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International

Austria's Snap Election

- Sunday's snap election has ensured the return of Sebastian Kurz of the conservative Austrian People's Party (ÖVP) as Austrian chancellor. The previous government led by Mr. Kurz collapsed in May over a corruption scandal involving his coalition partner, the far-right Freedom Party (FPÖ). But the more important question is whether Vienna's centre-right party is ready to jettison the xenophobic right in its bid to form a new government. The Greens may have good reason to use the opening, given the chance it affords them to build on the popular support their counterparts gained from the European elections in May. Any positive movement in this regard cannot, however, be assumed given the fraught nature of such negotiations. Instructive is the case of the so-called Traffic Light coalition talks in 2017, among German social democrats, liberals and the Greens that dragged on for months before the current government was installed in Berlin. On the other hand, it would be awkward for Mr. Kurz to revisit the alliance with the anti-immigrant FPÖ, especially after the latter lost over a third of its 2017 vote share in Sunday's poll. That tie-up broke down after revelations that the former vice-chancellor and FPÖ leader had tried to hand control of a media house to a Russian oligarch for campaign support. After its poor showing, one view is that it should sit in the opposition. Another view is that under a new leader, the FPÖ is well placed to return to negotiations with the conservatives. Crucial to a reading of this scenario is also Mr. Kurz's past embrace of FPÖ's Islamophobia, prior to the 2017 elections. Given the fragmentation of the polity, coalition talks have been deadlocked for months in many European countries, warranting a second mandate even before the legislature met. Mr. Kurz may have to work with the FPÖ in order to break any impasse. He may well calculate that the far-right would be more pliant inside the government than in the opposition. In this fluid scenario, the best that can be expected of Mr. Kurz is an earnest attempt to find common ground among parties otherwise in competition. That is the recent lesson from Rome, where populists and the centre-left struck a difficult compromise.

The Magufuli 'Bulldozer' Effect

- As Tanzania nears the 2020 election, its anti-corruption crusade seems headed to a one-man dictatorship. President John Magufuli, leader of the ruling Chama Cha Mapinduzi (CCM), or Party of the Revolution, made waves when he took office in 2015. He purged thousands of ghost workers from public payrolls, fired incompetent bureaucrats and implemented targeted austerity. A bold move to abolish tuition fee in secondary education signalled continuity with the country's impressive record of investment in primary schooling. Initiatives to reclaim lost revenues from extractive industries were seen as essential to financing economic and social reform programmes. But at the end of four years of his term, no institution has been spared Mr. Magufuli's erratic,



impulsive and brutal style of functioning. The President has done little to disguise his image as “bulldozer”, a nickname he was given in his previous role as public works minister. Tanzania had long enjoyed a reputation for political stability in a region notorious for military coups. Its periodic democratic elections contrast with states that tend to subvert fixed terms. A sense of national identity fostered over decades distinguished Tanzania from the bloody conflict arising from ethnic and religious divisions that has marred the continent. A climate of relative peace, coupled with its transition to a more open economy, is why **Dodoma had been the darling of donors and investors. But the perception was dealt a blow by a law enacted to criminalise any dissemination of data that contradicted official figures. The World Bank froze its aid package to Tanzania in 2018, lifting the embargo only this September after the government amended the statistics law in June to remove the threat of jail.** In April, an International Monetary Fund report was banned because it criticised the government’s policies as unpredictable and the statistics, unreliable. Dodoma’s recent denial of instances of Ebola in the country, without furnishing World Health Organization evidence, is thus no surprise. Another casualty of Mr. Magufuli’s whimsical style is the state of the economy. Investment in Tanzania’s mining sector has stalled over the last two years. Acacia Mining, Tanzania’s largest producer, was cleared only in April for the resumption of gold ore exports. Operations were crippled following accusations of underreported sales and unpaid taxes. The suppression of democratic dissent has been the biggest casualty of the Magufuli presidency. There has been a systematic assault on popular institutions. The ban on opposition rallies, discontinuation of live telecasts of parliamentary proceedings, and intimidation of journalists are proof that Mr. Magufuli has ripped up the democratic rule book. Tundu Lissu, a staunch government critic and leader of the opposition party Chadema, or Democracy and Progress, was arrested multiple times before he was wounded in a gun attack in 2017. Chadema officials have expressed concern that the attack was politically motivated. Under the prevailing political vacuum, the government has unleashed repression against the LGBT community and expelled teenage mothers from schools. Tanzania’s authoritarian drift may have to do with the growing challenge to the ruling CCM. The party’s vote share has steadily dropped from 2005 resulting in major gains for Chadema. **Tanzania’s unity is also under strain, as tensions deepen between the mainland Tankanyika and the archipelago of Zanzibar, which were merged in 1964. An instance was the annulment of the 2015 polls for Zanzibar’s regional parliament, after the opposition Civic United Front (CUF) claimed victory. The CUF then boycotted the rerun, which CCM won with a landslide. Given the promising country’s descent into authoritarianism, Tanzanians may feel some nostalgia for the founding President Julius Kamperage Nyerere, who is among Africa’s towering anti-colonial leaders.**

Foreign Affairs

Two Asian Powers and An Island

- The imposing Lotus Tower in Colombo, which was opened to the public recently, is considered to be the latest symbol of Sri Lanka-China ties. An agreement to build this structure, which is to serve as a multi-functional telecommunication tower, was signed by the two countries in 2012.

Shatabdi Tower, Sakchi, Jamshedpur



It may look ironical that much of the project's execution took place under a regime which came into office at a time when there was a "strong anti-China mood". In the run-up to the 2015 presidential election, Ranil Wickremesinghe, who was backing Maithripala Sirisena, had assured people that another Chinese project, the \$1.4 billion Colombo Port City, would be scrapped. Soon after Mr. Sirisena became the President, work on the Port City came to a grinding halt. Then, there was also uncertainty over the fate of the Hambantota port, the development of which was originally offered to India by Mahinda Rajapaksa on becoming Sri Lanka President in November 2005. (India was said to have examined Hambantota purely from the point of view of economics, overlooking the strategic angle.) However, all of this is now history, as Colombo-Beijing ties have stood the test of time. China has been able to resolve all the controversies over these projects. The Port City's execution is underway without any major hitch. When it becomes a reality, it will stand beside the Colombo port, which serves as a major trans-shipment hub for India. A Chinese company has got Hambantota on lease for 99 years along with associated land of 15,000 acres. More importantly, Sri Lanka is a member-country of the Belt and Road Initiative. Notwithstanding an argument by some international experts that economic ties with China are driving Sri Lanka into a "debt trap", the bilateral relationship on the economic front is only becoming stronger. According to the 2018 annual report of the Central Bank of Sri Lanka, imports from China accounted for 18.5%, just a little less than the 19% from India. On the other hand, India cannot claim to have accomplished much in the Sirisena years, despite its "neighbourhood first" policy since May 2014. Apart from clinching a joint venture deal in May with Japan and Sri Lanka to develop the **East Container Terminal at the Colombo Port**, India cannot boast of having taken up any major infrastructure project in Sri Lanka. Not much is known about the status of a project to renovate the Kankesanthurai harbour in the Northern Province, for which India provided over \$45 million in early 2018. There seems to be little progress in India's proposals to develop the **Palaly airport** in the North, (where commercial flight services in a limited way are expected to be launched shortly) and acquire a controlling stake in the Mattala Rajapaksa International Airport. And for all practical purposes, the Economic and Technical Cooperation Agreement, an improved version of the existing bilateral Free Trade Agreement, has been shelved. In recent years, only a couple of social sector projects of the Indian government — building 60,000 homes for Tamils of the civil war-torn Northern and Eastern Provinces as well as those in the hill country region, and the provision of ambulance services all over the island — gathered momentum. Both these are being carried out using grants of the Indian government. In July, an agreement was signed to upgrade a key railway segment, connecting the north and the south, at \$91 million. However, given its potential and willingness to do more in development cooperation, India cannot remain satisfied with such a modest track record. When Mr. Wickremesinghe visited New Delhi about a year ago, Prime Minister Narendra Modi expressed concern over delays in projects proposed by India. The joint development of an oil storage facility in **Trincomalee** is one such project which has been discussed for years. What can be a matter of consolation for New Delhi is that Colombo, about a year ago, reversed a decision to award a \$300-million housing project, meant for the North, to Beijing. China-funded infrastructure projects in Sri Lanka may look great, but India-Sri Lanka ties are deeper and more complex. As Mr. Modi said, "In good



times and bad, India has been and will always be the first responder for Sri Lanka.” India’s assistance during the 2004 tsunami and Mr. Modi’s visit to Colombo in June (the first foreign dignitary to do so) in the aftermath of the Easter Sunday attacks show India’s sincerity of approach. Despite these deep ties, it is true that India and Sri Lanka have seen some unpleasantness in bilateral relations in contemporary times. **The anti-Tamil pogrom of 1983 dragged India into the Sri Lankan Tamil question. Events such as the withdrawal of the Indian Peace Keeping Force in March 1990 and the assassination of former Prime Minister Rajiv Gandhi in May 1991 made New Delhi adopt a “hands-off approach” towards Colombo till the final phase of the civil war.** In the last five months of the war that ended in May 2009, India repeatedly conveyed to Sri Lanka that the rights and welfare of the civilian population should not get enmeshed in hostilities against the LTTE. But this was not considered sufficient by protagonists of the proscribed organisation and some others who have been accusing the Indian government of having played a role in the LTTE’s defeat. However, with all their shortcomings, the **Rajiv Gandhi-Jayawardene Accord of 1987 and the 13th Amendment to the Sri Lankan Constitution, envisaging devolution of powers for provinces, still provide a solid framework to address the ethnic question.** Apart from a political settlement, the Northern and Eastern provinces, which account for less than 10% of Sri Lanka’s GDP, require economic development as there are signs of the youth there getting distracted from the pursuit of greener pastures. The Indian government is willing to walk the extra mile in this area, but what is wanting is a proper response from the Tamil political leadership. When Sri Lanka gets a new President in two months, India must sit with that leader not just to get expeditious approvals for all the pending infrastructure projects but also contribute to a holistic development of Sri Lanka’s youth. Also, New Delhi should sustain its interest on developmental issues concerning the hill country Tamils, regarded as the most backward in Sri Lanka. It will also be worth making one more attempt to encourage the voluntary repatriation of nearly 95,000 refugees who live in Tamil Nadu back to Sri Lanka. As a step towards this direction, the authorities should resume ferry services between Talaimannar and Rameswaram at the earliest. As once stated by the High Commissioner of India to Sri Lanka, Taranjit Singh Sandhu, “Our aid is not to raid or invade”. A benign and comprehensive approach, backed by the sincerity of purpose, will not only earn India greater respect of Sri Lankans, but also send a message to other international players about the strength of its ties with Sri Lanka.

