their educational investment from such a system. The perceptions of their role many such doctors would have will be in line with other “apples” in the system — and not in line with the interests of patients. Medical ethics are easily trumped by this affinity, over an ideological conviction about healthcare.

Politicians never lose an opportunity to get traction from a system of controlling prices of cardiac stents as forced by courts and health activists. The barrel makers — who have encouraged healthcare to flourish in the private market — have presented themselves as friends of patients. Many doctors look completely taken aback; hence, their lament, “Why do politicians hate us?”; “We are not villains”. The irony is lost on them as they have aligned with the barrel makers and their policies.

What has brought the medical profession to this state? Ethics, with science, as basic tenets of medical professionalism once fetched the profession rich dividends. These made professionals respectable, trustworthy — even demigods — with society constantly ensuring their comfort and wealth. But unwavering loyalty to patients got corroded by the rise of a condition called “Conflict Of Interest” (COI). This is defined as a condition that exists when there is a secondary interest for the doctor competing with their primary interest — patients’ needs.

Over decades, by ignoring the full development of public healthcare, the barrel makers of our country pushed a large number of doctors into private practice, making them entrepreneurs. Many entrepreneur-doctors evolved into owner-practitioners of private healthcare institutions, and with corporate hospitals, doctor-administrators and investors. Add to this the
system of earning from commissions levied on patients, shared between the pharma, medical
device and hospital industries.

Therefore, many doctors have direct confluence with their secondary interest: This is highly
pervasive. But doctors feeling anxious about a loss of trust from society are not able to
recognise that they have converted the strict avoidance of conditions conflicting with
patients’ best interests into the confluence with those conditions in daily practice. No doubt
this will corrode the trust of patients and make them look like villains. The way out of the
situation is neither lamentation, nor demands to make such confluence legal. Such efforts
would only sink doctors deeper into a quicksand of social distrust. The truly ethical way is to
end the present cosy relationship conflicting with patients’ interests.

*The writer is editor, ‘Indian Journal of Medical Ethics’*
The weak ‘I’ in India; country underperforms on innovation, investment and competition

Financial Express : March 2, 2017

Last month, the US Chamber released the fifth edition of the International Intellectual Property (IP) Index, which benchmarks IP standards in 45 economies around the world. In this edition of the index, India places third from the bottom—though an improvement on last year’s performance, this is in large part due to the addition of new economies to the index, some with weaker performance than India in certain areas.

In fact, for all intents and purposes, India did not make many actual improvements to its national IP environment. On the contrary, a number of developments have had a pronounced negative impact. One example is the recent High Court of Delhi decision regarding photocopying copyrighted content. What is more, despite the Indian government’s issuing of the National Intellectual Property Rights Policy in 2016, IP-intensive industries continue to face major challenges, not least with regard to Section 3(d) of the Indian Patents Act and the scope of patentability for life sciences and computer-implemented inventions.

But the index scores and rankings themselves are not the endgame. Neither is IP protection itself. The goal of IP protection globally and in individual economies—India among them—is to secure innovation and competitiveness, and the socio-economic transformation these provide.

One can debate the validity of a given index and ranking on IP rights—whether it is the IP Index or another measure—but the fact remains, the true test of India’s IP framework is the extent to which it is delivering on the country’s innovation and competitiveness goals. In the Make-in-India Strategy from 2014, the Modi administration clearly identified the growth of India’s local high-tech sectors through foreign investment and increased domestic research and development as a key priority.

Yet, after two years, India still underperforms on different metrics of innovation, investment and competitiveness. For instance, India exhibits just 60% of the knowledge and technology outputs that one of its peers, China, does, as measured by the 2016 Global Innovation Index’s
Innovation Output Sub-Index. And while still low, China attracts double the amount of biomedical investment in terms of clinical trial activity compared to India (which, though rising, displays a rate of just over 2 trials registered in the international database Clinicaltrials.gov per million people). For its part, despite facing critical challenges in its IP-related laws and enforcement, China’s IP framework provides patenting fundamentals that are missing or uncertain in India’s IP framework.

Indeed, one common denominator of economies that do exhibit high rates of investment and innovative output is a supportive IP environment. In fact, of the 21 socio-economic indicators examined in the statistical annex of the IP Index in 2017—ranging from R&D to job growth to access to technologies—they all display a strong correlation (having a correlation strength of 0.6 or above) with the index scores. And digging into these correlations, it is clear that even an incremental improvement in IP protection can yield economic rewards and allow economies to progress toward strategic goals.

The recent National IPR Strategy was a missed opportunity to resolve the statutory and legal uncertainty undermining India’s ability to strengthen innovation and competitiveness. The IP Index presents a playbook of measures that, when taken, will support India’s ability to secure its socio-economic goals. What matters is whether India will keep its eye on these goals and go the full distance to secure them.
Internet

Runaway Internet
Adapting to technology more real than taming it

The Tribune : Mar 1, 2017

Google on Monday told the Supreme Court it was nearly impossible to set up any mechanism to prevent uploading of “objectionable” content. It was responding to a specific query from the court on what could be done to check sexually abusive material, especially that targeting women and children, which is becoming distressingly pervasive. Google is largely correct in the submission, though measures can be taken once such content is spotted. Or at least the spread can be contained, as is, in fact, being done already. The Internet comprises networks connecting innumerable servers, or computers that physically lie in hundreds of national jurisdictions across the world. Any initiative would necessarily involve cooperation at a global scale.

Whether or not technology can come up with preventive measures, it definitely has created an altogether new empowering medium for harassment, as well as other crimes such as theft, espionage or terror. As in the “real” world, so in “virtual”; the principles of prevention, investigation and punishment remain largely the same in both, though in the virtual better monitoring is possible. One aspect that needs attention is the greater vulnerability of people who are new to the digital world, as they may not be very aware of how to prevent becoming a target, or what to do after an attack. That makes computer literacy all the more important, but its definition needs to change, even in schools. More than learning to use a computer, children may be taught how to handle social media, which not only exposes them to criminals but also self-generated emotional turmoil.

Some of the distress caused by online activity may also be ascribed to rapid social change that the sudden increase of inter-personal relations the Internet has facilitated. The boundaries between private and public are getting blurred. Children born in the 21st century have grown up in a world practically unknown to their parents. Society may well expect a rollercoaster ride ahead, with sweeping change in sensibilities, relations, notions of privacy, security, et al, all driven by the monster called the Internet, insidious and magical at the same time.
Jammu & Kashmir

The Gun Obsession
Kashmir calls for political outreach, not innovative weaponry.

Written by Editorial
Indian Express : February 28, 2017

Here is a math question. If a pellet gun muzzle is fixed with a deflector that prevents the pellets from flying upwards, and reduces the chance of injuries above the abdomen from 40 per cent to 2 per cent, how many of the 1,200 people who were hit in the eyes last year would be hit in the eyes with the new attachment? While you work on the answer, ask yourself what is an acceptable number. Last August, when Union Home Minister Rajnath Singh visited Srinagar during the height of the trouble, he acknowledged that pellet guns, despite their classification as non-lethal weapons, had caused “some incidents”, and promised in his meetings with several groups of Kashmiris that the government would consider an alternative. In September, the Ministry of Home Affairs cleared for use PAVA shells, which use an organic compound — pelargonic acid vanillylamide — found in chilli peppers, and temporarily disable targets by causing a burning sensation. But the outgoing director general of the CRPF has said these are ineffective, and the modified pellet gun is to make a comeback. That our security forces can think of innovations to guns in order to bring down casualties is commendable. But innovations in weaponry, of the lethal or non-lethal kind, are not what Kashmir needs today. For Kashmiris, and indeed in the entire world, the pellet gun has become a powerful symbol of the Indian state’s brutality, and dressing it up and sending it back is no solution to the alienation that afflicts large sections of the population in the Valley.

What the Valley needs more urgently are innovative political strategies to reach out to the people. Unfortunately, the army chief Bipin Rawat’s warning that the army would treat all those in Kashmir who do not support army operations or obstruct security personnel during encounters “as overground workers of terrorists”, and now the decision on deploying the pellet gun once more are the only two “political” signals that the Kashmiris have received from Delhi. A recent report by the Ministry of Home Affairs suggests that the Centre seems to believe that it can manage the situation in Kashmir by controlling mosques, madrassas and the media, and by reaching out to moderate politicians. The Centre would do better to reflect on the dynamics of last year’s unrest in the Valley, the participants in it, and why the tensions continue to simmer today.

Labelling huge sections of the population of Kashmir as “terrorists” in the pay of Pakistan is certainly not in the national interest, even if they throw stones. Nor is using the pellet gun to disperse such stone throwing civilians. The PDP, the BJP’s alliance partner in Jammu & Kashmir, which has more credible ideas to deal with home-grown militancy, should convey as much to the Centre. For those still trying to work out the math question, the answer is 60. Sixty too many.
Judiciary

Neither collegium nor a commission: Judges’ appointment must involve Parliament

Economic Times : March 4, 2017

Justice J Chelameswar, one of the three senior-most judges of the Supreme Court after the chief justice and, thus, a member of the collegium that nominates additions to the higher judiciary, has penned a note of dissent on the exclusion of Justice ManjulaChellur from the list of high court judges submitted by the collegium to the government for elevation to the Supreme Court.

Ever since the Supreme Court ruled the Judicial Appointments Commission proposed by the government to be unfit, there have been strained relations between the executive and the judiciary. The government has delayed appointments, refused transfers and refused to relent.

One way to look at the standoff is to allocate blame between the two parties. A more productive one is to identify the systemic flaw underlying the standoff.

The ongoing system of appointing judges of the Supreme Court — in which the judiciary alone decides whom to add to its ranks — with the government having the ability to influence the decision by sitting pat on the collegium’s recommendations without taking any action, is neither transparent nor accountable.

The alternative that the previous UPA government and the present one headed by the NDA favoured is to hand over appointment to a commission, whose composition would determine the quality and ideological orientation of the judges.

Neither system meets the requirements of transparency and accountability. When a vacancy opens up for a judge in a high court or in the Supreme Court, eligible members of the judicial fraternity, including lawyers, should be able to formally register their interest.

The chief law officer of the government and the chief justice should be able to nominate judges for consideration. But their appointment as judges must be conditional on confirmation by a committee of the RajyaSabha with representatives from all the major political parties.
Committees of the legislature confirm judges to the Supreme Court in the US and that is a good model to follow. This would make for public confidence in the selection process and rule out any room for partisanship.

Face the challenge
Not ‘Amrit Dhara’, but judiciary does offer hope

The Tribune : Mar 1, 2017

There is no denying that the Supreme Court is overwhelmed with cases, numbering around 60,000 currently; yet it was disappointing that Chief Justice of India JS Khehar should have allowed himself to make almost an uncharitable and uncharacteristic observation that the apex court is not “Amrit Dhara” for all ailments. His remarks betray a sense of tiredness and helplessness over the heavy burden. But the headship of the top court comes with obligations and expectations. He is supposed to deal with the challenge of pendency confronting him. Given the odds litigants face and the unbearable cost involved at the Supreme Court level, it is also not the case, as CJI Khehar has tried to convey, of people “waking up in the morning and saying let's go to the Supreme Court”.

Over the last four decades the apex court has been applauded for encouraging PIL-centric jurisprudence. People with grievances or victims of excesses committed by the executive feel they can knock at the door of the court in the hope for justice. Despite a thriving democracy in place, the executive quite often wittingly or unwittingly treads on people’s rights. All that voters can do at the most is to replace one set of non-performers with another. It is true most problems would not arise or would be settled at the lower level if the executive were to play fair, deliver promised services in time, respect human rights and ensure the rule of law. In fact, the state itself is the biggest litigant and cases are routinely filed by one department against the other. Ruling politicians and bureaucrats refuse to accept that their decisions could be wrong. Cases and appeals are filed at the state expense up to the highest level. For an aggrieved citizen the court is the last hope.

Judges know how to deal with frivolous cases; that they do not do it often is their choice. The CJI can establish his leadership by initiating reforms to cut delays, adjournments and appeals, and discipline advocates. There is a case to be made for judicial discipline —including for judges, lawyers as also the litigants — but it would be a sad day if the citizens were to conclude that the apex court is reluctant to provide them succour against wayward officials.
Karnataka

Don't allow mining in Kappatagudda

Deccan Herald : March 2, 2017

The controversy and the agitation over the removal of ‘conservation reserve’ forest status given to Kappatagudda in Gadag district of Karnataka is a classic case of private interests trying to trump larger public interest of the state and the sentiments of the people.