[Towards an Asian Century \(Mukul Sanwal - Former UN Diplomat and Currently Visiting Professor at The Tsinghua University, Beijing\)](#)

- As China and India are civilizational states, neighbours and members of the future global triumvirate, the Narendra Modi-Xi Jinping summit in Mamallapuram raises the question — do we understand China as well as we claim to understand the U.S.? Western labels do not explain the actions of civilizational states like China and India. The two countries’ transformational leaders are responding to unique national problems with a new development paradigm and view of the world order. Both implicitly question Western ideas and institutions as they seek their legitimate space in setting global rules. They have different, rather than divergent, approaches



with convergent goals. Take China's two centenary goals: eliminating poverty by 2021 and establishing an advanced socialist nation by 2049. The lesson the Chinese leadership drew from the collapse of the Soviet Union was that legitimacy will only come from continued growth in household incomes and that people must be rich before they get old. China's concept of "stability" is very different from its ordinary English meaning. So, what did China do? First, it defined growth in terms of both GDP, as the target for provincial heads, and per capita income, which the Communist Party monitored. We know that China is now the second largest economy and has foreign exchange reserves of over \$3 trillion. What is less well known is from 1998 to 2008, middle-class income grew only 4% in the U.S. and 70% in China. That is why despite the trade headwinds and moderation of growth, the shift to a consumption-led economy is a success, and in 2018 China's retail e-commerce exceeded that of the next 10 countries. Second, China realised the importance of infrastructure in both supporting economic activity and well-being in cities. Construction accelerated from 2000. In three years China added cement capacity equal to what the U.S. added in a hundred years. It achieved saturation levels in cement, steel and electricity generation in 2013. By then more than half the population had moved to the cities and into the middle class. Their standard of well-being — education, health, municipal services and public transport — is comparable to the best in the world. Third, China's choice of development pathway used much less natural resources than the West and is remarkably carbon efficient, when the population is taken into account. Growth targets are no longer defined only in terms of GDP. Environmental concerns are very much on the agenda, and an emissions trading system has been instituted to curb emissions of carbon dioxide from power plants. Electricity consumption, car ownership and food waste remain one-tenth that of the U.S. This trend is not changing as incomes rise as it is based on civilizational values that are very different to Western values. Fourth, the Chinese have become global technology leaders intelligently, not just stealthily. At a time when there was no demand for high-speed trains and nuclear plants, for example, China paid for the best technology and improved upon it. Its high-speed trains travel at 300 km/ hour. China is exporting nuclear power plants. Huawei is the global leader in 5G technology, and the cheapest. China's national goal of global leadership in Artificial Intelligence and quantum computing is serious enough to cause a rift with the U.S. The Communist Party of China is unlike political parties in the West. You have to be invited to become a member and each department in the university has a party secretary to whom the dean reports. Yet students can ask for views on democracy and take the ubiquitous digital surveillance in their stride. China has noted that each Western country has its own variant of political organisation and has settled for election at the grass-roots level. Party schools conduct regular programmes on current concerns. How China chose its leaders is the most interesting contrast with the West. They candidly admit that 'Tiananmen Square' was inevitable, as the generals did not anticipate popular concerns and then sent in the tanks. The next group of leaders were engineers and piloted the infrastructure push and now urban administrators are at the helm. China is now less dependent on the world, and as it moves to a high-tech consumption-led economy it faces similar problems like the U. S. — children of the urban middle class now want middle class employment. Over the last couple of years students in Tsinghua are concerned that they are no longer getting the jobs they want.



Wuhan in central China is currently setting up a new \$30 billion high-tech research centre with public-private partnership, as it sees the digital economy generating middle-class jobs. This explains in part the Belt and Road Initiative (BRI) linking cities with other countries. This 'thought' for getting out of the 'middle income trap' is now in the party and national constitution, akin to 'liberalism' in the West. The party permeates Chinese life keeping a laser-sharp focus on the two centenary goals and recognises China cannot dominate the U.S. with its size, population and technological prowess. With two-thirds of global GDP again to be in Asia, China's foreign policy focus is really the Eurasian land mass, where it is not in direct clash with the U.S. The new development in this scenario is not Donald Trump but the 'Modi factor'. China recognises that it will achieve its goals only if there is an 'Asian Century' and needs to work with the other civilizational power, India, now talking of its own model of global order. The two orders can overlap in certain sectors and areas. Further movement on maintaining the status quo at the border could be followed by a non-aggression pact. What about India buying 5G technology that Huawei wants to sell to jointly shape the future of digital innovation globally? Discussion could also begin on the conceptual frame of the 'Asian Century' with the two poles in peaceful co-existence, as has been the case throughout civilisation.

The Story of Mahabalipuram's China Connection

- Mahabalipuram, or Mamallapuram, 56 km south of Chennai on the Tamil Nadu coast, had ancient links with Buddhism and China through the maritime outreach of the Pallava dynasty. The setting speaks to several contemporary themes in India-China relations — and of contacts, both continuous and changing, across space and time. The name Mamallapuram derives from Mamallan, or "great warrior", a title by which the Pallava King Narasimhavarman I (630-668 AD) was known. It was during his reign that Hiuen Tsang, the Chinese Buddhist monk-traveller, visited the Pallava capital at Kanchipuram. Narasimhavarman II (c.700-728 AD), also known as Rajasimhan, built on the work of earlier Pallava kings to consolidate maritime mercantile links with southeast Asia. Most interestingly, as historian Tansen Sen recorded in his 2003 work *Buddhism, Diplomacy and Trade: The Realignment of Sino-Indian Relations, 600-1400*, **Narasimhavarman II sent a mission to the Tang court in 720** with a request that would seem unusual in the context of India-China relations today. **The emissaries of the Pallava king sought the permission of Emperor Xuanzong to fight back Arab and Tibetan intrusions in South Asia.** And, "Pleased with the Indian king's offer to form a coalition against the Arabs and Tibetans, the Chinese emperor bestowed the title of 'huaide jun' (the Army that Cherishes Virtue) to Narayansimha II's troops", Sen wrote. The offer of help by the Pallava ruler, Sen noted, may have had more to do with furthering trade and for the prestige of association with the Chinese emperor, rather than any real prospect of helping him to fight off enemies in the faraway north. **The Descent of the Ganga/Arjuna's Penance, a rock carving commissioned by Narasimhavarman I, with its depiction of the Bhagirathi flowing from the Himalayas, may serve as a reminder of the geography of India-China relations, and their shared resources.** Tamil-Chinese links continued after the Pallavas, flourishing under the Cholas as the Coromandel coast became the entrepot between China and the Middle East. The links extended to a wider area beyond Mahabalipuram,



through a layered history that has left a rich tapestry of society, culture, art and architecture, which is diverse and complex, and reaches up to modern times. If he looks south from the platform of the 7th century Shore Temple, President Xi might be able to spot a key symbol of 20th century — the white domes of the Madras Atomic Power Station at Kalpakkam, 15 km down the coastline. MAPS, built in the 1980s, is India's first indigenously constructed power station. India's secularism and diversity would not be on the agenda of the two leaders — however, their meeting ground is in a part of the country where this ethos is a lived reality. Hindu- and Muslim-majority villages alternate along that coast, each community having lived next to the other for centuries. By the time Islam arrived on south India's east coast in the 9th century, Muslims had already started trading with China by maritime routes, Sen wrote. **The trading missions that the Cholas sent to the Song court included Muslims. A trader named Abu Qasim was second-in-command of a mission sent in 1015; the next mission, in 1033, included one Abu Adil.** "It is possible that both Abu Qasim and Abu Adil were members of the Tamil-speaking Muslim community on the Coromandel coast known as Ilappai," Sen wrote. Today, the ancient port of Marakanam is a fishing village, known for its Muslim boatmakers. In later centuries, the Coromandel coast retained its importance for trade between China and the west. In the 17th and 18th centuries, it was a staging post for the Dutch, French and British for control of the seas between South Asia and Southeast Asia, as the Europeans fought to protect their trade routes with China and other countries in the region. The ancient port city of Pondicherry, 80 km south of Mahabalipuram, was a French colony famous for its Chinese exports known as "Coromandel goods", including crepe de chine. Today the Union Territory, with its French legacy, Tamil residents, Bengali and international devotees of Sri Aurobindo, is among the most diverse and cosmopolitan of cities in South India. After establishing their writ on the Coromandel Coast, the British expanded eastward and established control over the Straits of Malacca, essentially to protect their trade routes to China and the rest of the region. Among the colonial outposts on this coast is Sathurangapattinam, or Sadras, right next to Kalpakkam, where the Dutch East India Company built a fort, their second one on the east coast after establishing a capital at Pulicat, north of Chennai. Sadras became a huge centre for the Dutch-controlled manufacture of cotton and muslin. The Dutch presence in the region grew rapidly after they established themselves in Java in 1603. They traded within Asia, buying textiles, metal, and porcelain, importing and exporting between India, China and Japan, to keep the spice trade going.

- China's position on issues such as **Masood Azhar, India's Nuclear Suppliers Group membership, the yawning trade gap and inroads into South Asia**, have all played a role. Mr. Modi's vision of an inclusive Indo-Pacific region, outlined at the Shangri La event in Singapore in June last year, has helped allay some concerns over America's Free and Open Indo-Pacific strategy. China's public support for Pakistan on Jammu and Kashmir has created a new stress point. The slowdown in the Chinese economy and the geo-strategic competition with the United States point to further uncertainty. The idea of a China-centric order in Asia has met with resistance. Even at the Minsk Dialogue Forum in Belarus this week, several speakers referred to cooperation between the EU-Eurasian Economic Union and China's Belt and Road Initiative (BRI) with palpable unease, citing China's lack of adherence to global standards and disregard for the environment and labour rules.



During Pakistan Prime Minister Imran Khan's visit to Beijing this week, Mr. Xi is reported to have stated that China is "paying close attention" to the situation in Kashmir and that China would support Pakistan on its core interests, inviting a quick riposte by the Indian Foreign Ministry that it is not for others to comment on the internal affairs of India. China maintains that the question of Jammu and Kashmir should be settled on the basis of the UN Charter, UN Security Council resolutions and bilateral agreements. What is of note is that its boundary agreement with Pakistan of March 2, 1963 and the China-Pakistan Economic Corridor (CPEC) have de facto altered the status quo and violated the spirit of the very UN Security Council Resolutions that China cites in support of Pakistan. China holds approximately 38,000 sq. km of land in Aksai Chin and a further 5,180 sq. km illegally ceded by Pakistan to China under the 1963 agreement. The latter agreement recognises under Article 6 that the settlement is an interim arrangement under which China would reopen negotiations with the concerned sovereign authority once the question of Kashmir is settled. China's endorsement of the CPEC has been rejected by India as it passes through Pakistan Occupied Kashmir. Straws in the wind suggest that China may have realised that the CPEC was a hasty decision, without proper consultations with India. However, considering its flagship status, it will be difficult for China to review it. Nor can China easily pull away from its strategic "iron brother" Pakistan. India-China relations have witnessed many peaks and troughs. The frequency is greater, but the cycles of disruption have become shorter. After the border war in 1962, it took 14 years to normalise relations at the ambassadorial level. In the wake of India's nuclear tests in 1998, it took only two years to normalise ties. After the stand-off at Doklam (2017), the two leaders met within days at the BRICS Summit. Obviously, there is greater maturity in the ties. Both India and China are keen to deepen engagement and impart stability and predictability to their relations. The informal summit at Mamallapuram offers yet another opportunity to both the strong leaders to reset relations in an era of geostrategic flux. Their strategic guidance to the stake-holders on both sides would act as a compass in finding the true north in ties. Mamallapuram is not a place without significance. Wuhan, the site of the first informal summit, is the place where Mao Zedong had displayed his vitality by swimming in the currents of the Yangtse river. Today, it straddles the great rail connectivity route to Europe envisioned in the BRI. **The coastal town of Mamallapuram is evocative of ancient maritime links between the Pallava empire and China 2,000 years ago. Bodhidharma, the founder of the Dhyana school of meditation at the Shaolin monastery in Henan province in China, hailed from this region.** When the two leaders gaze out at the sea, they will be greeted by the same expanse of waters of the Indo-Pacific that once united, not divided, India and China. The choice of Mamallapuram as a venue also highlights the scope of the India-China economic partnership across India. There is much untapped potential for Chinese investments in India. Chinese FDI has seen a welcome spike since 2015. According to the Chinese side, cumulative FDI in India stands at \$8 billion. Mutual investments provide the ballast for the ship of bilateral relations. The second informal summit comes within weeks of the so-called Quad meeting at the Foreign Ministers' level. It also takes place at a time when tensions between the U.S. and China are mounting along a broad front, from trade to military, with the latest kindling being the blacklisting of 28 Chinese Artificial Intelligence firms for their involvement in the alleged human rights violations in Xinjiang.