Environmentalists and the local people led by Sri Siddalinga Swami of Thontadarya Mutt have launched a series of agitations demanding that the state government restore the conservation reserve tag given to an area of 17,872 hectares of the Kappatagudda forests that had been clandestinely withdrawn last year. Prior to the meeting of the semi-autonomous State Board of Wildlife (SBW), Chief Minister Siddaramaiah had given a clear indication that he would take a ‘favourable’ decision after due consultation. But a powerful mining company, which has begun prospecting for gold in the area, and apparently, having the backing of a section of senior IAS officers, made sure that enough doubts were created in the mind of the chief minister so that the decision was postponed.

It appears that the mining company was given permission in 2008 to conduct an assessment of mineral deposit, which included digging and testing of soil, but at the SBW meeting, it seems that neither the Forest Department officials nor other bureaucrats could produce the order, leaving the chief minister to play safe about legal consequences of cancellation of the permit. Besides, the reserve status given in 2015 had been withdrawn in 2016 after the mining lobby complained that the order was not preceded by public consultation as required by the law. Subsequently, during the public hearing in January 2017, 249 applications were received, of which 217 were in favour of restoring the status and only 32 against on the grounds that extraction of gold would be affected.

The Karnataka High Court, meanwhile, stayed the issuing of final notification on the basis of a PIL filed by “some residents of Gadag” who reportedly questioned the validity of public consultation process. The case has taken an intriguing turn with some petitioners subsequently claiming that their signatures had been fraudulently obtained by promising land in their names.

No sensible government should yield to such shenanigans of companies ready to stoop to any level to maximise their profits. Conservationists have warned that permitting mining and extraction work would lead to arsenic poison and pollution of water bodies in the ecologically fragile Kappatagudda, which is known to be home to a variety of medicinal plants and aromatic herbs. Siddaramaiah should direct his legal team to approach the high court immediately to vacate its stay on the notification. The government should also seriously
pursue the long-delayed project of preservation of medicinal plants in the area, which will be of immense benefit to the state.

Junking steel flyover, victory for people

Deccan Herald : March 4, 2017

After vehemently, but totally irrationally, defending its proposal to build a hugely expensive ‘steel flyover’ in Bengaluru city for months, the Siddaramaiah government has at last decided to cancel the project, bowing to public pressure opposing it. The project idea lacked transparency from the beginning and the government remained indifferent and unresponsive to criticism. Even as there was a spontaneous and sustained campaign from the people against the project, allegations of corruption flew thick and fast, putting the government on the defensive, though it denied the same. But, just a few days ago, when the BJP came out with a purported ‘diary,’ allegedly exposing bribery charges against the government in connection with the project, there was no convincing reply rebutting it. But, ultimately, the decision to scrap the project is a huge victory for people’s power in a democracy and it needs to be welcomed. The government finally saw reason in junking the project by positively responding to the voices of criticism, and as a senior Congress leader put it, avoided building, what would have been “a monument to corruption.”

Looking back at this unpleasant episode, there are many lessons to be learnt. Apart from the prohibitive costs of construction and maintenance, the steel bridge elicited all-round criticism because of its environmental impact, both in terms of cutting down over 800 full-grown trees and the heat the bridge would have perennially generated once completed. Besides, experts pointed out that the 6.7 km-long monstrous structure estimated to cost Rs 1,791 crore (and likely to go up) in the heart of the city would have merely transferred the traffic bottleneck from one point to the other, without solving the problem of vehicular congestion. No public hearing was conducted before announcing the project. Deccan Herald was the first newspaper to report on the ill-conceived flyover on June 12, 2016 and raise some pertinent questions, which were followed up by the other media, leading to a huge public debate. It was refreshing to see citizens organise themselves, hold peaceful protest meetings and get experts to question the viability of the project. A voluntary group called Citizens for Bengaluru mobilised an impressive human chain opposing the project and when the government claimed that around 200 people had supported the steel flyover, the NGO collected some 50,000 signatures opposing it.

It needs to be stressed that while citizens should remain vigilant about the use of taxpayers’ money and usefulness of the projects being taken up, the government – the present and the future ones – should adopt transparency and public hearing as the mantra for accountability and good governance. Instead of arrogating all the powers to themselves, the government functionaries should understand that they have much to gain from co-opting people in the development process.
A Karnataka government-funded study conducted by the Indian Institute of Health Management and Research reveals that less than 5% of trauma patients in the state reach the right hospital, that is a hospital that has the facilities to treat trauma injuries, within eight minutes, the global standard response time to take a patient with a medical emergency to a healthcare facility. The study points out that 20% of patients reach the right hospital only after eight minutes. While 10-12% do reach a medical facility within the prescribed time, the hospitals they were brought to did not have the facilities to treat them. For one reason or another, trauma patients are denied timely treatment, often resulting in death. India has reason for grave concern. According to latest data released by the National Crime Records Bureau, in 2015, there were 4,96,762 traffic accidents nationwide in which 1,77,423 people lost their lives; 10,857 of these fatalities occurred in 44,011 accidents in Karnataka. Many of these fatalities were avoidable. Had the accident victim been moved swiftly to a hospital and to the right hospital, many could have survived.

Trauma care specialists underscore the importance of bringing patients to the right place within the right period of time to provide them the required medical services. In rural India, the problem is mainly one of availability of the means of transporting a person swiftly to hospital. Shortage of ambulances often forces people to carry their injured or the seriously ill family members on carts, two-wheelers, even their own shoulders to avail treatment. In urban India, the availability of ambulances has improved somewhat but traffic jams prevent trauma victims being moved swiftly to hospitals. Importantly, the number of hospitals that provide trauma care is small, which means that patients have to be moved long distances to access the right treatment. It is only in recent years that India is waking up to the importance of emergency medical care; it was not recognised as a distinct area of specialisation till recently. Consequently, often it is interns and junior doctors who treat those with trauma injuries.

Clearly, India needs to prioritise trauma care services. It is not just road accidents that cause trauma injuries to the head and chest; bomb blasts too, which India suffers in large numbers annually, require trauma care services. Consequently, government-run hospitals as well as private healthcare facilities need to improve the availability, accessibility and affordability of such services. In addition, transport of patients must be speeded up. This will require more and better equipped ambulances, better management of traffic, and improved public awareness of information regarding where trauma treatment is available. We need more trained first responders.
Dynamic but unliveable

By A Ravindra,

Deccan Herald: March 4, 2017

Bengaluru's SPLIT identity: Indian cities are becoming more and more complex to understand and manage. A key element in this complexity is population

Two news items appeared around the same time about Karnataka’s capital city. One celebrating Bengaluru for emerging at the top of the JLL City Momentum Index pipping the global financial hotspot, London. The other berating its premier civic body - the Bruhat Bengaluru Mahanagara Palike (BBMP) — by the Karnataka High Court for having virtually gone into a coma. It is strange that the city ranked as the most dynamic in the world is turning out to be the most unliveable city. How do you explain this paradox?

Two explanations can be offered. One is that the city has extraordinary talent, it has the capacity to attract the best of technology firms from across the world and it continues to create wealth. So the city keeps growing in size and population, drawing people from all over the country who see opportunities for employment and living in a modern metropolis. This is the brighter side of the picture.

The second explanation is that the government has failed to cope with the rapid growth of the city, be it provision of physical infrastructure or other public services. Hence, living conditions are deteriorating by the day and the people are getting frustrated driving them to courts to seek remedies for what are essentially civic issues.

The question may well be asked: does Bengaluru have a split personality? According to the medical definition, ‘split personality’ refers to ‘multiple personality disorder’ where the personality becomes dissociated into two or more distinct parts each of which becomes dominant and controls behaviour from time to time to the exclusion of other parts.

If we consider a city not just as a physical entity but as a place where people live, work and interact, the features of a living organism manifest themselves. Just as a highly complex sustaining structure requires coordination of a large number of constituent entities that need efficient servicing, in cities, constituent entities are city dwellers whose efforts keep the city developing.

Using this analogy, it can be said that the Indian cities are becoming more and more complex to understand and manage. A key element in this complexity is population. As the number of constituents in a given space keeps increasing, the resources required to keep them healthy in all respects becomes challenging. Shortage of resources including clean air and water can lead to multiple disorders. This is precisely what has happened to the large and still growing cities in India.

Coming back to the ranking of dynamic cities, what the Index has done is to track the speed of the change of a city’s economy and commercial real estate market, and identifying those cities that have the most dynamic attributes.

The various elements of dynamism have been analysed under three sub-indices: a) socio-economic momentum relating to changes in city GDP, population, air passengers, corporate headquarters and FDI; b) commercial real estate momentum relating to changes in absorption,
construction, rents, investment volumes and transparency; and c) high value incubators with regard to the ability of underlying attributes of a city to maintain momentum over a longer term, that is, its future-proofing capacity, in terms of education, innovation and environment.

**Ad hoc solutions**

What has provided momentum for Bengaluru is the speed of change in population, economic growth and real estate development. However, rapid growth has also led to issues impacting the quality of life. The crime graph is rising, people commute longer distances battling chaotic traffic, tensions are mounting, personal and social, and the environment is worsening belying the hopes of a garden city.

Things are made more complicated by the government, appearing helpless or coming out with ad hoc solutions. Thus, the picture that Bengaluru presents is that of a split personality — one side presenting a technologically advanced city with the best of human resource and the other an ugly face and a body whose health is deteriorating almost every day.

How are we, as people, coping with the changes? Here is where the multiple disorder phenomenon comes into play. Bengaluru which prides itself as highly cosmopolitan is in reality a city of multiple identities. It houses communities which are labelled, such as the ‘IT crowd’, that claims to have brought prosperity to the city, the ‘elitists’ who live in gated communities and villas, the ‘outsiders’ who corner the benefits the city offers but refuse to learn the local language and the ‘locals’ who keep adjusting to the changes but are saddened by what has happened to their beloved city.

Several citizens groups have emerged in the recent past with the goal of arresting the degradation of the city and improve the living conditions. They organise protests against the ‘undesirable’ actions of the government - from cutting trees to building steel flyovers to imposing an unwanted master plan. But they also find themselves up against their own fellow citizens who violate the civic laws with impunity and who have no concern for their neighbours or for the city at large. Hence, the call for unity by some well meaning civic associations evokes only a half-hearted response.

Can Bengaluru ever witness the kind of massive Marina Beach protest in Chennai on an issue like Jallikattu, invoking ‘Tamil pride’ or can it ever generate ‘Kannada pride’ the way ‘Marathi pride’ is generated by Shiv Sena in Mumbai? The economically and technologically dynamic Bengaluru is also characterised by identity fragmentation and reflects the failure to integrate the different aspects of identity and consciousness into a single multidimensional self. The big challenge is to address this issue of integration.

If Bengaluru has to retain its competitive edge, it must address the question of what the Index has called the ‘future-proofing capacity’ — the capacity to sustain the dynamic attributes in the long-term. Hence, it must focus on “liveability, affordability, social and spatial inequalities, environmental quality and community transparency”. If it loses the long-term vision, it runs the risk of losing not only its top global position but being overtaken by its Indian competitor, Hyderabad, ranked the fifth most dynamic city.

(The writer is a retired chief secretary, Karnataka)
Law & Legislation

Abortion laws, SC please be liberal

Deccan Herald : March 7, 2017

The Supreme Court’s rejection of the request of a woman to abort her 26-week-old unborn baby with Down Syndrome is not in line with some of its recent liberal rulings on abortion. The law allows abortions up to 20 weeks of pregnancy if there is a danger to the mother’s life or health or if the unborn baby has abnormalities. But the court had allowed a woman in February to terminate her pregnancy in the 24th week as there was a threat to her life.

In January, another woman had been allowed to abort her 24-week baby which was found to have a life-threatening defect. The court accepted, in the latest case, that the child may have physical and mental challenges and ‘it is unfortunate for the mother’, but said ‘we have a life in our hands’. The sanctity of life cannot be disputed, but the court took a moral and strictly legal position in the case and ignored the woman’s situation. Down Syndrome is not life-threatening but is a handicap which makes an individual dependent on others for life. Supporting a child with the debility is emotionally and financially draining for the parents. It puts mothers especially, in a very difficult situation.