China's 70th anniversary celebrations of communist party rule on October 1 were marred by continuing protests in Hong Kong, raising questions about the realisation of the "China Dream" by 2049 through the full reintegration of the Hong Kong Special Administrative Region. Further, the 'One Country Two Systems' applied to Hong Kong, meant to be a model for Taiwan's return to the fold, could be viewed with scepticism. There is no gainsaying the fact that India and China must work together to forge stable relations in which competition does not lead to conflict nor differences to disputes. India and China will always have to co-exist cheek by jowl, as they have done for millennia. It is in the larger interests of the two peoples that there be greater trust and cooperation and that there be deeper friendship at all levels. At Mamallapuram, the cool sea breeze, the palm fronds and the ancient temples and monuments will provide a perfect setting to the two leaders to muse over our timeless ties and their future. Helpful steps that can contribute to better relations include firewalling the bilateral track from third-party considerations, fighting stereotypes through objective media coverage, encouraging high level and other exchanges, especially among the youth, enhancing confidence building measures between the armed forces, balancing India's trade deficit of \$58 billion and injecting greater transparency in China's growing presence in South Asia. China expects the world to accommodate its rise and core concerns on Tibet, Xinjiang, Taiwan and Hong Kong. Likewise, China too needs to adjust to the rise of India and accommodate its concerns on sovereignty and territorial integrity. This could pave the way for furthering cooperation under the India-China Plus framework. Neither China nor India can contain the other. Both are destined to rise. Much will depend on the choices we make at Mamallapuram.

[Sheikh Hasina in India \(Dr Ashikur Rahman - Senior Economist, Policy Research Institute, Dhaka\)](#)

- Bangladesh and India's bilateral ties have rarely been a linear affair. That is why Prime Minister Sheikh Hasina's visit to India beginning October 3 is a much-anticipated political event. There is little doubt that when India assisted Bangladesh to attain independence in 1971, many believed that Bangabandhu Sheikh Mujibur Rahman and Mrs Indira Gandhi would forge a partnership rooted in progressive ideals and a common vision for their nations in South Asia and the world, one that would last for generations. The assassination of Mujib and most of his family members in 1975, which resurrected the political, Islamic and military leaders from the political right between 1975 and 1996, meant that Bangladesh could not structure any lasting partnership with India. Its relationship with India reached an all-time low when the BNP and Jamaat-e-Islami coalition government between 2001 and 2006 allowed Bangladeshi territory to host insurgent activities against the North-eastern states of India. This unfortunate nosedive in the Bangladesh-India relationship was decisively reversed after the electoral victory of the Awami League and Prime Minister Sheikh Hasina in December 2008. There is little disagreement today that Bangladesh-India ties have greatly benefited since then. That is why, since 2009, Bangladesh and India have peacefully navigated many contested issues that had remained unresolved since 1947. In 2015, the Indian government led by the BJP ratified the 1974 Land Boundary Treaty which executed a land swap of enclaves, settling historical anomalies dating back to the Partition of the



subcontinent. Bangladesh and India also peacefully obtained an international court ruling that allowed the two nations to explore resources in the Bay of Bengal without stepping on each other's toes. These milestones show that a partnership based on trust and a willingness to engage on equal terms can help sovereign nations resolve historical disagreements. The upcoming trip of Prime Minister Sheikh Hasina can be viewed as an effort to re-invest in the special friendship that Bangladesh and India have developed during her premiership. It will likely touch on a wide range of issues that will require improvisation and cooperation from both governments to find new solutions to old problems. Specifically, Prime Minister Hasina is likely to request New Delhi's cooperation for an improved management of all rivers that Bangladesh and India share, so that a better framework is created to ensure their equitable distribution. The pending dispute over the **Teesta river** has shown how difficult it is for India's central government to offer amicable solutions on such matters. Finalisation of an efficient and mutually acceptable river management framework will test imaginations and capacities of the governments on both sides. Dhaka is also likely to seek New Delhi's cooperation in upgrading its railways, roads, and shipping infrastructure, and might ask for the export of more electricity to Bangladesh. As of 2017, India had extended three lines of credit worth approximately \$7.4 billion; however, the execution of projects under these credit pipelines has been very slow. Less than 10% of the cumulative commitments have been disbursed so far, while almost no money from the third line of credit promising \$4.5 billion has been utilised. Dhaka might seek both prompt disbursements of the existing commitments and, perhaps, an additional line of credit to finance infrastructure projects in the pipeline. Refuelling of the development partnership aside, some areas of concern too, are likely to be taken up during the deliberations. It remains unclear how the NRC saga will ultimately play out in Indian politics, and the implications it might have for Bangladesh. For now, it has definitely added an extreme level of suspicion about India among ordinary Bangladeshis. And while Prime Minister Modi has assured Prime Minister Hasina during a meeting at the UN that the NRC will have no implications for Bangladesh, this commitment needs continuous reiteration, because an element of noise has been added to the partnership. Many among the Bangladeshi intelligentsia believe that if the NRC wave gets more air from communal political currents in India, politicians in India might fail to ensure that this wave does not reach international shores. Given that politicians often create forces that they cannot contain — most people are now familiar with the term “unintended consequences” in international policy literature — the NRC is likely to remain a real concern for both neighbours, and Bangladesh is likely to keep a close watch on it irrespective of Prime Minister Modi's assurances. Many in India are also concerned about Bangladesh's growing partnership with China. This, by any standards, is a misplaced fear. Prime Minister Hasina's China diplomacy is focused to structure a win-win economic cooperation to address Bangladesh's developmental aspirations — and so far, there is no indication that this relationship has any possibility of adding a military dimension to it. This balancing act by Bangladesh is especially important because it needs the support of both China and India to mitigate the ongoing Rohingya refugee crisis. Given India's historical friendship with Bangladesh, New Delhi bears the responsibility of going a few steps further than Beijing on the Rohingya crisis. To what extent Dhaka can convince New Delhi to make the maximum effort to push for a peaceful



repatriation of the Rohingya, however, remains to be seen. On the whole though, Prime Minister Hasina's visit will underline and nurture the special friendship between Dhaka and New Delhi. In a world where building walls and distrusting neighbours have become the international norm, Prime Ministers Hasina and Modi are likely to demonstrate that forward-looking partnerships on equal terms are possible when bilateral ties are rooted in trust, and a common vision of peace and economic progress.

- Land routes have gained popularity over air travel, and are preferred by 85.6% of Bangladeshis visiting India. Train services on the Dhaka-Kolkata and Kolkata-Khulna are doing well, while a third, on the Agartala-Akhaura route, is under construction. Five additional bus services were introduced in 2018; this March, the first ever Dhaka-Kolkata cruise ship was launched. Bangladeshi tourists accounted for 21.6% of the total percentage of tourists visiting India in 2018 (83.7% tourists and 10.28% medical patients). Today, Bangladesh contributes 50% of India's health tourism revenue. A few major outstanding issues still remain, with the most pressing being the Teesta Water Sharing Agreement. West Bengal Chief Minister Mamata Banerjee's refusal to endorse water-sharing terms agreed upon by Prime Minister Modi in 2015 has resulted in the current impasse. A lack of water has affected 100,000 hectares of land, with contamination affecting the soil; the increased cost of pesticides and irrigation has made farming less profitable. India-Bangladesh relations have matured in the last decade with development in many areas of cooperation. In a neighbourhood where distrust and cynicism prevail over friendship and hope, the relationship between the two countries has given hope for optimism. But the sooner existing challenges are resolved, the better it is. On the sidelines of the 74th UN General Assembly late last month, Mr. Modi assured Sheikh Hasina that she would not need to worry about the NRC and water-sharing as bilateral relations are very good. It is now time to walk the talk. The shared colonial legacy, history and socio-cultural bonds demand that the political leadership of the two countries inject momentum into India-Bangladesh relations. Sheikh Hasina's trip to India will hopefully help relations graduate to the next level of strengthening the three Cs: cooperation, coordination, and consolidation.

In Economic Growth, Bangladesh Leads S Asian Pack

- Bangladesh is currently the standout South Asian economy in terms of growth, shows the Asian Development Bank's latest economic outlook update. As the charts show, Bangladesh has been seeing high and consistently rising growth rates, while its levels of inflation have remained stable. Since 2016, Bangladesh has been growing at 7%-plus every year, and its growth is likely to cross the 8% mark both in this and the coming year, according to the report. Over this same period, India has seen a secular decline in growth rates, even though an uptick is expected in the coming year. Sri Lanka has been the worst performing South Asian economy in terms of growth, according to the report. The South Asia average has been falling since 2016, mainly on account of the poor performance of the Sri Lankan and Pakistani economies. The performance of the Bangladeshi economy has been boosted by a booming industrial sector, which leads to significant job creation. This is different from the situation in India, where the bulk of the population is stuck in the agriculture sector (which contributes the least to the GDP), and services is the major



growth engine. Bangladesh's robust domestic industry has ensured that the country's exports have grown from 6.7% in 2018 to 10.1% in 2019. "Growth in garment exports rose from 8.8% to 11.5%, reflecting strong demand from the US and newer markets... like Australia, Canada, India, Japan, the People's Republic of China, and the Republic of Korea," says the ADB report. Garments accounted for 84.2% of exports, the report says.

Nation

What Puranic Historians Won't Accept (Devdutt Pattanaik - Writer and Lecturer on Mythology in Modern Times)

- A study has shown that there is no evidence of Steppe genes in Harappa according to analysis of DNA found in Rakhigarhi. This has led to the claim that Harappan civilisation was indigenous, 100% Indian, not shaped by any foreign influence whatsoever. Since many Puranic historians are convinced Rakhigarhi was Vedic, it could follow that the Vedas had no foreign influence either. Puranic historians have dated the Vedas, based on internal astronomical evidence, to 7,000 BCE (9,000 years ago), the events of the Ramayana to 5,000 BCE (7,000 years ago) and the Mahabharata war at Kurukshetra to 3,000 BCE (5,000 years ago). They are convinced the Vedas shaped the Sindhu-Saraswati civilisation which, according to archaeologists, waxed from 2,500 BCE (4,500 years ago) and waned by 1,900 BCE (3,900 years ago). But there is only one problem. **According to archaeologists, the horse was only domesticated 5,000 years ago, in Eurasia. The spoked-wheel chariot was invented in the same region 4,000 years ago. It was used by Hyksos to conquer Egypt 3,600 years ago, long after the Harappan civilisation had waned.** The earliest visual evidence of archers on chariots riding into battle involves the Hittites and the Egyptians who fought in Khadesh, in what is now Syria, about 3,300 years ago. In other words, **the oldest horse-drawn spoked-wheel war chariot in the world is younger than the Harappan civilisation.** How then can the Vedas, the Ramayana and the Mahabharata which, according to Puranic historians, predate the Harappan civilisation already have knowledge of horse-drawn spoked-wheel war chariots? The Vedas adore horses and speak of Indra riding spoked-wheel chariots. Rama rode one out of Ayodhya and Krishna served as charioteer in another. How is that possible? Is there a global conspiracy to deny that horses and spoked-wheel chariots were part of Indian civilisation over 9,000 years ago? Puranic historians insist Indians are victims of a complex Western 200-year-old conspiracy involving hundreds of scientists, historians, linguists and archaeologists. Anyone who argues otherwise becomes anti-national. Thus, a gag order is passed. As the Puranas inform us, there were several kings even before Rama. His ancestor, Ikshvaku, was the son of Manu, who established a civilisation after the Great Flood, probably referring to the Last Ice Age, which occurred 12,000 years ago. This aligns well with information found in the Manusmriti that the four ages of man lasted 4,800, 3,600, 2,400 and 1,200 years, making the total age 12,000 years, which is half the time taken by the sun to travel across the 12 houses of the zodiac (27 nakshatras), known as The Great Year. Of course, none of this has any archaeological evidence. But it is in the memory of a people, a popular truth, favoured by



politicians who can destroy the careers of journalists, historians and scientists who argue otherwise. **Agriculture in India is dated only to 7,000 BCE (the age of Rama, according to Puranic historians) and oldest pottery in the Gangetic plains is dated to 1,000 BCE.** But Puranic historians are convinced that there is more evidence out there — the archeologists have not yet found it, or maybe don't want to find it, or, worse, are hiding it. In America, there are 'White Hippy Brahmins' who have made a lucrative career of selling the idea to nostalgic Indians, who have given up Indian citizenship, that all of human civilisation has its roots in India. Cultural wisdom spread via the Vedas, from India, since the last Ice Age. But while Puranic history may be true, it conflicts with Jain history. **The Jains say that Nemi-natha was a contemporary of Krishna, but he lived 84,000 years ago at least. He was the 22nd Tirthankara, while Munisuvrat-natha (contemporary of Ram) was the 20th Tirthankara who probably lived in 1,184,980 BCE. The first Tirthankara was Rishabh-nath. He lived over 84,00,000 years ago, as per conservative estimates. Rishabha and Nemi names are found in the Yajur Veda, revealing that the Vedas have memory of these ancient sages.** Rishabha's symbol, the bull, has been identified in Harappan seals (dated to 2,500 BCE by archaeologists). His son was Bharat, after whom India is called Bharat-Varsha. His daughters introduced the Brahmi script (dated by historians to only 300 BCE) and decimal system (dated by historians to 200 CE). It is not clear if Manu came before Rishabha, or after. **Neither Puranic nor Jain historians seem to agree. Some argue that Rishabha was Shiva, or that Shiva was Rishabha. But Hindu Puranas speak of Shiva's marriage and entry into worldly life, while Jain Puranas speak of Rishabha's renunciation of marriage and worldly life.** That the Harappan civilisation was totally indigenous is indisputable according to current genetic studies. But the Vedas? Could they have been composed after arrival of Steppe Pastoralists around 1,500 BCE (3,500 years ago) which aligns with global historical timelines? Puranic historians dismiss the horse-drawn spoked-wheel chariot argument, the linguistic papers, the archaeological readings and genetic research by insisting that Western scholars are interpreting data to suit pre-existing hypothesis. After all, the Rig Veda does not have any memory of a homeland beyond the Himalayas. But the Vedas do not refer to any south Indian geography. Does that make the Vedas a pan-Indian scripture, or a north Indian scripture? Early Dharma-sutras refer only to the Gangetic plains as Arya-Varta. Agastya, a Vedic rishi, migrated to the south as per Puranic as well as Tamil tales. Kaveri is called Dakshina Ganga, or Ganga of the south. Does that mean only north India, and not all of India, is the homeland of Vedas? Who decides? Historians or Puranic historians? Politicians or scientists?

Who Were the Harappans?

- ➔ The last time a paper titled 'The Genomic Formation of South and Central Asia' was released online, in March 2018, it created a sensation in India and around the world. Mostly because the paper, co-authored by 92 scientists, many of them doyens of different disciplines, said that between 2000 BCE and 1000 BCE, there were significant migrations from the Central Asian Steppe that most likely brought Indo-European languages into India — just as Steppe migrations into Europe a thousand years earlier, beginning around 3000 BCE, had spread Indo-European languages to that continent as well. In other words, **the paper supported the long-held idea of an**



'Arya' migration into India — or, to put it more accurately, a migration of Indo-European language speaking people who called themselves 'Arya'. The lead author of the paper was Vagheesh Narasimhan of Harvard Medical School, while Kumarasamy Thangaraj of the Centre for Cellular and Molecular Biology was a co-director, along with David Reich of Harvard Medical School. Other Indian co-authors included Niraj Rai of the Birbal Sahni Institute for Palaeosciences and Vasant Shinde, then Director of Deccan College. "By sequencing 523 ancient humans, we show that the primary source of ancestry in modern South Asians is a prehistoric genetic gradient between people related to early hunter-gatherers of Iran and Southeast Asia. After the Indus Valley Civilization's decline, its people mixed with individuals in the southeast [i.e. southeast of north-western India where the Indus Valley Civilization flourished: editor] to form one of the two main ancestral populations of South Asia [called Ancestral South Indians or ASI: editor], whose direct descendants live in southern India. Simultaneously, they mixed with descendants of Steppe pastoralists who, starting around 4000 years ago, spread via Central Asia to form the other main ancestral population (or Ancestral North Indians, ANI: editor). The Steppe ancestry in South Asia has the same profile as that in Bronze Age Eastern Europe, tracking a movement of people that affected both regions and that likely spread the distinctive features shared between Indo-Iranian and Balto-Slavic languages." The reference to the early hunter-gatherers of Southeast Asia is a reference to the Andamanese, whom the rest of the paper abbreviates as AHG or Andamanese Hunter Gatherers. This is the same as the Ancient Ancestral South Indians (AASI) that the earlier paper talked about, or First Indians, which is the term used in my book, Early Indians. No matter which name you use — hunter-gatherers of Southeast Asia, AHG or First Indians — they all refer to the descendants of the Out of Africa migrants who reached India around 65,000 years ago and then moved on to Southeast Asia, East Asia and further on. So, this is what the abstract means in full: The primary source of ancestry for today's South Asians is a mixture of First Indians and a people related to the hunter-gatherers of Iran. This mixed population created the agricultural revolution in north-western India and built the Harappan Civilisation that followed. When the Harappan Civilisation declined after 2000 BCE due to a long drought, the Harappans moved south-eastwards (from north-western India) to mix with other First Indians to form the Ancestral South Indian (ASI) population whose descendants live in south India today. Around the same time, the Harappans also mixed with Steppe pastoralists who had by then migrated to north India through Central Asia, to form the Ancestral North Indian (ANI) population. The Steppe ancestry of the people of both South Asia and Eastern Europe in the Bronze Age explains how the movements of the Central Asians between the two regions caused the well-known similarities between the Indo-Iranian and Balto-Slavic languages. **The Science study substantiated its earlier findings about Steppe migrations into India with even more evidence, but many newspapers and websites chose to go to town with headlines such as this: 'New genetic studies dent Arya migration theory.'** The only possible conclusion from this, therefore, is that the Steppe migrations to India happened after the decline of the Harappan Civilisation. That is no surprise. It has always been understood that the Arya migration from the Steppe happened after 2000 BCE. So, to anyone who applies their mind, the absence of Steppe ancestry in a skeleton in Rakhigarhi from 2600 BCE is clear confirmation that the earlier understanding was correct, that the Arya were



not present during the Harappan Civilisation, and that they arrived later. In other words, the **Harappan Civilisation was pre-Arya**, and so was the language they spoke. On the two key issues: who were the Harappans and who were the Arya, the new studies thus arrive at the exact same conclusions. **The Harappans who created the agricultural revolution in north-western India and then built the Harappan civilisation were a mix of First Indians and Iranians who spoke a pre-Arya language.** The Arya were central Asian Steppe pastoralists who arrived in India between roughly 2000 BCE and 1500 BCE, and brought Indo-European languages to the subcontinent. Is there anything on which the two papers differ? No. They have the same conclusions — not surprising considering that the simultaneously published papers have many authors in common many authors are common between the two papers published simultaneously. But is there anything new in these two studies, which we didn't know earlier? Yes, a few details. For example, the earlier study on Genomic Formation of South and Central Asia said the migrants from Iran who mixed with First Indians were herders. The new study says the Iranians arrived in India before agriculture or even herding had begun anywhere in the world. In other words, these migrants were likely to have been hunter-gatherers, which means they did not bring a knowledge of agriculture. A few other details provide greater clarity to these prehistoric migrations that shaped Indian demography. For example, **previous studies had described the Steppe migrations as happening between 2000 BCE and 1000 BCE. The new Science paper narrows it to between 2000 BCE and 1500 BCE or to the first half of the second millennium.** This is because after 1500 BCE the populations of Central Asia begin to show a higher level of East Asian ancestry of a kind that is not noticeable in India. But if by 'Out of India' migration we mean large-scale migration of prehistoric Indians towards the West, spreading culture and language all the way from, say, Harappa to Iceland, then there is not a shred of evidence, genetic or otherwise, to suggest that. It also contradicts the studies' position that migrations from the Central Asian Steppe brought Indo-European languages to India after 2000 BCE. On the question of the language of the Harappans, the 2018 study had mentioned the possibility of it being Dravidian. **The new paper goes into greater detail to suggest that Dravidian was likely to have been the language of the Ancestral South Indians (ASI) formed as a result of the mixing of the Harappan population with First Indians.** The study says: "A possible scenario combining genetic data with archaeology and linguistics is that proto-Dravidian was spread by peoples of the Indus Valley Civilisation along with the Indus Periphery Cline ancestry component of the ASI." The study also points out that of the 11 ancient DNA samples of Harappan migrants recovered from Shahr-i-Sokhta and Gonur, two carried the Y chromosome haplogroup H1a1d2, which is today primarily found in southern India.