The question who will support the children after the parents’ death is also relevant. There is no social support system in the country to look after special individuals. It is wrong and unfair to force a mother to take care of a child she does not want. It should be left to her choice, especially when the child is not normal. It is an issue of women’s rights too. They should have control over the decisions concerning their body. Even accepting that freedom of choice should not be absolute and unrestricted as it may be misused, there is a case for individual scrutiny of such cases, not just from medical and legal angles but also from human and social points of view. Children with disabilities also have the right to life. But these two rights have to be weighed against each other in every situation where a difficult decision is involved. The woman’s case should not have been ignored and rejected by the court.

When abortions cannot be done because of the stringency of laws and the limitations they impose, they are illegally done, resulting in death or damage to health. Every year, 6.8 million unsafe abortions take place in the country, killing 10 women every day. The government has proposed liberalisation of the law, and it should be done without delay.

Death penalty must be banished

Deccan Herald : March 7, 2017

The sharp spike in death sentences handed out by the lower judiciary in India is deeply distressing. According to a study, ‘Death Penalty in India: Annual Statistics 2016,’ which was carried out by the Delhi-based National Law University’s Centre on the Death Penalty, 136 people were sentenced to death by sessions courts last year compared to 70 the previous year.
This is a matter of grave concern for several reasons. For one, the number of death sentences awarded by local courts last year was almost double that handed out the previous year. It was also way above the average number (119) awarded in the preceding 15 years.

Additionally, sessions courts appear to be not following due procedure or Supreme Court orders in awarding the death penalty. The apex court had laid down that the death sentence be awarded only in the “rarest of rare” cases. They were to be the exception, not the norm, it had said. But the number of death penalties awarded in India indicates that it is hardly rare. Importantly, the Supreme Court had in 2015 ordered that death sentences should not be issued in haste, secrecy or before the accused has exhausted all legal options. But in 2015, sessions courts awarded five death sentences although the accused had not exhausted their legal options. Its flagrant disregard for apex court orders is troubling. The death sentence is a serious penalty but our lower courts in particular are dispensing it without giving it adequate thought.

A silver lining in an otherwise disturbing report is the fact that India’s higher courts overturned most of the death penalties and are doing so with increasing vigour. In 2016, high courts commuted the death sentences of 44 people compared to 15 in 2015 while the Supreme Court did so for seven people as against one the previous year.

While the higher judiciary deserves applause for undoing the damage done by sessions courts, this is cold comfort. It is time India did away with the death penalty as it is inhumane and based on a flawed belief that taking away the life of a convict is justice that will bring closure to victims and that it can deter others from committing serious crimes. But there is little hard evidence to support such beliefs.

Besides, it goes against the idea that human beings, even those who commit horrific crimes, are capable of reform. Several countries have done away with death penalty. Sadly, India is not among them. Instead of doing away with the death penalty in toto, Indian courts, especially at lower levels, are embracing it with increasing enthusiasm. This vengeful outlook reflects poorly on our society.
Hard cases and good law

An apex court order has thrown light on appreciating mitigating evidence before sentencing death penalty

Written by Sahana Manjesh, Yash S Vijay

Indian Express: March 3, 2017

The Supreme Court of India.

On February 3, the Supreme Court passed an order in the December 16, 2012 gang-rape case which could have far reaching consequences on the administration of the death penalty in India. Recognising that neither the trial court nor the high court considered any evidence regarding the mitigating circumstances of the accused before sentencing them to the death penalty, the court granted defense counsel extensive access to the accused in prison and sought relevant mitigating evidence.

In the landmark case of Bachan Singh (1980), the SC resoundingly laid down that a sentence of death can only be imposed by a court when the alternative of life imprisonment is unquestionably foreclosed. In aid of this determination, the court held that “great weight” be given to mitigating factors including the probability of reformation of the accused or the existence of extreme mental disturbance. However, India’s death penalty jurisprudence has since suffered from the lack of judicial guidelines on the collection or presentation of mitigating factors.

Through this order, the court has taken upon itself the extraordinary burden of appreciating mitigation evidence. To ensure an adequate mitigation exercise, the court has allowed defence counsel access to the accused, for two hours daily in a separate room, for over a fortnight. This is a significant milestone, as one of the biggest hurdles to effective mitigation exercise in death penalty cases, is the limited time granted by prison authorities for lawyer-client meetings, and the lack of a private space for such meetings necessary for a confidential conversation. The court has further directed defence counsel to file “necessary separate affidavits and documents on mitigating circumstances,” thereby imposing no limits on the
nature of evidence which can be presented, giving teeth to the “liberal and expansive construction” of mitigating factors mandated in Bachan Singh.

Sentencing in death penalty cases in India is rendered ineffective due to the lack of procedural safeguards. Courts are accustomed to accept a mere enumeration of factors such as young age and number of dependents reducing the process of determination of sentence to an absurd mathematical calculation. The exercise to meet and gather all relevant information from the accused, his family and peers, or mental health and other experts, is rarely undertaken. While mitigation in other retentionist countries such as the US entails contextualising the prisoner within various environmental and mental factors, courts in India demand mitigating factors (the product) without imagining the mitigation exercise (the process). The court’s direction that defence counsel hold regular meetings in privacy and present details of relevant mitigating circumstances through an affidavit is a step towards enabling effective discovery of such circumstances.

The court has set a separate date for sentencing arguments, affording sufficient time for collection of mitigating evidence, departing from the disturbing trend of trial courts which conduct final arguments on conviction and sentencing on the same day. “Same day sentencing” disregards the time and preparation required for counsel to aid an effective sentencing hearing. Curiously, the related sentencing principle that the burden of making a case for death is on the prosecution due to the exceptional nature of the death penalty, was not endorsed by this court. The order directs defense counsel to present evidence first, hence reversing this burden.

The crucial question before the court was the determination of the appropriate cure to the lack of an individualised and effective sentencing procedure in the lower courts. While a procedural violation of such magnitude at the conviction stage would have resulted in a retrial, the court in this instance chose to act as the first forum for an effective sentencing hearing. In the ‘70s, the SC addressed this issue in two different ways. In Santa Singh (1976), the court took the view that a deficient sentencing procedure in a death penalty case warrants remand to the trial court for sentencing. Two years later, a larger bench in Dagdu (1978) held such a violation can be cured before the SC. The court in Dagdu did not contemplate the subsequent sentencing framework developed in Bachan Singh. By choosing the Dagdu route while supplementing it with procedural safeguards, the court may have ignored that in the option of remand to the trial court, the accused would have the opportunity to seek judicial scrutiny of the sentencing process, enabling a right to appeal. In Md. Arif (2015), the SC acknowledged that judicially trained minds can arrive at different conclusions on sentence in death penalty cases, making the right to appeal fundamental.
Today, the court is expected to hear arguments on sentencing. Given that sentencing courts rarely obtain relevant material necessary to determine a death sentence, it will be interesting to see the material which will be placed before the court, how this material will be argued by the counsel and considered by the court. It is now incumbent upon the counsel to seek all relevant material and effectively present mitigating evidence from all sources. Mitigation investigations must become an integral part of death penalty sentencing and irrespective of the final outcome in this case, the procedural safeguards in this order is a significant step in that direction. These safeguards should act as a bare minimum for trial and appellate courts. While significant concerns remain with death penalty sentencing in India, this order presents lawyers and judges an opportunity to be guided by all relevant information before determining whether life can be extinguished through the law’s instrumentality.

The writers are associates at the Centre on the Death Penalty, National Law University, Delhi. Views expressed are personal.
Maharashtra

Language No Bar

Maharashtra must not contest the Bombay HC order against govt circular making Marathi compulsory for auto permits.

Written by Editorial

Indian Express :: March 3, 2017

The Bombay High Court has done well to strike down a Maharashtra government order that made speaking of Marathi compulsory for applicants seeking autorickshaw permits. The court turned down a 2016 government circular on a technical point that the provisions of the Motor Vehicles Act do not allow the government to impose such a condition. To introduce language as a restrictive barrier betrays a parochial and protectionist intent, which is out of place with the constitutional rights, among them the right to pursue livelihood anywhere in India. Ironically, Maharashtra had introduced the Marathi compulsory provision at a time when the polity is moving towards a common Indian market with the Goods and Services Tax and internal labour migration in India is on the rise.

That the Bombay HC order came on a petition filed by various rickshaw-taxi owners and drivers unions is interesting. The workforce in Maharashtra, as in many Indian states, has become cosmopolitan, drawing in workers from economically backward regions. This trend of labour migration has not just led to the flourishing of a money-order economy in some states but also immensely helped local markets to remain competitive. Even nativist political groups like the Shiv Sena seem to have reconciled that the ongoing social transformation, driven by labour migration, is here to stay: The party’s strategy to downplay chauvinistic agendas and reach out to non-Maharashtrians in the recent civic elections in Mumbai points to it. The Brihanmumbai Municipal Corporation (BMC) results also confirm the changing social matrix of the region: 20 per cent of the BMC councillors are non-Maharashtrians. Simply put, the petitioners in the HC were confirming a fact that migrants are good for the economy.

Clearly, the GO was an act of tokenism by the Devendra Fadnavis government. Government diktats are unlikely to help promote a language or nativise migrants workers. State departments entrusted with language promotion ought to be enabling bodies, not enforcement agencies. The history of Hindi promotion in India is a case in point. The government’s
attempt to make Hindi-learning mandatory faced political resistance and has very little success in terms of results, whereas Bollywood and film music got many more to learn and appreciate Hindi. Taxi-auto services are an economic activity and will inevitably adjust to the needs of the market. If knowing Marathi is good for business, an auto driver from Patna will learn the language. The court has done well to tell the government that forcing him/her to do so by law is a bad idea. The government’s response that the language requirement is non-negotiable and it will amend the Motor Vehicles Act provisions to override the court makes no social, political or economic sense.
Midday Meal

Making a meal
The Aadhar is no solution to the problems of the Midday Meal Scheme

By: Editorial
Indian Express : March 7, 2017

The Aadhar scheme was initiated by the UPA government about seven years ago. But it is to the credit of the current Narendra Modi-led government that it saw the potential of Aadhar as an enabler of Direct Benefit Transfer (DBT) schemes and used it for the dispersal of subsidies. But the government has got it wrong in linking the Midday Meal Scheme in schools to the Aadhar card. A human resource development ministry notification of February 28 asks students to sign up for Aadhar by June 30 in order to continue to be eligible for the scheme. The necessity to have the Aadhar identity has been imposed on the “cook-cum-helpers” at schools as well. The government believes this will ensure “transparency and efficiency”.

The Midday Meal Scheme has always been dogged by problems of corruption and inefficient delivery. But these problems are in no way linked to beneficiary fraud. It’s not clear how regulating access to the Midday Meal Scheme by linking it to the Aadhar cards will improve its efficiency. In fact, such an attempt might prove counterproductive and derail a programme that has improved school enrollment, reduced drop-out rates and improved child nutrition. In a 2014 judgment, the Supreme Court had said that the Aadhar card is not mandatory for receiving government subsidies. The apex court reiterated the voluntary nature of the card a year later. In the past, when criticised for linking welfare programmes to Aadhar, the government justified the mandatory use of the card on the grounds that it helps eliminate fake beneficiaries.

But the Midday Meal is a scheme for all children between the age of four and 12 who attend government schools and its challenges are different from DBT schemes like delivering subsidised LPG to people below the poverty line, or even the PDS. There are times when hygiene plays the devil, at other times food adulteration. At times, it is difficult to deliver nutritious food to remote areas. Even if the food ingredients make it to these areas, kitchens to cook them in are not available within the schools. The community kitchens mandated by
the Food Security Act proved to be a non-starter. The government is wrong if it believes that mandatory Aadhar cards for 100 million schoolchildren would solve such problems.

The Aadhar scheme has proved a success in weeding out bogus ration cards. It has helped the government make savings in the MGNREGS and has been a critical part of the PM’s scheme for LPG cylinders for people below the poverty line. But ironing out the problems of the Midday Meal Scheme requires a clear chain of responsibility and accountability in those who operate the programme at all levels. It also requires a debate on the nutritional content of the food. The government would do well to address these problems.
Minority

Elusive reconciliation
The Hindu : March 06, 2017
Colombo must do much more to address the concerns of the Tamil minority

A United Nations report released last week on the progress of reconciliation efforts by the Sri Lankan government should be a wake-up call for President MaithripalaSirisena and Prime Minister RanilWickremesinghe. Raising serious concerns about the delay in addressing allegations of war crimes and in meeting other promises Colombo made when it co-sponsored a resolution at the UN Human Rights Council in 2015, the report warns the government that the lack of accountability threatens the momentum towards lasting peace. It also alleges that cases of excessive use of force, torture and arbitrary arrests still continue in Sri Lanka, almost eight years after the country’s brutal civil war ended. Mr. Sirisena came to power on a promise that he would restore the rule of law, end the country's international isolation and take steps towards reconciliation with the Tamil ethnic minority. The political momentum was also in favour of the government as it had the support of the dominant sections of the two largest parties in the country. In 2015, when Sri Lanka agreed to a host of measures at the UNHRC, including a judicial process to look into the war crimes, hopes were high.

Undeniably, the government has made some slow progress in addressing the issue of reconciliation. Compared to the previous regime of MahindaRajapaksa, the Sirisena administration has reached out to Tamils and initiated constitutional and legal reforms. It has also passed enabling legislation to establish an Office of Missing Persons to help find some of the 65,000 people reported missing during the war. But on key issues such as establishing a hybrid judicial mechanism with domestic and foreign judges and returning the military-occupied lands to Tamil civilians in the north and east, there has been no tangible progress. The latest UN report comes at a time when over a hundred displaced Tamil families are protesting at administrative offices in the north and east asking for their lands to be returned. For its part, the government may be wary of taking quick decisions for fear of giving some leeway to Sinhala nationalist factions at a time when Mr. Rajapaksa is trying to revive his political fortunes. But this delay is alienating the government’s allies, eroding the faith of the public, especially war victims, and giving more time to the opposition to regroup itself. And issues such as continuing use of excessive force and arbitrary arrests suggest that the government is either not serious in changing the way the police system works or is incapable of doing so. The Sirisena-Wikremesinghe government should seize the moment and start addressing the core issues, keeping reconciliation and the future of Sri Lanka in mind.
Political Violence

Stop the violence: Time for BJP and CPM to douse the fires in the killing fields of Kerala

Times of India : March 6, 2017.

Last week the Kerala government strengthened security measures for chief minister Pinarayi Vijayan, on whom a bounty of Rs 1 crore was placed by a RSS functionary in Madhya Pradesh after the revival of violent clashes between CPM and BJP activists in different parts of the state.

In a good move, the RSS functionary has since been divested of his duties. Both CPM and BJP leaderships must now intervene to ensure that differences between the two parties find peaceful rather than violent expression.

The fierce conflict between the two political groups originated mainly in the CPM bastion of Kannur in north Kerala in the mid-60s, and has caused the death of around 300 people and severely injured hundreds of others from both sides since then.

Though the initial violence is attributed to steady efforts made by RSS and erstwhile Jan Sangh to make inroads into the core areas of huge CPM bases across Kannur district, the conflict gained a momentum of its own.

Moreover, the killing seems to have intensified in the last year, with more than half a dozen people killed in various parts of the state after the new LDF government took office.

It is time now that national leaders of BJP and CPM forced respective state leaderships to arrive at a settlement rather make it an all India issue and intensify the confrontation as BJP is now trying to do.

A great deal of responsibility also devolves on the LDF government which is in power in Kerala now. It must ensure that state police gets a free hand in arresting the culprits, whichever party they belong to. The West Bengal experience should make CPM realise that violence doesn’t pay in the long run.
RSS leader Kundan Chandrawat’s hate speech: No arrest; shows our complacency as a people

Chandrawat: "We sent 2000 to the graveyard". It's been over 24 hours since the RSS leader made the disconcerting claim regarding the Muslim deaths in the Godhra riots. Chandrawat however, hasn't been arrested, yet.

Written by Radhika Iyengar

Indian Express : March 5, 2017

Standing before a heaving crowd of Hindutva supporters in Ujjain on Wednesday, RSS leader Kundan Chandrawat made a frank admission: His “Hindu society” had sent thousands of Muslims to their deaths during the polarizing Gujarat riots. His admission, anchored in rhetoric, had macabre overtones.

At an event organized by the local Janadhikar Samiti, Chandrawat had launched a scathing attack on the Kerala Chief Minister Pinarayi Vijayan, alleging that Vijayan was responsible for the deaths of the RSS activists in Kerala. Enraged and excited, Chandrawat asked for Vijayan’s head: “I, Dr Kundan Chandrawat, declare from this dais – I have wealth that is why I say this… property worth more than Rs 1 crore. Cut off Vijayan’s head, and bring it to me, I will transfer my house and assets in your name! Such traitors don’t have the right to live in the country. Such traitors don’t have the right to murder democracy!” Leaning intimidatingly over the podium, his voice roared, “Have you forgotten Godhra? You killed 56, we sent 2000 to the graveyard!” He was referring to the colossal anti-Muslim pogrom that left Gujarat scarred in 2002. In response, Chandrawat received a resounding applause.

It’s been over 24 hours since Chandrawat made the disconcerting speech claiming the lives of countless innocent people. He admitted to murder – which was downplayed by the BJP MP Chintamani Malviya (who shared the dais with Chandrawat) as a “culmination of his pent up
feelings‖. But the RSS leader has not been arrested. He encouraged his supporters to behead the Chief Minister of a state – inciting murder. But Chandrawat, has not been arrested. He forewarned that he would “offer a garland of 300,000 human skulls to Bharat Mata” – insinuating a possible massacre in the future. But Chandrawat has not been arrested.

When his video began making its rounds, it irked many, raised several brows, and left several troubled. It drew condemnation to a heightened degree. Chandrawat justified himself, likening himself to a freedom fighter: “It’s my personal view”, he told ANI. “I gave [an] explosive statement just like Bhagat Singh used bomb on British (sic). They must know Hindus aren’t sleeping.” But the RSS distanced itself from Chandrawat’s “emotional” outburst, in fact, it condemned it.

A few hours ago, Chandrawat reportedly retracted the bounty he had announced on Vijayan*.

This episode leaves one unhinged. Even though the statement has been retracted, it should push us to think. Chandrawat’s diabolical speech (and no subsequent arrest) holds a mirror against society and how low we’ve stooped, where violence is the new tongue used to lash out against political dissent, against the powerless, or for political advancement. Those with significant political clout unfortunately, get away with it.

*Update: Chandrawat has been sacked by the RSS and an FIR has been filed against him under Section 505 1 (B) of the IPC since the time this piece was published.
home minister, Bhupendra Singh, brushed aside the remarks as “emotional” and attempted to put them in context: “Thousands of Hindus have been killed and their bodies have not been found. All this is happening under the (Kerala) government’s patronage.”

The blood feud in Kerala, involving the CPM and the RSS, has a long and complex history. Its causes and culpabilities must be addressed. But calling for further violence is hardly the way forward. No less worrying is the anti-Muslim turn Chandrawat’s speech took as he promised a bloody war on political opponents. He raked up the Godhra train burning incident and the Gujarat riots after targeting Vijayan: “Have you forgotten Godhra? Fifty-six were killed, 2,000 were sent to the graveyard. They were pushed beneath the ground by the same Hindu community.” This is, perhaps, the first instance of an RSS leader openly claiming a role for his organisation in the massacre of Muslims. The BJP-RSS leadership was far too mild in terming Chandrawat’s vitriol as emotion-driven initially. Such hate-speech in the background of an already polarised election in Uttar Pradesh and tensions in university campuses can’t be dismissed lightly. The speech had to be condemned unequivocally so that tempers didn’t flare up. Incendiary political speeches that call for murder and mayhem can’t be defended or excused. The expulsion of Chandrawat from the RSS had become necessary as he had crossed the limits of decency and decorum.

Politics has to be a civil activity and its purveyors must know the consequences of their utterances. In the campaign heat, politicians have been pushing the envelop with speeches bordering on the inflammatory. It may yield electoral dividends in the short run, but the dark emotions these unleash cause immense damage to communal relations in an already fraught society.

**A political act**

UP governor’s note to CM on accused minister amidst elections was uncalled for

**By: Editorial**

*Indian Express : March 7, 2017*

Governor Ram Naik has asked a response from UP Chief Minister Akhilesh Yadav why Gayatri Prasad Prajapati, who has been accused of rape in an FIR, has not been dropped from his cabinet. In his note to the CM, the governor has said it raised serious questions on democratic sacredness, constitutional decorum and constitutional conduct. Naik’s intervention midway during assembly elections in the state has political implications. He has defended his intervention in constitutional terms — he has cited Article 167 (b) of the
Constitution — but the fact is his action is clearly prejudicial as it comes in the midst of the assembly elections.

Indeed, the CM is bound “to furnish such information relating to the administration of the affairs of the state… as the governor may call for” and he may well do so. But Naik ought to be aware that the BJP had turned the case against Prajapati into a campaign issue and his note to the CM is most likely to be interpreted as weighing in favour of the opposition campaign against Akhilesh government. Surely, it is unbecoming of a governor to be echoing the campaign issue of a political party in the midst of elections.

Akhilesh Yadav could have asked Prajapati to step down from his ministry after the FIR was filed. It was poor politics on Akhilesh Yadav’s part to have retained Prajapati, who had earlier been accused in a mining scam, even after the Union Home Ministry impounded the his passport and issued a look-out notice. Prajapati has since gone absconding. Perception influences political choices.

The promise of Akhilesh Yadav was that he would reinvent the Samajwadi Party by ridding itself of musclemen and history-sheeters. Prajapati, reportedly close to Mulayam Singh Yadav, is a representative of an order that Akhilesh Yadav has tried to disassociate with. The CM sought to send a message across to Prajapati by refusing to campaign with him. But such token disapproval is insufficient when the person continues to serve in his ministry and seek reelection under the SP ticket. On Monday, the Supreme Court remarked that it was “unfortunate” that the order directing UP police to lodge an FIR against Prajapati was being given a “political colour”. The apex court’s observation is meant for those who continue to defend the indefensible — and Ram Naik as well.
Solar Energy

New solar system: an exciting find

Deccan Herald :: March 1, 2017

The discovery of a new solar system with a dwarf star Trappist-1 which has seven earth-sized rocky planets orbiting around it about 40 light years away from us has given fresh life to the search for extraterrestrial life. A distance of 40 light years is next door by cosmic standards. As telescopes have already peered farther into space, observing Trappist-1 and its environment may not pose a serious challenge. What is exciting about the discovery is that all seven planets may have liquid water, which is considered to be the first condition for life, and may be in the goldilocks zone, which is the area near a star considered to be ideal for the emergence of life. The discovery was first made by a Chile-based telescope which saw three planets. Four others were later found by a Nasa telescope. The presence of seven stars with features which may support life increases the statistical possibility of our finding life there.

The excitement is also due to the possibility that an answer to the question of whether there is life in the Trappist system may be available in a few years. Some think we will get to know about it in 10 years. A good amount of information about the planets is already available. It is more than what is available about many other exoplanets, and most of it is positive. But more definite clues and evidence are needed before conclusions can be drawn. A study of the climate and chemical composition of the atmosphere in the planets will give a fair indication of the possibility of life. This study is possible now with the technology and equipment available with the scientists. The telescopes and the expertise are actually getting better too. That is why Trappist-1 and its planets have become the best hope now for life outside the earth.

The Trappist planets have one side permanently facing the star, have no day and night cycles and seasons and have one side boiling and the other side frozen. But the expectation is that the twilight zone between the two sides may be hospitable to life. The conditions there may not be suitable for terrestrial life. But this is not relevant because reaching there is an impossibility now. It is also likely that life may emerge in conditions very different from those on earth, as our idea of life is limited by our knowledge and experience. The search will continue, though there are also warnings that the discovery of alien life may not be good for humankind.
Sports

Sports in school, a game-changer

Deccan Herald : March 6, 2017

The central government’s proposal to integrate sports in the school curriculum is a welcome move as it will help give a more serious role for sports and games in students’ education. At present, physical education and sports are a part of students’ activities in most schools but they are mostly optional. The facilities are also not available in many, and perhaps most, schools. The proposal is to make sports a subject which students have to pass like the others in the curriculum. The plan is to introduce the new policy in phases, starting with Class I in the next academic year. The system will move up the higher classes every year, and will be implemented in the higher secondary stage also in due course. The Central Board of Secondary Education (CBSE) will take the lead in the implementation and involve the state education boards in it. It is felt that there is no need for a law on the matter, and it can be implemented through executive guidelines. It is unlikely that there will be any objection to the proposal in principle.