Keezhadi Excavations

- In a major turning point in the cultural historiography of the ancient Sangam Age, the Tamil Nadu Archaeology Department (TNAD) has stated that the cultural deposits unearthed during excavations at Keeladi in Sivaganga district could be safely dated to a period between 6th century BCE and 1st century CE. This is the first time the date has been officially announced by the TNAD. The new findings in the report, released on Thursday by Minister for Tamil Culture and



Archaeology K. Pandiarajan here, place Keeladi artefacts about 300 years earlier than previously believed — 3rd century BCE. One of the six samples collected at the depth of 353 cm and sent for carbon dating test in the U.S. “goes back to 580 BCE,” Commissioner of Archaeology T. Udayachandran said. The report titled, ‘Keeladi-An Urban Settlement of Sangam Age on the Banks of River Vaigai’, was published by the TNAD. The results from the fourth excavations suggest that the “second urbanisation [the first being Indus] of Vaigai plains happened in Tamil Nadu around 6th century BCE as it happened in Gangetic plains.” The report also spells the site as Keeladi as against the erstwhile widely used Keezhadi. The recent scientific dates obtained for Keeladi findings push back the date of Tamil-Brahmi script to another century, i.e., 6th century BCE. “These results clearly ascertained that they attained literacy or learned the art of writing as early as 6th century BCE,” the 61-page report stated.

[Gandhi Has Not Spoken His Last Word \(Ramin Jahanbegloo - Director, Mahatma Gandhi Centre For Peace, Jindal Global University, Sonipat\)](#)

- The 150th birth anniversary of Gandhi provides an opportunity to reflect once again on how nonviolence can contribute to the survival of our planet. Indeed, in these turbulent decades of uncertainty and mediocrity, at a time when we celebrate our rapidly changing world without understanding it, prejudice, hatred, ignorance and strife continue to be our daily cups of tea. Despite impressive advances in science and technology and the growth of material wealth in the industrialised countries, humanity continues to be afflicted with poverty, famine, malnutrition, and lack of education and health care. Differences in race, religion and nationality continue to contribute to many regional, national and international tensions. And many countries and nations that were beacons of democracy are now seeing a rise in populism, religious nationalism and sectarian rivalries. Undeniably, we live in a time of grave crisis and the need for nonviolent thought and behaviour is felt now more than ever before. But the central question is: how can Gandhi and his nonviolence contribute to a change in our mode of thinking and our style of living, in a world where power, money and celebrities are the new gods? This is what we have been asking on every anniversary of Gandhi’s birth since his assassination 71 years ago. Frankly speaking, Gandhi is a forgotten figure in our world, though he continues, from time to time, to be part of our salon conversations. We do not need to look far to detect the drumbeat of conformity and complacency, accompanied by the rise of populism and nationalism, in our world. We can hear it in our neighbourhoods, workplaces and even educational institutions. So, the question remains: is there a space for Gandhian moral courage and dissenting criticism? On the one side, we notice the naïve and rosy optimism of ashramic followers of Gandhi, and on the other, the cynical demagoguery of party politicians who post their pictures next to that of the Mahatma while denying people their basic rights. Honesty impels us to admit that Gandhism is neither a boutique of political charlatans who, as Socrates says, want to “sleep on undisturbed for the rest of their lives”, nor simply an assemblage of fundamentally benevolent human beings who think of saving their conscience by being good Samaritans. On the contrary, what Gandhi teaches us is that nonviolence combines tender-heartedness with tough-mindedness. The true Gandhians who made history, such as Nelson Mandela, Martin Luther King, Jr., Abdul Ghaffar Khan and Vaclav



Havel, were obstinate and stubborn humanists, who, like Gandhi himself, were severe self-critics, while being ethical benchmarks for others. But the truth is that our world lacks Gandhian leaders. Populist leaders of today follow the masses uncritically or make the masses follow them simplistically. The trouble with our century is that few politicians think and even fewer invite the people to examine their thinking experience on a daily basis. In today's world, leaders are admired as citizens above citizens, like Bollywood actors, not because they think critically, but because they have the power to choose our destiny. This sums up neatly with the fact that a politician usually does not think, for the simple reason that he or she wants to remain unquestioned. Unsurprisingly, we can find here a similarity between the masses and their political leaders. But this is quite far from what Gandhi teaches us in the art of politics. If Gandhi remains relevant, it is because he adopted a distinctive method which was to define politics not as the conquest of power, but as the art of organising society non-violently. This is how he challenged classical ways of theorising and practising politics. At issue here is not only what Gandhi said and did, but the way he said and did it. This was a conscious attempt to think against the tradition that saw politics as either a pure imitation of the West or a process of mirroring a religious mode of thought. **Gandhi looked at politics with eyes unclouded by either nationalist prejudice or religious fanaticism.** In fact, the political promise of a democratic life, through legislation by the hands of theologians or party elites who considered people immature of deciding, proved unsatisfactory and insufficient for Gandhi. Consequently, in order to understand Gandhi's perspective on the art of politics, one has to understand his Socratic approach of questioning and dissent. For Gandhi the quest for truth and justice, which relentlessly questions and examines anew, was an act of thinking and living dangerously. Even his assassination is proof that he was a gadfly who dared to ask embarrassing questions instead of flattering either the other political leaders or the masses. Therefore, the **Socratic moment of Gandhi was his perpetual examination of convictions when everybody seemed to have been swept away by the euphoria of the masses.** The fact that Gandhi believed that "there is no religion higher than truth" shows that he remained loyal to critical thinking and considered **Hindu nationalism and Muslim fundamentalism** as the major threats for Indian democracy and the world. But what Gandhi saw as a danger for the future is now our present. Yet, Gandhi has not spoken his last word. For all those who believe in nonviolence, the Gandhian legacy of doubting, questioning and overcoming remains a force. What we can still learn from Gandhi is that if democracy remains a regime of questions and doubts, it should also be a community of hope that justifies the existence of gadflies, whose task is not to disappear at moments of despair, but to help the masses think and favour liberty amid the calamities that close in upon it.

[What Would Gandhi Say About the Indian Media? \(M. V. Rajeev Gowda - Congress Member of The Rajya Sabha Representing Karnataka\)](#)

- As we celebrate Mahatma Gandhi's 150th birth anniversary, a thought experiment that could yield provocative insights would be to explore what Gandhi would say about different aspects of modern India. Since Gandhi was a journalist before he became a political revolutionary, I will conjecture how he would have responded to the state of the Indian media today. **Gandhi started**



as a journalist with the *Vegetarian in England*, before launching a weekly newspaper called *Indian Opinion* in South Africa. When he returned to India, he founded publications like *Navajivan*, *Young India*, and *Harijan* that became communication platforms for the freedom movement. Writing about the Satyagraha in South Africa, Gandhi highlighted the critical role of the media. He wrote: “I believe that a struggle which chiefly relies upon internal strength can be carried on without a newspaper, but it is also my experience that we could not perhaps have educated the local Indian community, nor kept Indians all over the world in touch with the course of events in South Africa in any other way, with the same ease and success as through *Indian Opinion*, which therefore was certainly a most useful and potent weapon in our struggle.” Believing strongly that journalism should be accessible and empowering, Gandhi was an ardent supporter of the regional media. He published *Indian Opinion* in four languages: English, Gujarati, Hindi, and Tamil. He also inspired other journalists to write in regional languages. On this front, he would have been happy to see that the regional media is flourishing in India today. Gandhi argued that “one of the objects of a newspaper is... to fearlessly expose popular defects”. Thus, a vital role of the media is to speak truth to power and ensure accountability and transparency.

- The Press Freedom Index, released by Reporters Without Borders in August 2019, ranked India 140 out of 180 countries. The report highlighted how criminal prosecution, especially sedition, is rampantly used to gag journalists. It also noted that “at least six Indian journalists were killed in connection with their work in 2018”. The recent death anniversary of Gauri Lankesh is a chilling reminder of the cost of standing up for truth in India. A strong critic of communal politics, who refused to sell ad space in her newspaper to protect its integrity, and wrote mostly in Kannada, Gauri was a journalist Gandhi would have been proud of. Gandhi was ready to face sedition charges for his journalism. In 1922, he pleaded guilty in order to expose the undemocratic nature of the sedition law, which he termed a “prince among the political sections... designed to suppress the liberty of the citizen”. He would be astounded to see this British-era law being used against journalists and activists today too. Gandhi emphasised that publication of “false news is a crime against humanity... *Young India* will be stale when truth becomes stale.”

[Recovering Gandhi’s Religious Vision \(Rajeev Bhargava - Professor, Centre For the Study of Developing Societies, Delhi\)](#)

- For Gandhi, this religio-philosophical plurality is the inevitable and healthy destiny of humankind. “There is endless variety in all religions” and “interminable religious differences,” he said. “Some go on a pilgrimage and bathe in the sacred river, others go to Mecca; some worship him in temples, others in mosques, some just bow their heads in reverence; some read the Vedas, others the Quran... some call themselves Hindus, others Muslims...” For Gandhi, there is not only diversity of religions but also diversity within them. “While I believe myself to be a Hindu, I know that I do not worship God in the same manner as any one or all of them.” Given the inescapability of deep religious diversity, he argued, “the need of the moment is not one religion for the whole of human kind, but mutual respect, equal regard and tolerance of the devotees of different religions.” This moral-practical attitude of equal regard for all religions is entailed by an epistemic grasp of the deeper, more fundamental unity of all religions. “The soul of religion is one, but



encased in a multitude of forms. Wise men will ignore the outward crust and see the same soul living under a variety of crusts.” The basic reference of all religions is the same: God or Truth. “All religions are true and all have some error in them and that whilst I hold by my own, I should hold others as dear as Hinduism and make no distinction between them.” Gandhi’s inclusive (belief in one God that encompasses all gods) rather than exclusive (belief in only one True God, while holding all others as false) monotheism flows directly from Indian ‘polytheistic’ traditions, a trait they share with other religious traditions of the ancient world (Greek, Latin, Pre-Islamic Arab religions). The implicit theology of these religions allows for translation of gods. In virtually all cultures of classical antiquity, each god performed a function based on his cosmic competence — gods of love, war, knowledge, or craftsmanship. Likewise, each god embodied an entity of potentially cosmic significance — gods of fire, rain, earth, time, sun, moon, sea or there were primal gods who create, destroy, preserve and so on. Virtually, every god or goddess in one culture could be related to gods and goddesses of another culture. For example, the goddess Parvati of one Indian regional culture is related to the goddess Durga of another region by viewing both as benign and fierce forms of one primal goddess, Devi. This way differences — benign/fierce — continue to be viewed as irreducible and yet translatable. This is a theology of recognition in which the gods and goddesses of each culture are recognised within the background of a common semantic universe. One feature of inclusive monotheism then is that “all worship the same God although under different names”. Gandhi illustrates this by a striking verse from the Guru Granth Sahib in which Nanak says that God may be called by the name of Allah, Rahim or Ram. Such an ecumenical perspective permits multiple attachments. If different names refer to the same god, then why not embrace all? Two more things follow. First, “to revile one another’s religion, to make reckless statements, to utter untruth, to break the heads of innocent men, to desecrate temples or mosques is a denial of God.” Second, “it is wrong for anyone to say that his God is superior to that of another’s. God is one and the same for all. At one level, there is a fundamental unity among all religions and precisely because of it they must be regarded as equal. If so, movements of conversion or purification are pointless. ‘The real Shuddhi movement consists in each one trying to arrive at perfection in his or her own faith.’ In such a plan, a person’s character is the only test. “What is the use of crossing from one compartment to another, if it does not mean a moral enhancement?” For Gandhi, respect and toleration were related, and virtually indistinguishable. This might appear strange. To ‘tolerate’, in the classical 17th century meaning of the term, is to refrain from interference in the activities of others even though one finds them morally repugnant and despite having the power to do so. Here one puts up with, even suffers the morally reprehensible activities of others. At best, the powerless other escapes interference of the powerful because the latter shows mercy towards them. This is hate-based toleration — I hate but still tolerate. Gandhi’s ‘toleration’ is different. How? Parents often put up with the blemishes of their children which they would not suffer in others. We choose to overlook a fault in our spouse, lover, or close friend that we would not excuse in others. We might endure differences with fellow citizens because we value fraternity. In short, we tolerate some disagreeable beliefs and practices of persons or groups because we identify with many of their other beliefs and practices. In all such cases, we put up with dislikeable states of others even if we have some power



to do something about them simply because we have love or love-like feelings for them. Others are tolerated not despite hate but rather because they are loved — I love, so I tolerate. This is Gandhi's love-based toleration, entirely consistent with respect. **Unlike the mainstream, hate-based conception of toleration that presupposes that oneness with significant others is achieved by abolishing the radical other, by eliminating plurality, for this second, Gandhian conception, oneness is attained by accepting all radical others as equally significant because they variously manifest one supreme being.** Thus, to tolerate is to refrain from interfering in the life of others not despite our hatred for them, but because we love them as alternative manifestations of our own selves or because we deeply care for some basic norm common to all of us. We may not be able to be what they are, we may even dislike some of their beliefs and practices but we recognise that they are translations of our own selves or of god within each of us. This, Gandhi believed, binds us together in a relationship of lasting affection. Gandhi's religious vision encouraged multiple attachments, multiple belongings, and multiple religious identities. Is it not time that we challenge the idea of religion as an exclusive monolith, one for which the highest achievable social ideal is an opportunist, morally dubious hate-based toleration and recover the deep pluralism and love-based toleration at the heart of Gandhi's religious vision? Indeed, as religious rivalry, conflict and violence intensify, can we afford not to?

[A Struggle Against Social Orthodoxy \(Pazha. Athiyaman - Tamil Writer and Biographer. This Essay Draws from A Forthcoming Tamil Book. Translated from The Tamil By A.R. Venkatachalapathy\)](#)

- In the popular mind, the Vaikom Satyagraha, the struggle for the right of lower castes to walk on the streets surrounding the Mahadeva temple at Vaikom in the princely state of Travancore, is associated with Gandhi. While he was consulted at every stage of the Satyagraha, Gandhi neither led it nor participated in it. He visited Vaikom only once during the 20-month-long struggle from 1924 to 1925. Gandhi's 10-day visit was, however, a turning point, and led it to its ultimate triumph. Gandhi arrived at Vaikom on March 9, 1925 at 6 p.m. rather than at 4 p.m. as planned. The delay was caused by the boats that had gone to welcome him at Ernakulam jetty. Gandhi refused this ostentation, and would not start until it was withdrawn. In fact, throughout the struggle, Gandhi did everything to dampen the spirit of his supporters. Within an hour of Gandhi stepping on Vaikom's soil events gathered pace. Even as a welcome address was being presented, Gandhi had received a registered mail, on the dais, from the orthodox Brahmins taking exception to his views on untouchability. It was a Monday, Gandhi's Day of Silence, and therefore he proceeded quietly to the Satyagraha Ashram in Dr. M. Emperumal Naidu's car. Over the next 10 days Gandhi consulted all parties. **There were hectic parleys as he met Sri Narayana Guru, the Maharani Regent, the Diwan, the police commissioner, the satyagrahis, representatives of Ezhavas and Pulayas, and the recalcitrant orthodox Brahmins.** His secretary, a much younger Mahadev Desai, could barely keep pace with his master. Rajaji came down with a fever. Preceding Gandhi's visit, the Vaikom Satyagraha had seen many ups and downs. An initially aggressive Travancore state administration later mellowed down. After being quiet in the beginning, the orthodox Brahmins had launched a counter agitation. The satyagrahis had had to face physical



attacks, armed processions, smearing of lime on their eyes, refusal of temple worship to upper caste supporters of the Satyagraha, and excommunication. While they were disheartened, popular support was at an all-time high. But when Gandhi arrived there was a political stalemate. A motion proposed in the Sree Moolam Popular Assembly in favour of unrestricted use of public roads around the Vaikom temple had just been defeated — by a single vote. The day after his arrival Gandhi met the orthodox Brahmins. The marathon meeting was held at Idanthuruthil Devan Neelakandan Namboothiri's home. To this day, oral stories circulate about the meeting. According to one apocryphal version, considering that Gandhi had crossed the seas and mingled with Ezhavas, he had to stand at the threshold of the Namboodiri home. While the orthodox were represented by about a dozen Brahmins, Gandhi's son Ramdas, Rajaji and others were present along with some government officials as observers. That temple streets were out of bounds for lower castes was divine punishment for sins committed in past lives, the Brahmins contended. Who are you to inflict such punishment, asked Gandhi. He asserted that untouchability and unapproachability were alien to the Hindu religion. In the end Gandhi made three proposals. The first was to hold a referendum among all adults in either Vaikom or in Travancore. The second was mediation: one scholar from each side would put forth arguments and the Diwan would pronounce the verdict. If this proposal was accepted, Gandhi would nominate Madan Mohan Malaviya to represent the satyagrahis. The third was that the orthodox should produce a scriptural text that authorised the practice. Gandhi left it to the orthodox to choose. But somewhat shockingly, he further committed that the satyagrahis would be bound by any decision made, irrespective of its implications, while the orthodox were free to not accept the final decision. This seemingly defied logic. But convinced of the truth and justice of the Satyagraha, Gandhi was evidently exposing the unethical stance of the orthodox. The orthodox accepted the third proposal and produced a text called Sankara Smriti in their defence. Gandhi doubted the authenticity of the text but promised to get back after consulting experts in the matter. Vallathol Narayana Menon confirmed that it was not reliable. Gandhi next met the Maharani Regent at her Varkala camp on March 12. Even as she expressed her position in favour of opening all public roads, as head of state, the Maharani Regent said she had to heed public opinion. Gandhi was impressed by this stance. That same evening Gandhi met Sri Narayana Guru, the unrivalled leader of the Ezhavas, at Sivagiri. Gandhi won the guru's endorsement for the Satyagraha, for the guru had just a little earlier refuted an interview given to K.M. Kesavan wherein he had stated his disagreement over abjuring violence. Evidently, Gandhi acquired clarity on the use of violence and non-violence from his discussion with the guru. Apart from a few such as Periyar, Rajaji and V.V.S. Aiyar, no outsiders or journalists were present at this meeting. From Sivagiri, Gandhi went to Thiruvananthapuram where he met the minor Maharaja Chithira Thirunal, the Queen Mother, and the Diwan. In between meetings Gandhi consulted Periyar, the leader of the Satyagraha then, who had joined him at Varkala. Gandhi also met the commissioner of police, the Devaswom commissioner, the district magistrate and peshkar, apart from journalists and religious leaders. He also visited Trissur, Palghat, Kollam, Alwaye, Nagercoil, and Kanniyakumari where he addressed many meetings. Gandhi's visit led the Vaikom Satyagraha to its inevitable conclusion. Within the framework of Hinduism, he explained to the orthodox Brahmins the fairness of the



Satyagraha. Even if he did not succeed in changing their hearts it became clear to them that they were on the wrong side of history. Gandhi brought to their attention that public opinion was not with them. Sri Narayana Guru's endorsement of the Satyagraha following his meeting with Gandhi gave a fillip to Ezhava morale. The meeting with the Maharani Regent made clear her sympathies with the movement. The interaction with officials blunted the state suppression of the Satyagraha. As an outcome of Gandhi's visit, the Satyagraha, rather than being directed against the state, sharpened into a struggle against social orthodoxy. Though it was formally withdrawn only eight months later, Gandhi's visit had achieved a resolution that was long lasting without exacerbating social tensions.

SC/ST Judgment, In Review

- The Supreme Court recalled its directions in a March 20, 2018 verdict that had effectively diluted provisions of arrest under the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989. This was following a plea by the Centre seeking a review of that judgment. **'Review' of a Supreme Court judgment is done by the same Bench. 'Overruling' means that the law laid down in one case is overruled in another case. When a higher court on appeal alters the judgment of a lower court, it is called 'reversal.'** Generally, a review is heard in the judge's chamber, but may be heard in open court in important cases — as in the Sabarimala and Rafale cases, in which no order has been pronounced yet. In the SC/ST case, a Bench of Justice Adarsh Goel and Justice U U Lalit had admitted a review of the March 20, 2018 judgment in Subhash Kashinath Mahajan vs State of Maharashtra. After Justice Goel retired, a new Bench was constituted that eventually referred the matter to a three-judge Bench headed by Justice Arun Mishra (who authored the 51-page review judgment on Tuesday) and included Justice M R Shah and Justice B R Gavai. **Since crimes against SCs and STs are fundamentally hate crimes, the Rajiv Gandhi government enacted the Act in 1989 in furtherance of the provisions for abolition of untouchability (Article 17) and equality (Articles 14, 15) in the Constitution.** In accepting the review, Justice Mishra relied on the Statement of Objects & Reasons of the Bill that stated that “despite various measures to improve the socio-economic conditions of the Scheduled Castes and the Scheduled Tribes, they remain vulnerable. They are denied number of civil rights. They are subjected to various offences, indignities, humiliations and harassment. They have, in several brutal incidents, been deprived of their life and property”. Mahajan was Director of Technical Education in Maharashtra. Two non-SC officers had made an adverse entry on the character and integrity of a Dalit employee, whom Mahajan in 2011 denied sanction for prosecution against those officers. The denial was challenged on the ground that the state government and not the director was the competent authority. The Supreme Court held that safeguards against blackmail are necessary as “by way of rampant misuse, complaints are largely being filed against public servant/ judicial officer/ quasi-judicial officer with oblique motive for the satisfaction of vested interests”.

ANTICIPATORY BAIL: Keeping in view the special nature of crimes against Dalits in Section 18 of the Act, Parliament had laid down that the provision of anticipatory bail under Section 438 of the Criminal Procedure Code of 1973 will not be available to an accused under the Act. The provision



of anticipatory bail was introduced for the first time on the recommendation of 41st Law Commission in 1973. It is a statutory right, not part of the right to life and personal liberty under Article 21 of the Constitution, and thus there is no fundamental right to anticipatory bail. A few state amendments to Section 438 exclude anticipatory bail. In the March 20, 2018 judgment, the Supreme Court laid down safeguards, including provisions for anticipatory bail and a “preliminary enquiry” before registering a case under the Act. The Bench said Section 18 was enacted to instil a sense of deterrence and relied on Kartar Singh (1994) in which the court had held that denial of anticipatory bail does not violate Article 21.