The proposal has come to be considered after continuous failure of the country at international sports events, including the Rio Olympics. There is hardly any event in which Indian sportspersons perform up to world standards. Cricket, chess and a couple of other games are the only exceptions. It is unnatural that India, with the world’s second largest population, should fare so badly in sports. Interests and talents have to be spotted early and nurtured so that children grow into good sportspersons. Students are encouraged to participate in sports and games in many states and schools, and incentives are offered to those who achieve distinction and win honours. But this may not be enough. Making sports an integral part of education will lead to participation of all children from the beginning in some sport or the other. This can help in early discovery of talent. Students will also develop an active interest in sports.

While the proposal has merit, its implementation will pose great challenges. The necessary infrastructure and facilities have to be put in place in all schools. Coaches and instructors will have to be appointed. Many schools do not have even playgrounds. Adequate funds will have to be allocated. Clear rules and guidelines will have to be evolved for participation and evaluation of students so that there will be no scope for complaints about any aspect of the working of the system. This is important because the performance in sports will be a factor in the students’ overall merit.
Domestic Greats

Cricket board has done well to honour Rajinder Goel, Padmakar Shivalkar, spinners who matched the famed quartet.

Written by Editorial
Indian Express: March 2, 2017

Born in the wrong place and at the wrong time. In Indian cricket, there isn’t a better context to slip in this well-worn adage than when the subjects of the discussion are Rajinder Goel and Padmakar Shivalkar. Both were copybook, artful left-arm spinners who happened to ply the same trade in the “spin boom” era of Indian cricket. They were consigned to domestic chores for years while the more vaunted quartet of Bishan Singh Bedi, B.S. Chandrasekhar, E.A.S. Prasanna and Srinivasa Venkataraghavan, were weaving deception at home and abroad.

Whether Goel and Shivalkar — both of them bestowed, belatedly, with lifetime achievement awards by the Indian cricket board this week — were better than the quartet is a question bound to debates, perceptions and conjectures. But the unavoidable truth is how much ever good they were, they never got to play for their country, despite being held in high regard by peers. Several times have Bedi himself acknowledged that the duo were as good as him, but were grossly unlucky. Goel and Shivalkar are among Sunil Gavaskar’s chosen 31 greats in his book, The Idols. A cruel happenstance of time, like several Caribbean fast bowlers or Australian batsmen of their respective golden eras would accord.

However, unlike the West Indian pacemen and Australian batsmen, who had the lucrative solace of playing county cricket, Shivalkar and Goel kept toiling perpetually on Indian dustbowls at a time when Ranji Trophy was more about honour and pride than prize-money. The match fee in their playing days — 1970s and 1980s — was Rs 150 per day and the mode of transport, bus and train. If they felt cussed and neglected at times, then they were quick to put negative thoughts behind and keep playing for the love of their art. “An addiction,” as Goel once said. The BCCI’s gesture might have come late, but better late than never.
Stock Market

Spat between Sebi and RBI underlines the need for unified regulation

Economic Times: March 7, 2017

Too much need not be read into a letter from markets regulator Sebi to banking regulator RBI on the latter’s direct instructions to market participants in relation to trading in HDFC Bank shares. Sebi is in the right. The conduct of trade in securities is its business. The RBI, as the regulator for banks, is responsible for maintaining sectoral foreign investment caps.

When the possibility of foreign investment in HDFC Bank breaching the permitted cap became clear, the RBI intervened to ask custodians to not clear trades any further. At first blush, it would seem that the right thing would have been for the RBI to ask Sebi to act. However, that is not the ideal solution.

The ideal solution is not for different regulators of the financial sector to cooperate, each minding the other’s turf. The ideal solution is to have unified regulation of the financial sector, eliminating the question of turf transgression or unregulated no-man’s land in financial markets. Financial markets intersect with one another, the more developed they are. Credit default swaps (CDS) insure against the possibility of a bond holder not being paid when the time comes for its redemption.

After the 2008 financial crisis, the effort has been to make credit default swaps guaranteed by a counterparty, as far as possible. That means CDS should come under the purview of the markets regulator, although they are quintessentially insurance products.

India took a significant step forward towards unified regulation when a separate commodities regulator was scrapped and Sebi was given charge of regulating commodity markets. We still have some way to go, to reach the ideal of unified regulation.

Unified regulation does not mean one node of regulatory authority. A financial conduct authority should supervise all financial markets but should, itself, function informed by the advice of a macroprudential regulator.

From a single bank’s point of view, the sensible thing might be to freeze lending, in a particular situation, but a macroprudential imperative might prod it to lend more, to prevent a systemic crisis.
India needs a thriving municipal bond market, and fast

Economic Times : March 7, 2017

India needs a thriving municipal bond market, and fast. The fact of the matter is that Brihanmumbai Municipal Corporation, the richest municipal body in India, earned as much as 33% of its revenue last fiscal from octroi, which will need to be discontinued once the goods and services tax (GST) is implemented nationwide later this year. There is huge potential for raising much-needed resources via municipal bonds here, as urbanisation picks up speed nationally.

Yet, the funds garnered cumulatively by way of municipal bonds pan-India add up to a mere Rs1,750 crore or so; in sharp contrast to, for instance, South Africa, where about $1.8 billion is raised by floating municipal bonds, and in just one quarter. In a mature market like the US, munis raise about $300 billion per annum.

We do need to boost the demand and supply for ‘munis’, and meet at least partly the massive funding requirement for our 100 smart cities, to begin with. The munis can well finance urban transport, public housing, solid waste disposal and umpteen other municipal projects, and also provide steady, longterm returns for investors. But, of course, municipalities need revenue streams to service the bonds, both user charges and property taxes.

The economy zooms ahead primarily in India’s towns and cities, which need investment to facilitate that growth. Municipalities need greater institutional capacity to issue munis.

Earmarking of GST revenue would make sense. On the demand side, investor attractiveness for the munis need to be policy-induced. Tax breaks could be considered. The 8% ceiling interest rate on such bonds needs to be revised. We also need an active secondary market for munis, and sound safeguard mechanism including escrow provision for the bondholders.
Implement GST three months after rules are finalised

Economic Times: March 6, 2017

The Goods and Services Tax (GST) Council has reportedly approved the draft Central GST and the Integrated GST laws. This is welcome, and would enable the Centre to introduce the legislation in Parliament. The council expects to finalise the model state GST law by mid-March.

All state legislatures have to pass the law. All rules of all laws have to be finalised and published. Only thereafter can companies start preparing their accounting systems to switch to GST. What is sacrosanct is not an arbitrary date for commencement of the tax but a minimum period of three months after publication of GST rules for the actual tax rollout.

A peak rate of GST at 40 per cent, instead of the earlier agreed upon rate of 28 per cent, is a bad idea. The rationale of leaving room to merge cesses into the GST rate is spurious. The cess (read: a sin-tax component not eligible for input tax credit) on the highest tariff of 28 per cent for ultra-luxury and demerit goods need not be merged into GST.

The peak rate along with the cess will keep the chain unbroken, while discouraging sin consumption. The proceeds of the cess will be used during the transition period of five years, to compensate states for any revenue loss. States must not fret. They will collect tax on services and even a share of the Central GST from the divisible pool of taxes. That’s a revenue bonanza.

As the Indian economy becomes more formal and organised, more products and services will come under the GST. It creates audit trails that would widen the tax base, and help bring down rates.

The average value-added-tax rate in the OECD rose from 17.7 per cent in 2009 to 19 per cent in 2015 as many members of the EU raised rates following the financial crisis. It has remained stable since 2015.

The model law must have commodity-specific rates approved by Parliament. The council must stick to the original four-rate structure ranging from 5 per cent to 28 per cent. Regrettably, it excludes real estate, electricity, alcohol and petroleum products. Subsuming all indirect taxes is the way to go. The greater the coverage, the lower the rate of tax.
**GST Bill: Last mile concerns**

*The Hindu : March 07, 2017*

**The common ground on GST should be accompanied by clarity on the road map**

More than six months after the Constitution was amended to enable the Goods and Services Tax (GST), the Centre and States have managed to find considerable common ground on the long-debated indirect tax system, overcoming seemingly irreconcilable differences that cropped up along the way. On Saturday, the GST Council approved final drafts of the Central and Integrated GST Bills, which should be placed in the public domain as soon as possible. With the law to compensate States already cleared, the only pending legislative negotiation left for the Council, which is expected to meet again on March 16, involves the State and Union Territories’ GST bills. As these bills secure assent from State Assemblies and Parliament, and swiftly, the operational rules for the GST must be readied. Industry would need at least three months after that to prepare for the transition from the present system of myriad State, Central and local levies on goods and services. Moreover, switching to a new indirect tax system in the middle of a financial year will bring its own subset of accounting complications. The Central government should resist a pushback on the roll-out date, and expedite efforts to ensure everyone is ready to get on board the new system with early clarity on what rates would apply to different goods and services.

Clearer communication of intent is equally essential. In industry circles, the introduction of a peak 40% tax rate in the GST Bills has set the cat among the pigeons. What started out as a single tax, single market dream for industry has now degenerated into five tax rates, a cess on top, with additional uncertainty about tax rates. Just as effective excise and customs duties are lower than legally specified rates, working in a peak rate for the GST could well be justified. In the current rate structure, a cess has been proposed on luxury and sin goods over and above the highest GST rate of 28%. The cess would finance compensation payouts to States for the first five years. After that, it could be replaced with a higher GST rate to retain the same tax treatment on sin goods, without fresh parliamentary approval. But this intent should be stated explicitly and rates must not be tinkered with in the GST’s first five years at least. It is still not too late to settle another major worry for industry that strikes at the very heart of enterprise. The GST’s anti-profiteering penal provisions are far too vague and draconian, and could discourage companies from making efficiency improvements in supply chains if they are required to pass on the entire benefit to consumers. Lastly, the Chief Economic Adviser has made an impassioned plea to bring real estate under the GST net, linking it to the war against black money. A road map for eventually bringing such excluded sectors into the GST net could hasten the process.
The Goods and Services Tax will be truly transformational when domains like real estate are brought in its ambit.

Written by Arvind Subramanian

Indian Express: March 3, 2017

After the steps taken to reduce black money and streamline election finance, the natural follow-up is to clean one of the biggest sources of black money — land and real estate. And the natural way to do that is to bring the supply of land and real estate (hereafter LARE) into the GST. At the moment, the GST law does not include LARE, but there is still a window to fix that in the GST Council meetings in the months ahead.

Before we spell out the details, a few clarifications are in order to clear misconceptions and misinformation, some of which appear to be perpetrated deliberately by vested interests with a stake in preserving the murky status quo.

The first misconception is that stamp duties will be brought into the GST. Many states have refused to entertain bringing LARE into the GST, fearing that their right to levy stamp duties on the sale of land — a big source of state revenues — will be taken away from them. This fear is unfounded. There is no such intention; stamp duties will remain untouched.

The second misconception is that agricultural land will be taxed. There is no intention to bring transactions relating to land for agriculture into the GST. The fear that there is a slippery slope leading to taxes on agricultural land and income is also unfounded.

The third misconception is that low-cost housing will be taxed and made unaffordable. There is no intention to bring transactions relating to low-cost housing into the GST. The fear that the price of housing for the poorer sections will go up because of new taxes is also unfounded. Housing below a certain cost (or below a carpet area of 60 square metres) will unambiguously not be subject to GST.

The fourth misconception is that the tax burden will increase and hence, the prices of LARE will go up — there is no intention to increase current taxation on LARE. As will be elaborated below, bringing LARE into the GST will keep current effective rates of taxation
broadly unaffected; what will happen is an increase in taxes at the final stage, but because credits will be available on input taxes, the real burden of taxation will not increase.

So, what will come into the GST? Answering that requires understanding the current system. Currently, an annual property tax is levied on land as a source of wealth by urban local bodies. When land or property is sold, there is a stamp duty levied by state governments to register the sale. Neither of these will be brought into the GST.

In principle, the GST can be levied as a service tax on the supply of land and real estate. What exactly is the service? The service in question relates to that provided by those who develop and construct commercial and residential property (the LARE service provider). This service can be provided either as a works contract when the buyer gets the LARE to build and develop the property; or the service can be provided as the supply of an already constructed property (call it readymade property).

Today, the law makes an arbitrary distinction between works contracts and ready-made property. There is a service tax on works contracts both for commercial and residential properties. This tax is about 4.5 per cent, levied on the total value of the property, but no credits are available for taxes paid on inputs such as iron and steel, cement and other fittings and fixtures (many of which are transacted informally) that go into the construction of a property. The lack of input tax credits means that the effective rate of tax is not the headline 4.5 per cent, but that rate plus the cascaded sum of all the input taxes: A rough estimate is that the effective tax rate even today is over 12 per cent.