FIR: Justice Goel had observed that “liberty of one cannot be sacrificed to protect another”, and added that the “Atrocities Act cannot be converted into charter for exploitation or oppression by unscrupulous persons or by police for extraneous reasons”. He ordered that neither is a FIR to be immediately registered nor are arrests to be made without a preliminary inquiry by an SSP. An arrest can only be made if there is “credible” information and police officer has “reason to believe” that an offence was committed. In the review judgment, Justice Mishra said public servants already have a remedy in false cases under CrPC Section 482 and can get such FIRs quashed by High Courts. He rejected the need of an SSP’s approval for arrest. Section 4 of the SC/ST Act casts a specific duty on public servants to record a FIR as per information given. Non-registration of FIR is punishable. Section 22 protects public servants for actions taken in ‘good faith’, for which no legal proceedings can be initiated against them.

PERMISSION: In 2018, the court had said that even if a preliminary inquiry is held and a case registered, arrest is not necessary, and that no public servant is to be arrested without the written permission of the appointing authority. The court extended the benefit to other citizens and said they cannot be arrested without the written permission of the SSP of the district. Justice Mishra said the decision on arrest is to be taken by the investigating authority, not the appointing authority.

Justice Goel had observed that “interpretation of Atrocities Act should promote constitutional values of fraternity and integration of the society. This may require ‘check on false implication of innocent citizens on caste lines.’” Observing that the law should not result in caste hatred, the court overlooked the fact that the Act had to be enacted due to caste hatred. The review judgment said that such riders for registering a report are wrong and it would give an advantage to upper castes whose complaints can be registered without any such inquiry. A crime is committed against an SC every 15 minutes. Six SC women are raped every day on an average. Between 2007 and 2017, there was a 66 per cent growth in crimes against SCs. Data from the National Crime Record Bureau, which the 2018 judgment was based on, showed cases of rape of SC women had doubled in 10 years. Justice Mishra quoted the Subramanian Swamy judgment (2014) in which the court had held that where statutory provisions are unambiguous, the court cannot read these down. The court accepted that Dalits have suffered for long and negated the basis of last year’s judgment in which the court had commented on false cases under the Act. **The Supreme Court can lay down guidelines only in cases of legislative gaps. For instance, it laid down guidelines on**



sexual harassment, khap panchayats, lynching etc. But where the field is occupied by parliamentary legislation, the judiciary is bound by the text of law. It can, however, examine constitutionality of such a law. The review order observed that the March 2018 guidelines encroached upon the field reserved for Parliament, and therefore recalled these directions.

The Lord as A Juristic Person

- ➔ Among the parties in the Ayodhya title suit appeals now being heard by the Supreme Court is Lord Ram himself — Ramlalla Virajman — represented by His “next friend”, the late Deoki Nandan Agrawal, a former judge of Allahabad High Court. The other ‘Hindu’ party in the case is the Nirmohi Akhara which, after initially arguing for the dismissal of the Lord’s plea, told the court on August 27 that it would not “press the issue of maintainability of Suit Number 5 of 1989 (filed by the deity through Agarwal) provided they (lawyers for Ramlalla) do not dispute the ‘shebait’ right of the Akhara”. How is Lord Ram a litigant in court — that too against His devotees who are claiming the right to worship Him? A juristic person, as opposed to a “natural person” (that is, a human being), is an entity whom the law vests with a personality. In *Shiromani Gurdwara Parbandhak Committee vs Som Nath Dass and Others* (2000), the Supreme Court said: “The very words Juristic Person connote recognition of an entity to be in law a person which otherwise it is not. In other words, it is not an individual natural person but an artificially created person which is to be recognised to be in law as such.” Gods, corporations, rivers, and animals, have all been treated as juristic persons by courts. **The treatment of deities as juristic persons started under the British. Temples owned huge land and resources, and British administrators held that the legal owner of the wealth was the deity, with a shebait or manager acting as trustee.** In 1887, the Bombay High Court held in the Dakor Temple case: “Hindu idol is a juridical subject and the pious idea that it embodies is given the status of a legal person.” This was reinforced in the 1921 order in *Vidya Varuthi Thirtha vs Balusami Ayyar*, where the court said, “under the Hindu law, the image of a deity... (is) a ‘juristic entity’, vested with the capacity of receiving gifts and holding property”. This idea is now established in Indian law. “A juristic entity or person is one in whom the law reposes rights or duties in its own name. A company is a juristic person, who can hold or deal with property in its own name,” Senior Advocate Sanjay Hegde said. “While God as an abstract concept is not a juristic entity, deities in Hindu law have been conferred personhood, as capable of being bestowed with property, or leading it out or suing to take back possession.” “Thus, by a legal fiction”, Hegde said, “installed deities at Hindu places of worship have been treated like other real persons for the purpose of law.” However, not every deity is a legal person. **This status is given to an idol only after its public consecration, or pran pratishtha. In *Yogendra Nath Naskar vs Commissioner of Income-Tax* (1969), the Supreme Court ruled: “It is not all idols that will qualify for being ‘juristic person’ but only when it is consecrated and installed at a public place for the public at large.”** Apart from owning property, paying taxes, suing, and being sued, what else do deities as ‘legal persons’ do? In the *Sabarimala case* (*Indian Young Lawyers Association & Ors. vs The State of Kerala & Ors*, 2018), one of the arguments presented against allowing women of menstruating age entry into the temple was that this would violate the right to privacy of Lord Ayyappa, who is eternally celibate. A lawyer who worked on the Sabarimala



case said: “Deities have property rights, but not fundamental rights or other constitutional rights.” This was upheld by Justice D Y Chandrachud in the Sabarimala judgment: “Merely because a deity has been granted limited rights as juristic persons under statutory law does not mean that the deity necessarily has constitutional rights.” Generally, the shebait is the temple priest, or the trust or individuals managing the temple. In the 2010 Allahabad HC judgment in the Ayodhya title suit, Justice D V Sharma had said: “As in the case of minor a guardian is appointed, so in the case of idol, a Shebait or manager is appointed to act on its behalf.” What if some parties feel that the shebait is not acting in the interest of the deity? In *Bishwanath And Anr vs Shri Thakur Radhaballabhji & Ors* (1967), the Supreme Court allowed a “suit filed by the idol represented by a worshipper” in a case where the shebait was found “alienating the idol’s property”. The court held that if a shebait does not discharge their duties properly, a devotee can move court as “friend of the deity”. In the Ayodhya case, the Nirmohi Akhara argued against the plea filed by Deoki Nandan Agrawal on the ground that “no one has ever accused them of not discharging their duties as shebait properly”, advocate Fuzail Ayyubi, who is representing the Sunni Waqf Board, said. **A mosque has never been held as a juristic person, because it’s a place where people gather to worship; it is not an object of worship itself. Neither has a church.** In *Shiromani Gurdwara Parbandhak Committee vs Som Nath Dass and Others* (2000), the SC ruled that the “Guru Granth Sahib... cannot be equated with other sacred books... Guru Granth Sahib is revered like a Guru... (and) is the very heart and spirit of gurudwara. The reverence of Guru Granth on the one hand and other sacred books on the other hand is based on different conceptual faith, belief and application.” However, the court clarified that **“every Guru Granth Sahib cannot be a juristic person unless it takes juristic role through its installation in a gurudwara or at such other recognised public place.”** In May, the Punjab and Haryana High Court held that the “entire animal kingdom” has a “distinct legal persona with corresponding rights, duties, and liabilities of a living person”. **On March 20, 2017, the Uttarakhand High Court declared that the Ganga and Yamuna would be legally treated as “living people,” and enjoy “all corresponding rights, duties and liabilities of a living person”.** The order was stayed by the Supreme Court in July that year because it “raised several legal questions and administrative issues”.

[Seeking Harmony and Moderation in Ayodhya Talks \(A. Faizur Rahman - The Secretary-General of The Islamic Forum for The Promotion of Moderate Thought\)](#)

- In a significant move, the Supreme Court earlier this month permitted mediation to resume in the Ram Janmabhoomi-Babri Masjid dispute after its three-member mediation panel informed that some Muslim and Hindu parties were keen on going back to the negotiating table to find an amicable way out of the imbroglio. This is a welcome development, considering the fact that there was widespread scepticism among the same parties when the Supreme Court mooted the idea in March. While many Hindu groups opposed mediation, the Muslim side questioned the neutrality of one of the mediators, Sri Sri Ravishankar, but agreed to join the process. Unfortunately, despite its best efforts, the panel could not get the parties to come to an agreement. Yet, the court immediately granted the parties’ request to restart mediation and let it proceed concurrently with the day-to-day-hearing. For this, it deserves praise. But the biggest takeaway for the peaceable



majority of this country is the eagerness shown by the contending parties in resuming mediation. It subtly points to a pragmatic realisation that excessive reliance on theology may not bring about an amicable resolution to the conflict. However, the ongoing hearing in the Supreme Court appears to be meandering around the uncertain pathways of dogmatic certitude eliciting exasperated expressions of sufferance from the advocate for one of the Muslim parties, Rajeev Dhavan. During a recent hearing, he indirectly accused the Court of entertaining arguments based on theology rather than legality and concrete proof. It may be recalled that in March, the court was quoted in the media as suggesting that the case was not about a portion of disputed land but “about religious sentiments”. The question here is: Would delving deep into conflicting theological positions in a title dispute be conducive to the apex court’s genuine desire to “heal minds and hearts” of the disputants, especially when the parties themselves have renewed their faith in the mediation process? **In the Ismail Faruqui case, a Constitution Bench of the apex court refused to answer a Presidential Reference under Article 143 asking for its opinion on whether any Hindu religious structure existed prior to the construction of the Babri Masjid.** Renowned jurist Nani Palkhivala is also on record stating: “Courts can decide only questions of fact or of law. They cannot decide, and should never be called upon to decide, questions of opinion or belief or political wisdom.” The seeming intractability of this doddering mandir–masjid case lends credence to the view that an adversarial court process grounded in religious sentimentalism may not be the best alternative to a negotiated agreement. A quarter of a century ago, the judges in the Ismail Faruqui case presciently underscored this reality. They fervently hoped that “moderate opinion shall find general expression and that communal brotherhood shall bring to the dispute at Ayodhya an amicable solution long before the courts resolve it.” Now that several Muslim and the Hindu parties have exhibited their moderateness by renewing their faith in the process of mediation, to taste success they must see to it that the process is kept free of deliberations purely based on faith. The Hindu parties, notwithstanding their unshakeable views on the exact birthplace of Lord Rama, must try to “heal the minds and hearts” of the Muslims by accepting that what happened on December 6, 1992 was a gross violation of law. Such a gesture would emulate the restorative process mandated in the South African Truth and Reconciliation Commission and would go a long way in assuaging hurt Muslim feelings. Other confidence–building measures may include a legally enforceable assurance to Muslims that, after the peaceful resolution of this issue, no Hindu organisation would stake claim to any other “disputed” Muslim place of worship in India. The Muslim side too must realise that thwarting a negotiated settlement on the basis of religious beliefs would amount to losing an opportunity to strengthen the entente cordiale. Neither the Koran nor the authentic statements of the Prophet lend credence to the perception among some Muslims that a mosque, once constructed, will always remain a mosque and cannot be shifted. Such a belief is held only by the followers of a certain Muslim legal school. Many other schools do not subscribe to this idea although they all endorse the fundamental doctrine of the essentiality of mosques in Islam. The Majmu al Fatawa of Hanbali scholar Ibn Bazz contains a fatwa which mentions the shifting of a mosque in Kufa by Caliph Umar “for a particular benefit that called for that.” And Ibn Taymiyyah in his Majmu al Fatawa states: “It is permissible in public interest to replace a mosque by another one because in some cases such a change can be more



useful and beneficial even when the mosque is not fully in a state of disrepair.” With the help of legal devices such as takhyyur (selecting from different opinions) and talfiq al mazaahib (fusing different legal opinions) Muslim jurists can easily harmonise the doctrines of various Islamic schools to formulate reformist interpretations that are capable of addressing any emergent issue. As for those Muslims who feel that a negotiated agreement with the Hindus would amount to conceding defeat, they should understand that when the Prophet signed the Treaty of Hudaibiyah, several of his close companions, including Hazrat Umar, considered the agreement to be a humiliating surrender to the Meccans. But the Koran called it “manifest victory” (fathan mubeen) and ultimately the treaty proved to be of great benefit to the Muslims. Therefore, in the interest of peace and communal harmony, if the Muslims come to a negotiated agreement with the Hindus which results in a win-win situation for both sides, they would not have gone against the shariah. The Hindu side, on its part, must realise that for India to prosper, it must listen to Swami Vivekananda, who pointed out more than a century ago: “For our own motherland, a junction of the two great systems, Hinduism and Islam — Vedanta brain and Islam body — is the only hope. I see in my mind’s eye the future perfect India rising out of this chaos and strife, glorious and invincible, with Vedanta brain and Islam body.”