In contrast, there is no tax on ready-made properties, commercial or residential. Because there is no tax, there is also no provision of input tax credits — this means that here too, the effective rate of taxation is not the headline zero per cent, but the sum of all the cascaded taxes on inputs. One technical reason that ready-made properties are not taxed currently is that some argue immovable property is excluded in the Constitution from the definition of a “good.” But going forward, ready-made properties — or rather, the service provided in building them — can easily be taxed as a service because the definition of what can be taxed under the GST is quite broad; supply of goods or services or both (excluding alcoholic liquor for human consumption).

So, today, the playing field is not level. The service underlying works contracts is taxed more heavily than the same service embodied in a readymade property. The way forward is to recognise that this distinction between works contract and readymade property is artificial and to tax the service that went into the development and construction of both; hence, level the playing field.
The key idea would be tax them at a standard rate and allow full input tax credits. It is the flow of credit that will strike at black money because the self-policing nature of the GST will kick in — all input transactions, notably the sale of cement, iron and steel, and fixtures and fittings that go into the construction of property will have to be accounted for. So, even as the tax on the consumer can be kept the same as today, the sales and purchases of inputs can be brought into the tax net. This would be a real transformational step in the fight against black money in real estate.

But even these very important changes will not strike at another key problem — the exclusion of transactions relating to the sale of land per se from the GST net. For that to happen, the sale of land (for non-agricultural purposes) must itself be taxable as a supply of good or service. Only if the sale of land is taxed can there be input tax credit for this down the chain; and only if there is input tax credit will the self-policing GST mechanism for disclosing the sale of land transaction kick in when that land is further developed. It is this disclosure that will strike at black money in land sale transactions.

Another advantage of imposing a GST on the first sale of land is that it will deter hoarding and encourage land development because when the latter happens, the GST can be claimed as a credit. In contrast, the land hoarder will bear the full burden of the GST.

There are several international precedents for taxing the sale of land under the GST, including in the VAT systems of Australia, Singapore, Malaysia, Indonesia and South Africa. However, Indian constitutional provisions are less clear. The exclusion of immovable property from the definition of “goods” is one impediment. But it is also quite defensible and intuitive to consider the sale of land, or the sale of the right to land, as a service which will then be covered by the definition under the GST (Singapore, for example, considers the sale of the right to land as a good).

Imposing a GST on the sale of land will be the big advance in striking at black money, complementing the other action described above to treat works contracts and ready-made properties similarly. These two actions will, respectively, bring land and real estate into the GST — which could then become a truly transformational GST. In the GST Council, the Centre and some of the pro-governance states have expressed their support for bringing LARE into the GST. But many of the largest states have expressed opposition. At a time when there is a drive to root out black money creation, it is imperative to attack the source of the problem — the flow problem — and not just the symptom, which is the stock problem.
Bringing LARE into the GST is thus a litmus test for whether state governments are serious in their efforts to address the problem, and hence, supportive of the prime minister’s drive in relation to reducing black money. Those who are for the murky status quo are hiding behind the four misconceptions stated above.

But we must be clear: If you are against bringing LARE into the GST, you are for the continuous generation of black money. If so, please stand up and be identified. It is as simple as that.

The author is chief economic adviser in the ministry of finance
Sunil Mittal kicks off much needed reform of pooling spectrum

Economic Times: March 1, 2017

Sunil Bharti Mittal, head of India’s largest telecom network, has proposed creating a common pool of spectrum by all telecom companies. This is most welcome. Mittal suggests that telcos create a jointly owned separate company to operate this spectrum pool. It could charge the operating telcos for use of the spectrum, in proportion to how much they use. The biggest advantage would be efficient use of available spectrum.

Operator A might be short of spectrum, even as Operator B might have spare spectrum going unutilised. In an arrangement in which companies use only the spectrum assigned to them, A’s consumers would suffer network congestion and call drops, while B would be sitting on expensive spectrum won in an auction without earning money from it. A common pool of spectrum would avert this scenario.

The idea is not as novel as it might sound. In some Nordic countries, operators already use common spectrum and network infrastructure. But there are a limited number of operators in those markets. In an intensely contested market like India’s, with multiple players in each locality, the pooling proposal makes all the more sense.

There could be better variants of the common pool. There could be multiple, competing pools for telcos to dip into, paying as they go for any spectrum used. With evolving technology that allows handsets to hop across the spectrum band as and when required, and to choose from among different generations of communication protocols and associated switches, spectrum could be pooled not just for any particular technology standard. Spectrum could be liberated from squatting by those who do not have use for it and from being dedicated to a particular technology. Licensing is already technology-agnostic. Business conduct, too, should become likewise.

The reality is that commercial behaviour has lagged evolving technological possibility. As the demand for spectrum goes up sharply, with machines, too, generating and exchanging huge volumes of data, old ways of doing business would just not do. Mittal should now walk the talk.
Spectrum auction: Telcos not pooling spectrum like Reliance Jio and Reliance Communications; govt policy biggest block

Financial Express : March 2, 2017

Given how critical large chunks of spectrum are for efficiency of use in providing voice telephony and, in the case of data, for dramatically increasing access speeds, it is not surprising Bharti group chief Sunil Mittal should talk of big network companies (NC) owning large amounts of spectrum that companies like his could simply rent and use. Indeed, this is the model being used for telecom towers which, instead of telcos, are now owned by independent tower companies. But if large spectrum chunks are so important, the logical question is why existing telcos aren’t pooling their spectrum in the manner RJio and RCom are in the 800MHz band, even if an NC has not come up. The answer is that the law makes it difficult. If telco A buys spectrum from B, the money gets added to B’s revenues on which a large licence fee has to be paid; if they share spectrum, each has to pay a hefty 0.5 ppt more license fee each year. So, till there is clarity on how license fees are to be paid—will users pay apart from what the NC pays?—no NC can come up. Also, since the law doesn’t allow spectrum sharing if both telcos don’t have spectrum in a particular band, this prevents optimal sharing.

Most important, with the sector in deep financial trouble, why will an NC invest in buying very expensive spectrum? Which brings you to the more important point of the need to scrap the licence fee regime if the telecom sector is to be saved. When spectrum was given out for free, it made sense to charge an annual license fee. Today, when telcos are bidding tens of thousand crore rupees each year, the burden—40% of turnover, Mittal told The Economic Times goes to the exchequer—is killing. It also penalises efficient telcos as they end up paying a lot more license fee than, say, a BSNL which may have more spectrum but fewer customers.

If the spectrum-holding caps were more realistic and the licence-fee-regime scrapped, it wouldn’t really matter if an NC came since existing telcos would buy as much spectrum as they needed to be really efficient. Indeed, till the government stops killing its golden goose, the new plan to have annual spectrum auctions will also flop since the industry will be too bankrupt to participate in any serious manner. And this is without taking into account the impact of very poor regulation by Trai that several telcos are challenging in court.
The merger of mobile services companies would be a welcome development

Consolidation in India’s overcrowded telecommunications industry was perhaps inevitable. What is interesting though is that the current wave of mergers and acquisitions, which started in November 2015 with Reliance Communications’ agreement to acquire Sistema’s Indian wireless business, has gained considerable momentum over the last 15 months with several more announcements — of deals struck or confirmation of ongoing merger negotiations — having been made. That the commercial start of services from the latest entrant, Reliance Jio, has been coterminous with this latest round of consolidation is not a simple coincidence. Given what some of its competitors have referred to as Jio’s “predatory” approach to pricing, the industry has found itself buffeted on the one hand by a sharp decline in earnings, and on the other by the high cost of servicing the debt that had helped incumbent operators bid for and acquire the much-needed wireless spectrum at the government’s auction of airwaves. It is this financial bind that the industry finds itself in that Sunil Mittal, BhartiAirtel founder and chairman, alluded to at the Mobile World Congress in Barcelona this week when he said that the return on capital deployed had dipped to low single-digit levels, making investment in the business unviable. Investors, he is reported to have quipped, would be better off putting their money in a bank and playing golf.

This is a far cry from the situation a little more than five years ago when as many as 12 private players jostled cheek by jowl with the two state-run telephone operators, BSNL and MTNL, as they vied for a share of the country’s 893.8 million wireless subscribers as of December 2011. And while the market had expanded to almost 1.13 billion subscribers as of December 2016, the number of non-state mobile services providers had shrunk to 10, inclusive of Reliance Jio. With seven of the nine either in the process of being acquired or merged, or in talks to negotiate a deal, the industry is now finally poised to coalesce into four large private sector entities, a welcome development both from the industry and government perspective. Still, size alone may not guarantee the enlarged companies’ good health, especially given the ongoing fierce battle for market share. That the seriousness of the situation has not been lost on the Telecom Commission is best underscored by the fact that it has asked the Telecom Regulatory Authority of India to ensure orderly growth in the sector. After all, a bruising and protracted price war, while certainly good for the consumers, is bound to extract a heavy price on the service providers’ financials, notwithstanding the deep pockets that the merged entities may command. That in turn risks further eroding the revenue the Centre earns from licence fees and spectrum usage charges, a fact cited by the Telecom Commission in its latest missive to TRAI. It is in no one’s interest to kill the goose that lays the golden eggs.
Urbanisation

Trust and verify: How simple changes in government functioning can make life easier for citizens

Times of India : March 1, 2017

A group of senior bureaucrats tasked with studying urban issues has recommended governments move to a Trust and Verify approach in dealing with the most frequent needs of citizens. This initiative aims to upend the existing system of scrutiny ahead of approvals with one where approvals come first. A scrutiny is carried out subsequently. The essence is that citizens are trusted when it comes to high frequency engagements with city governments – such as building permissions, change of title in municipal records, and birth and death registrations. This proposal should be widely adopted as it will both curtail corruption and improve citizens’ lives.

Governments have already begun moving towards an approach where it is assumed that an applicant is generally trustworthy. To illustrate, to ease doing business importers were allowed to self-certify, to be followed by a few random verifications. There is absolutely no reason why the same level of trust should not be extended to all citizens. More so when one of the biggest sources of petty corruption is the abuse of power by sections of lower bureaucracy.

An important strand of reform is streamlining procedures and bringing transparency in government decision making. India has taken well intentioned steps in this direction by trying out concepts such as Sevottam, a quality management system framework for some government services. NDA can further its promise of maximum governance, minimum government by persuading all city governments to adopt the Trust and Verify approach. Punitive punishments can be used to deter those who abuse the trust. In addition, advances in digital technology should be used to reduce the level of direct interface between citizens and governments. Simple changes to ways of functioning can produce far reaching results and make life easier for everyone.
Cities at crossroads: The heart of action

State governments and urban local bodies hold the key to fixing our cities and addressing the challenges of unplanned urbanisation

Written by Isher Judge Ahluwalia

Indian Express : March 1, 2017

Many more people are worried about the worsening condition of our cities than was the case even a few years ago. As urbanisation gathers momentum and cities are required to play an increasingly more important role in promoting and sustaining rapid growth of the Indian economy, we hear of numerous initiatives to fix our cities and address the challenges of unplanned urbanisation. But the growing recognition of the problem is marred by the failure to appreciate two basic truths.

The first basic truth is that the operational control of urban planning and management is with the state governments, while the public discussion is largely about what the Government of India (GoI) is doing or should do for urban infrastructure and service delivery. The discussion must include the role of state governments in bringing about key institutional reforms including devolution of responsibility to the cities, the reform required in municipal legislation, and creating capacity for planning and management at the city level.

The second basic truth is that the solution to the woes of our cities requires a holistic approach to urban reform. Instead, we have a plethora of separate missions/programmes/schemes relating to provision of clean drinking water, waste water treatment, solid waste management, public transport, etc. Each of these schemes is run by a particular department of the government and they, like all government agencies, work in silos whereas the problems are heavily interconnected, and the solution for each depends critically on how others are handled.

This column spells out the first basic truth. In my columns in this newspaper during 2011-2014, I documented 38 case studies of how some parts or some sectors of Indian cities have been transformed in recent years. The sole criterion for selection was that the project should
have led to better outcomes on the ground. When I look back at these cases to see how they are spread across different states, I find that Maharashtra had by far the maximum number of successful cases, that is 11, while Karnataka and Gujarat had six and five, respectively, and Tamil Nadu and erstwhile Andhra Pradesh had four each. These were also the state governments which played a pro-active role in urban reform.

A good example is the role played by the government of Maharashtra in water reforms across its cities and towns. Maharashtrian cities have been way ahead of other Indian cities in addressing the challenge of providing drinking water to their residents. As early as the year 2000, the government of Maharashtra had set up the Sukhtankar Committee to review the efficiency of supplying water in its cities and towns. The committee recommended water audits for all cities and offered to fund 75 per cent of the cost of determining the gap between the water supplied and the water billed to consumers for water ostensibly consumed.

Nagpur was the first city to take up the offer and found that its water losses were of the order of 52 per cent. As much as 30 per cent of water was lost during transportation from the bulk source to the distribution network. Thanks to the state government’s role in encouraging and partially funding the water audit, the Nagpur Municipal Corporation (NMC) realised that fixing the leaks along the transmission route of water from its basic source to the city was an important part of the solution. The canals that brought raw water from Pench, 48 km outside of the city, provided ample opportunities for stealing water along the way. When the GoI launched JNNURM, a national urban renewal mission, in 2005, the NMC was well placed to prepare project proposals replacing the canals by a piped network, and also augmenting a second source at Kanhan. Funding for the projects was approved under JNNURM with endorsement from the state government.

In Nagpur’s journey to 24×7 water supply, the NMC set up the Nagpur Environmental Services Ltd. (NESL), a wholly owned company, and NESL in turn entered into a public-private partnership with a private company for 24×7 delivery of drinking water. The state government’s support was crucial because the PPP agreement was vetted by the PPP cell of the government of Maharashtra. The presence of such institutional support reduces the possibility of badly structured PPP agreements without clear assignment of risks for both partners.

A significant feature of Maharashtra’s planning for water has been their recognition of the importance of economic pricing of water. The Maharashtra Water Resource Regulatory Authority, established in 2005, has been conducting exercises to price water, setting water charges based on the volume of water consumed by different user categories. These exercises involve inputs from experts as well as consultations with stakeholders.

In 2010, on the occasion of the golden jubilee year celebrations of Maharashtra, the state government launched Maharashtra Sujal Nirmal Abhiyan (MSNA), an innovative mini-mission on reforms for integrated management of water and sanitation in the cities and towns of Maharashtra. MSNA covered 247 urban local bodies, leaving out only five cities covered under JNNURM. Not only was the funding to urban local bodies by the state government conditional on carrying out a set of specified reforms, but the reforms themselves were
clearly delineated in a phased manner recognising the different initial conditions of water and sanitation across the urban local bodies in the state. Unfortunately, the MSNA that achieved 24×7 water delivery in Amravati and Malkapur, reported earlier in these columns, was unceremoniously ended by the state government after three years of showing good results. It is possible that the successive drought conditions diverted the government’s attention to the urgent task at hand, that is, a basic provision of water, and the focus on reforms was lost. However, unless we have missions such as MSNA, which approach water and sanitation in a holistic manner, in different states, and unless state governments empower urban local bodies with financial devolution and capacity to plan and manage their affairs, initiatives from the GoI will not translate into a transformed scenario on the ground.

A second example is that of the role played by town planning schemes in Gujarat. Rapidly growing cities of Ahmedabad and Surat could plan and finance their road and transport infrastructure to accommodate their physical area expansion by using a simultaneous mechanism for land reconstitution, infrastructure provision and financing, made possible by the Gujarat Town Planning and Urban Development Act of 1976 which was last amended in 1999. The notorious Land Acquisition Act stood in the way of most Indian cities in other states as they faced the challenges of infrastructure investment for their expanding frontiers. Ahmedabad and Surat had found a bypass through the town planning schemes made possible by state legislative reform. Erstwhile Andhra Pradesh also used similar instruments of unlocking land value in Vijayawada and in building the outer ring road in Hyderabad.

Yet another example is the role played by the governments of Karnataka, erstwhile Andhra Pradesh, Maharashtra and Gujarat by providing a robust network and other infrastructure in some of their cities and combining it with capacity building and business process re-engineering so that e-governance could help expedite service delivery, while bringing greater transparency accountability. The GoI tried to provide a major thrust to e-governance across urban India through JNNURM, but transformation on the ground happened only when the state governments played their part.

The writer is chairperson, ICRIER, Delhi, and former chairperson of the high-powered expert committee on urban infrastructure and services
**Violence**

**Trolling Gurmehar, blot on democracy**

*Deccan Herald : March 3, 2017, DHNS*

The vicious trolling of Delhi University student Gurmehar Kaur and the rape threats made to her after she condemned last week’s violence in the capital’s Ramjas College show how some of the most important freedoms of citizens and the most precious values of society are in danger. The girl, daughter of a Kargil martyr, has withdrawn her campaign and left Delhi after the attacks made on her not only by the hoodlums whom she had criticised but also by leaders of the government and society. She had raised her voice against the violence unleashed by the BJP student wing ABVP on the campus of Ramjas College, called for peace and understanding and underlined the value of freedom of expression in a democratic society. She was dubbed an anti-national for it, compared to Dawood Ibrahim by BJP MP Pratap Simha and mocked by cricketer Virender Sehwag. Union Minister of State for Home Kiren Rijiju said her mind had been polluted.

The attacks on Gurmehar, the physical violence in the college and the entire series of events are signs of a dangerous situation that has been developing in the country. The violence was over the invitation to two JNU students to participate in a seminar. When the ABVP objected, the invitations were cancelled. But the issue developed into a confrontation. What was involved was the freedom of expression of the students, not only of those from JNU and Ramjas College, but also of others like Gurmehar. Anyone who expresses views different from those of the ruling party and its establishment is called an anti-national, terrorised and demonised. It is in an autocratic and authoritarian state that free speech is met with suppression and violence. An ideological authoritarianism has gained strength in the country and it is being flaunted and enforced by sections of the BJP, some of its leaders and organisations associated with it. Those in the government are often seen supporting it.

Independent and neutral observers have maintained that it was the ABVP that triggered the violence, and others got into it to counter it or in self-defence. The police helped the attackers and did not protect those who were attacked. It made a gesture of action only when public pressure built up. But the issue is not just what happened in Ramjas College. It is an encore of what has happened in other universities and in the entire country in the recent past. The nation is equated with the government and the party, and some even equate it with religion. Falsehoods and misrepresentations are manufactured and promoted. Gurmehar Kaur and all other protesters have shown that this will not go unchallenged.
The right and wrong of free speech

Economic Times : March 1, 2017

The events at Ramjas College in Delhi University, the ensuing protests and the vicious trolling of a girl student GurmeharKaur, which saw Union minister KirenRijiju criticise Kaur rather than take on the trolls, all misconceive and truncate the right to freedom of speech.

True, the Constitution places reasonable restrictions on this freedom, on grounds of sovereignty and national integrity, security of the state, friendly relations with foreign states, public order, decency, defamation and incitement to an offence.

Free speech is not meant only for those who agree with a dominant view; it matters most when it comes to unpopular, minority views. If those who disagree with such views unleash violence, and create a threat to public order, what should the state do? Some Delhi policemen present when Ramjas College students were allegedly attacked by ABVP activists, who sensed a threat to Indian nationalism from a speaker, chose to take off their name tags and beat up Ramjas students.

Minus such blatant partisanship, if the state merely used the public order proviso to gag the minority opinion, that would still fall short of defending the right to freedom of expression. That would only be an invitation for people to stage violence to muzzle opinion they disagree with. The country’s courts are the final arbiters of when a restriction on free speech is warranted, but in a technical sense. It is the lived practice of democracy — with citizens actively defending free speech, even of the kind they disagree with — that will give substance to this and other fundamental rights.

In this light, it is welcome that many students, teachers and others have come out against violent suppression of free speech and lent support to GurmeharKaur, including senior minister Ravi Shankar Prasad.

Pollution of minds: Sexual harassment of GurmeharKaur has nothing to do with love for country

Times of India : March 1, 2017

The social media attack against Delhi University student Gurmehar Kaur for voicing her opinion against RSS affiliated students body ABVP, in the aftermath of the violence at Ramjas College, is condemnable. Gurmehar, who is the daughter of a Kargil war martyr, condemned the violence and initiated the #StudentsAgainstABVP online campaign. This not
only earned her the ire of trolls who criticised her sentiments as anti-national, but even saw her receive rape threats. Meanwhile, BJP MP Pratap Simha compared Gurmehar to Dawood Ibrahim while Union minister Kiren Rijiju questioned whether someone was polluting the young woman’s mind.

Threatening a woman with rape can’t be justified under any circumstances. In this context, minister Rijiju should be more concerned about who’s polluting the minds of those who have been subjecting Gurmehar to extreme sexual harassment online. His government should show that it is indeed against all forms of intolerance by ensuring the strictest of police action against Gurmehar’s tormentors.

It has been argued that it wasn’t just ABVP members that took part in violence at Ramjas College and students of leftist persuasion were equally guilty. But hooliganism by anyone anywhere needs to be condemned unequivocally. After seeing where Pakistan has ended up by distinguishing between good terrorists and bad terrorists, India must not commit the folly of playing good goons vs bad goons.

A certain section affiliated to BJP and its sister organisations believes in an aggressive definition of nationalism and imposing this on others. Anyone disagreeing with their worldview is labelled as anti-national and intimidated into silence. This intimidation can even take the form of physical violence – even against a war martyr’s daughter advocating pacifism. The role of the government must be to discourage violence and ensure conditions for free debate, where nobody has exclusive claim to nationalism. In a big and diverse country such as ours, people relate to nationalism in different ways. Questioning the government of the day or refusing to mouth patriotic slogans doesn’t weaken the nation. It isn’t anti-national. RSS chief Mohan Bhagwat himself has said that no one should be forced to chant, Bharat mataki jai. It is hooliganism running riot and intimidating diverse voices into silence that does great damage to the nation. It is this message that Union minister of state for home affairs Rijiju should spread.
Gurmehar Kaur’s old placard came in handy for trolls to slam her for SaveDU campaign

One placard, pulled out of context from a 10 month old anti-war video, stunningly and wholly hijacked the attention away from her cause of decrying ABVP violence in Ramjas. Suddenly the discourse became that of Kaur ‘supporting’ Pakistan.

Written by Nandini Rathi

Indian Express: March 1, 2017

Gurmehar Kaur. Screengrab.

Twenty-year old Delhi University student Gurmehar Kaur may not have imagined that one particular placard from the “Soldier of Peace” project that she had been a part of several months ago would be pulled out of context to undercut her protest against the charged environment of intolerance unleashed allegedly by the ABVP through their violent acts in Ramjas college.

Switch on the television, and lo, behold! Union Minister of Home Affairs, Kiren Rijiju – who had rushed to chime in with actor Randeep Hooda on Twitter, wondering “Who’s polluting the young girl’s mind?” – was telling a reporter that it is not acceptable for Gurmehar to lend her voice to “Leftists who celebrate every time soldiers die defending us”. Ministers M Venkaiah Naidu and Rijiju patiently spoke to the reporters, levying the charge on Kaur of “abusing the motherland” while exercising her freedom of expression, but had only a few, brusque, social-media blaming words to spare on the question of right-wing loyalists sending her rape and murder threats.

Ten months ago, Kaur’s ‘Soldier of Peace’ video had been uploaded by a Indo-Pak peace promoting Youtube channel called Voice of Ram, in which she told her story through a series of placards – of being a fallen soldier’s 2-year-old child, who as a little girl was filled with maddening hate towards Pakistanis and Muslims in general (whom she mistakenly thought of as Pakistanis for their faith) for taking her father away. Saved by her mother’s timely good sense, she understood that war was responsible for her father’s death rather than a whole community of people – the majority of whom want lasting peace between the antagonistic neighbors.
This video with placards from April 28, 2016 was targeted towards the governments of both India and Pakistan to solve their differences for good. It even quoted the examples of France – Germany and USA – Japan who were able to move on from horrid World War animosity and function with civility today. It was an anti-war video made for the authorities of both countries and bore no connection to nationalism.

Fast forward to last week, Kaur launches #SaveDU campaign to protest against violence in Ramjas college. One selectively pulled out placard from the months old video, which read: “Pakistan did not kill my father. War did”, became viral and a butt of incessant lampooning (including that of former cricketer Virender Sehwag and Olympics wrestler Yogeshwar Dutt). The only similarity between the isolated screenshot above from the video and her #StudentsAgainstABVP message is the use of placards — they are otherwise almost a year apart, and for entirely different causes. But the old placard stunningly and completely hijacked the attention from her unrelated cause of decrying violent events at the hands of ABVP goons in Ramjas. Suddenly the discourse became that of Kaur ‘supporting’ Pakistan. Even champion wrestlers Geeta Phogat and Babita Phogat levied the charge of anti-nationalism against Kaur.

**The violence of certainty**

Absolutist ideas of Truth have been responsible for religious and political violence throughout history

**Written by Harbans Mukhia**

**Indian Express : March 7, 2017**

The current spate of tension, including violence, on India’s campuses is essentially reducible to a conflict between two notions of truth: the single Truth and a pluralist vision of truth whether the subject is nationalism or religion or any other. How attractive is the idea of Truth
being absolute and pure and thus being the most powerful negation of untruth or falsehood! Indeed, if Truth is absolute, it must also be singular; conversely, untruth and falsehood must be multiple in nature. Was it always understood thus?

Time was when the notion of truth’s singularity or plurality was at best academic. The forceful assertion of its singularity came with Judeo-Christian or Biblical monotheism. Judaism asserted the being of a single God as the absolute Truth and adherence to it essential for being a Jew. However, it was not a proselytising religion and did not impose this condition on others. That change came with Christianity. Jesus being the son of God, the ultimate Truth had been revealed to humanity through him in the Bible. Implicit in it was the falsehood of all other faiths, forms of belief, indeed all modes of thought of which there was a multitude.

All these came to be labelled “infidelity” with the embedded disapproval of lack of faith in that Truth. Since Christianity was a proselytising religion, an irreconcilable conflict came to be posited between its single Truth and all the rest that were by their very nature falsehoods, a conflict of which the conclusion was foregone: Its ultimate and universal triumph over all that is false. The ultimate, universal triumph was also implicated in the notion of the Day of Judgment, by which day all of humanity would have turned to Christianity. Whether this triumph came through persuasion, persecution, temptation, use of state power etc. or a combination of all of these remained open-ended. But the monopoly of the Truth gave its owner unlimited power to tempt, punish, subjugate those whose loyalties lay elsewhere.

The notion of the absolute and therefore single Truth was inherited by Islam which announced that while partial truths had been revealed earlier through the agency of prophecy, Muhammad was the last in the line of prophets and therefore the single ultimate Truth was embedded in the Quran. Indeed, a synonym of God in Islam is the Truth (al-Haq). The slightest deviation from any word of the Quran was tantamount to bida’t (heresy) and strictly unlawful. It also imbibed the concept of the Day of Judgment from Christianity and therefore the other attributes of the singularity of Truth and its inevitable triumph over falsehoods, termed kufr, with the same meaning and intensity as infidelity. On the Day of Judgment all humans would have turned to Islam. In Hindu as well as Jain and Buddhist philosophies, while debate on the nature of truth was frequent, it usually ended in the acceptance of at least plural versions of truth. Absence of a single foundational text or a prophet and above all, absence of the notion of the Day of Judgment, also contributed to this vision.

Interestingly, singularity of Truth was not confined to religions alone. In a great twist of irony, the same premise underlay theology’s and indeed religions’ most strident ideological adversary — Marxism. For it too, all history is driven by one Truth, class struggle, and its
inevitable universal triumph is written into it with the transition to the stage of socialism and
ultimately communism. Class struggle is waged at various levels of persuasion, propagation
etc., including but not exclusively through violence.

This indeed is the theory and a good deal of history has been shaped by it. The conflict and
the violence unleashed by the tension between the Truth and falsehoods has been the cause of
shedding untold amount of human blood and enormous destruction through history and has
not ceased yet. But that is not history’s only facet. There is an inverse side to it too. If the
theory of the single Truth does not allow it to accept any space for an alternative view, the
moderation wrought on it by history through the centuries has created that space. Space was
created first by the emergence of divergent versions of the same Truth within the boundaries
of each religion and ideology, including Marxism, and gradually the acceptance that alternate
views, faiths and belief systems have survived all the violence unleashed upon them over
such a long span of time. It is possible therefore that they are all somewhat better than utter
falsehoods. Medieval Christian texts, for example, are teeming with denunciation of
Muhammad as a false prophet; no longer. Within Islam too there has been questioning of the
very legitimacy of prophethood, including Muhammad’s, among several divergent views on
the nature of Islam and its relationship with other religions. Marxism too has had a number of
often competing versions during its lifetime and some of the giants among the “socialist”
regimes were at more than an ideological war with one another.

Here is another irony in the making: As the religious and non-religious ideologies holding on
to the notion of a single Truth have, over the centuries, moderated their thinking even if in
varying degrees, we are now being driven into that street by the claimants to the one system
of thought which had chosen its own distinctive path of pluralism. The Hindutva ideology of
its current proponents, from V.D. Savarkar, M.S. Golwalkar to K.S. Sudarshan and Mohan
Bhagwat, replicates the structure of the singularity of Truth with all its attendant violence.
Perhaps this is the farthest Hinduism can go, or can be driven from its evolved pluralist
vision. Interestingly, persuasion seems to be the weakest link in this drive: Use of power —
state and administrative power including lure for compliance and punishment for defiance —
is apparently the chief agency for this massive task of transformation.

Will it succeed? Well, history has witnessed even more massive transformations in the long
term; it would be hard to predict success or failure with certainty. State power has effected
several such processes in the past: The spread of Christianity, Islam and Marxism had
intimate connections with it. On the other hand, the state that exists and operates in 21st
century India is not the absolutist state that effected these processes and is unlikely to turn
into one. That is one strong guarantee against the repetition of history.
Waters Treaty

Crossing a bridge
The Hindu : March 04, 2017

Even in the fraught and volatile framework of India-Pakistan ties, the Permanent Indus Commission mandated to implement the 1960 Indus Waters Treaty (IWT) has met like clockwork, 112 times in 56 years, annually in each country. The commission has experts who look into issues and disputes on the ground over the utilisation of the waters of six rivers of the Indus system. Under the treaty, India has full use of the three “eastern” rivers (Beas, Ravi, Sutlej), while Pakistan has control over the three “western” rivers (Indus, Chenab, Jhelum), although India is given rights to use these partially as well for certain purposes. As a result, there should be little to comment in the normal course when India accepts Pakistan’s invitation to the next round of talks, as it has for the Permanent Indus Commission in Lahore later this month. The move is welcome, as it denotes India’s commitment to the treaty that has stood the test of time and war, and also displays New Delhi’s sincerity on the issue of water-sharing, given that the IWT is seen to be a model in dispute management. In September last year, doubts had been raised over India’s commitment after the terrorist attack on an army camp in Uri, killing 19 soldiers. In the days that followed, senior officials announced the suspension of talks until there was an “atmosphere free of terror” after Prime Minister Narendra Modi held a review meeting on the treaty to consider retaliatory measures against Pakistan for the attack, saying, “blood and water cannot go together”. Mr. Modi repeated some of those angry sentiments at public rallies where he said India would not allow even a “drop of water” to go waste into Pakistan. The atmosphere was also charged after the government announced “surgical strikes” had been carried out along the Line of Control and subsequently pulled out from the SAARC summit in Pakistan, leading to fears of a freeze in bilateral ties.

In the event, the government has chosen wisely, with some encouragement from the World Bank and persistence by Pakistan, to step back from much of that rhetoric, and allow IWT commissioners from both countries to meet. The decision follows several other moves between India and Pakistan in the past few weeks indicating a softening of positions on some other issues as well: from a marked reduction in LoC firing, the regular annual exchange of nuclear lists, the release of prisoners by both countries, and India being part of the consensus to elect the Pakistani nominee as the SAARC Secretary-General this week. It would be premature to expect that any of these events, some of which are routine, consolidate a thaw in relations between the two countries. However, they reaffirm the high stakes that are woven into India-Pakistan relations, and the need to keep certain issues such as water-sharing above the politics of the moment.
Women Safety

Make the men answer
The recent attack on a woman actor in Kerala has shaken the state. Both government and employers, including the film industry, are accountable on women’s safety

Written by Padmapriya Janakiraman

Indian Express: March 2, 2017

C R Sasikumar

The late evening breeze brushing my face, personalised music playing in the background and banter while driving with my closest companions, driver etta and my paper, is my typical post-work routine. But the recent assault on my colleague has rudely shaken my desire for this well-ordered setting. It has also deeply affected my notions of safety as a film professional with respect to travelling, especially at night. As I gather together my broken faith and rationalise, it is infuriating to know that the chances of the incident occurring at all could have been minimised, if only certain steps were taken.

If only the state and Union government cared to deliver on their primary duty — the basic safety of citizens. While it is gladdening to hear of Kerala’s governor, P. Sathasivam’s solution-driven approach, that is hardly the comprehensive movement against such crime that the state needs. As Sonal Shah, senior manager at the Institute for Transportation and Development Policy puts it, we need to investigate our gender-blind infrastructure as mobility plans rarely collect gender disaggregated data, inequities such as daily harassment, forced mobility, forced immobility, etc.

Cities around the world have managed crime to emerge stronger: New York, for example, went in less than two decades from being a cash-strapped, crime-racked city to becoming the 10th safest major city in the world today. While various kinds of non-governmental and neighbourhood groups put their hearts and minds towards solving the problem, it was the persistent, collective and aggressive effort of government agencies that brought rapid change. Community courts, NY police, NY city transit authority and the port authority worked together to find sustainable solutions for women’s safety, restoring order in NY’s public spaces.
If only the film industry also took proactive measures to ensure that women — about a quarter of its workforce — are safe and clearly illustrate what they should do if they are attacked. In an industry of free entry and exit, where all you need is a recommendation for a union card, where is the guarantee of safety for anybody? Especially for women, for whom even basic facilities like washrooms and a space for changing is an aberration. I just completed working towards an upcoming Hindi film Chef; in a career of close to 50 films, this happens to be the only movie which boasted of a gender-equal set. If the director was a man, the producer was a woman; if the editor a guy, the production designer a woman. Working on such a set meant much to me, professionally and personally.

The sheer number of women on set demands there be a safe and gender-equal working environment. This time, my assistant didn’t have to run around with a broom to get the washroom ready. On a gender-equal set, when certain facilities cannot be provided, you have someone to fall back on. Female assistant directors would use my vanity van restroom during street shootings and I would always have someone around with wardrobe malfunctions. In a crazy, high-pressure environment like a film set, eventually a peculiar kind of empathy develops for your co-workers. This is normally missing for women professionals on other sets; how will the men know what the other sex goes through unless they engage with them?

Employers in the film industry have to get gender-friendly; else, not many would risk being in front of or behind the camera.

However, even on a gender-equal set, there is no clear idea about what kind of support the fraternity can provide if an untoward incident takes place. I recollect how, in my early years, a popular director ignored a young woman’s complaint of a driver feather her up — not only was she asked to overlook it, the same driver continued to ferry her around for the next 15 days. As a 20-year-old, it caused me tremendous discomfort, but I was too naïve to figure out what could be done.

A decade later, with a fashionable NYU degree and Vishakha guidelines backing me, I still don’t know what the recourse is. It isn’t just me who’s ignorant on this; AMMA (Association of Malayalam Movie Artists) members have been circulating emotional emails on how to support our recently-attacked colleague. But we should get real — being physically violated in any manner is a heinous criminal offence. As an industry which contributes significantly to the economy, shouldn’t Vishakha guidelines be as applicable to this industry as it is to others?

I was asked to write this piece as I have always travelled alone, sans parents, bodyguards and all the trumpets surrounding us stars. I respect and continue to trust all the drivers who have clocked miles with me. But let me confess — that never happened organically. It happened at the cost of being extra-cautious about what I wear, what time I travel, how I talk — doing all that a female is expected to do to survive in this country in a sane and safe manner.

As a matter of fact, as I write this piece, a female colleague and I are juggling diverse permutations to find the safest way to travel from Wayanad to Calicut to catch a 6:30 a.m. flight. Seven decades after Independence, it’s shameful that the polity of India defines a woman’s “boldness” by her decision to travel alone. It is high time the government — and
our employers — come together on a war footing to find comprehensive solutions that are implemented vigilously, and not just announce a slew of measures for which non-outcome-based budget lines are created amidst a media outcry. It is also high time that the women of this country held their employers and government accountable, through their vigilance — and their votes.