[A Test for Judicial Review in India \(Manuraj Shunmugasundaram - An Advocate and Spokesperson of The Dravida Munnetra Kazhagam \(DMK\)\)](#)

- There have been at least two key executive actions this year that have undermined parliamentary processes: Reservation for Economically Weaker Sections and the Bills passed around Jammu and Kashmir (J&K). The Constitutional (One Hundred and Third) Amendment Act 2019 providing reservation for Economically Weaker Sections was brought for consideration of Parliament in less than 48 hours from the time the decision was taken by the Centre. By doing so, the government ensured that there was insufficient time for Parliament scrutiny. The Bills around J&K also suffered from a similar defect. The Monsoon Session of Parliament was originally scheduled to end on July 26 but was extended to August 7 by the government. On August 5, the Jammu and Kashmir Reservation (Second Amendment) Bill, 2019 was suddenly introduced to the ‘Parliamentary List of Business’. When the Rajya Sabha convened, Home Minister Amit Shah, at 11.15 a.m., moved the Statutory Resolution proposing to nullify all clauses in Article 370 apart from Clause (1). Copies of the Bill and the Resolution were not provided to MPs till 11.30 a.m. The conventional practice is that legislative documents are provided at least a few days before they are tabled. This is done for the MPs understand the contents of the legislation, seek views and formulate their positions better. The manner in which both these Bills were introduced in Parliament was also in direct violation of the Rules of Procedure and Conduct of Business. In Rajya Sabha, specifically, Rule 69 talks about ‘Motions after Introduction of Bills’ and ‘Scope of Debate’. According to the proviso of Rule 69, there is discretion given to the Chairman in exceptional situations. But every discretionary power does require that the Chairman must exercise it judiciously and with proper application of mind. There has been no cogent or detailed explanation given by those presiding our Houses of Parliament as to why the government has been allowed to flout parliamentary rules and convention on more than one occasion. Such



actions of governments of Mr. Johnson and Prime Minister Narendra Modi have revealed a complete disregard for established parliamentary processes. This has placed democratic institutions in the peril of being weakened. While the courts in the United Kingdom have made their determinations on these issues, there is sufficient material for Indian courts to assess whether executive actions have indeed undermined parliamentary processes. How the court responds to this challenge will determine the majesty of the judicial review process in India.

In Row Over HC Ban on Animal Sacrifice, Echoes of Tripura's Past

- On September 27, a Tripura High Court Bench of Chief Justice Sanjay Karol and Justice Arindam Lodh banned the sacrifice of animals and birds in temples of the state, and directed the government to sensitise people about constitutional values and the importance of love, humanism, and compassion towards all animals and birds. The managements of two major temples, mentioned in the judgment, chose to defy the order, citing the absence of a notification on the ban. Meanwhile, Pradyot Debbarman, the son of Tripura's last king Kirit Bikram Kishore Manikya, and the state government intend to appeal in the Supreme Court. State Law & Parliamentary Affairs Minister Ratan Lal Nath told reporters that the government did not want to "hurt anyone's religious beliefs" through its actions. Debbarman told The Indian Express that while the scale of animal sacrifice must be reduced, "courts cannot play the role of priests". Animal sacrifice has been happening for at least 500 years in Tripura. **The two major sites are the Tripureswari Devi temple in Udaipur, and the Chaturdash Devta temple in Agartala. Both temples were founded by the Manikyas, Tripura's ruling dynasty from the late 13th century until September 9, 1949. The Tripureswari Temple, considered one of the 51 shakti peethas, was founded in 1501 by Maharaja Dhanya Manikya. The Chaturdash Devta Temple, or 'Temple of Fourteen Gods', who were the royal deities, was established in its current location around 1770 by Maharaja Krishna Kishore Manikya.** The court ruled that the tradition of sacrificing animals "lacks the essence of economic, commercial, political or secular character" and cannot be protected under Article 25(1) of the Constitution (Subhas Bhattacharjee vs The State of Tripura and Others). Freedom of religion is subject to the rigours of public order, morality, and health, it said. Also, animal sacrifice in a temple is violative of Article 21, the court said, adding that religious practice cannot override provisions of the Prevention of Cruelty to Animals Act, 1960. Drawing reference from Rev. James Long's 'Human Sacrifices in Tripura', the court said there was evidence that up to 1,000 humans were sacrificed every year until about 1407 — "Thus it is only logical that when human sacrifice could be stopped then nothing can impede a ban on sacrifice of animals as part of religious practice, for life of both humans and animals are legally required to be valued and protected." **The government argued that under the terms of Tripura's Merger Agreement with the Indian Dominion, worship at Mata Tripureswari and other temples should continue in the traditional manner.** Animal sacrifice was part of tantric worship, and the petition had been filed only to "disturb the Hindu sentiment and presumably by anti-Hindu elements", because it did not challenge the practice of animal sacrifice during Bakr Eid, the government said. The court rejected this argument as "preposterous": "The State cannot be allowed to take such a stand, more so, in the absence of any material, substantiating the same". It said: "The issue of animal sacrifice by



the minority community (Muslims) on the occasion of Bakr Id, already stands settled in Mohd. Hanif Quareshi (Mohd. Hanif Quareshi & Others vs The State of Bihar, 1958), Ashutosh Lahiri (State of West Bengal vs Ashutosh Lahiri, 1994) and Mirzapur (Mirzapur Moti Kureshi Kassab vs State of Gujarat And Ors, 1998); hence, such plea needs to be repelled at the threshold.” Even in those cases, the Supreme Court had ruled that animal sacrifice was not an essential part of Islam and could not be granted protection on the ground of religious freedom, and that states were free to enact laws to ban the practice, the court said. However, on the question of a blanket ban, the courts have held differing opinions. “And here we may only remind the State what message Sri Rabindra Nath Tagore conveyed to the then Raja and his citizenry through his famous work, Bishorjan,” the court said. **Tagore was closely associated with the royal house of Manikyas, who had accorded him the title of ‘Bharat Bhaskar’, and gave him financial assistance for the construction of Visva-Bharati. He captured a turbulent phase in the history of the Tripura kingdom in his novel Rajarshi, which he later adapted into the play Bishorjan.** Rajarshi, written with inputs from Maharaja Bir Chandra Manikya around 1880, chronicled the decision of Maharaja Gobinda Manikya (1660–61 and 1667–76) to ban animal sacrifice, which angered the orthodoxy led by the head priest or Chantai, Raghupati. The novel begins with the monarch walking on the banks of the river Gomati with a little girl, Hashi. The river is red with blood, and Hashi asks “Eto rokto keno? (Why is there so much blood?)”. Soon afterward, Hashi dies of a fever, repeating the question until her last breath. A shaken Gobinda Manikya bans animal sacrifice at the Bhubaneswari Temple (which now lies in ruins in south Tripura). Raghupati conspires with the king’s enemies, and Gobinda Manikya is dethroned in a coup with the help of the Mughals, and replaced by his stepbrother Nakshatra Rai. Gobinda Manikya eventually regains his position with the help of the Arakans.

Sikkim CM's Disqualification

- The Election Commission (EC)’s order reducing the period of Sikkim Chief Minister Prem Singh Tamang’s disqualification from electoral contest is morally wrong and a dangerous precedent that may end up reversing the trend towards decriminalising politics. **Under Section 11 of the Representation of the People Act, 1951, the EC indeed has the power to remove or reduce the disqualification attached to a conviction.** However, this has been used rarely, and seldom in a case involving a conviction for corruption. **Mr. Tamang was convicted under the Prevention of Corruption Act for misappropriating ₹9.50 lakh in the purchase of milch cows for distribution in 1996–97.** His one-year prison term was upheld by the High Court and the Supreme Court. He went to jail and was released on August 10, 2018. He was controversially — and in brazen disregard of the Supreme Court’s 2001 ruling in the case of late Tamil Nadu Chief Minister Jayalalithaa — appointed Chief Minister by the Sikkim Governor earlier this year. Mr. Tamang did not contest, but was elected legislature party leader by the Sikkim Krantikari Morcha (SKM), which won the election. His appointment as Chief Minister was challenged in the Supreme Court. Meanwhile, he approached the EC for removing his disqualification. **His main argument was that the law prevailing at the time of his offence entailed disqualification only if the sentence was for a term of two years or more; and that the amendment in 2003, under which any conviction under**



the anti-corruption law would attract the six-year disqualification norm, should not be applied to him. Disqualification from contest is a civil disability created by electoral law to keep those convicted by criminal courts from entering elected offices. It is not a second punishment in a criminal sense. Mr. Tamang cannot argue that disqualification for a one-year term amounts to being given a punishment not prevalent at the time of the offence. The EC decision also goes against the grain of a series of legislative and judicial measures to strengthen the legal framework against corruption in recent years. The apex court has described corruption as a serious malady and one impinging on the economy. In 2013, the protection given to sitting legislators from immediate disqualification was removed. Further, common sense would suggest that disqualification should be more strictly applied to those convicted for corruption. Legislators handle public funds, and there is good reason to keep out those guilty of misusing them. Mr. Tamang, even by virtue of the order reducing his disqualification to one-year-and-a-month, was not eligible to be sworn in, as his disqualification continued till September 10. Yet, he is now eligible to contest a byelection and retain his post. The EC is already battling a perception that its actions are partisan. Its order in favour of Mr. Tamang, coming just a day after the BJP struck an alliance with the SKM for by polls to be held on October 21, is bound to further strain its credibility.

[Making Political Parties Accountable \(Anmolam - Lawyer, Running A Non-Profit Organisation, BDLAAAW. Shivam - Research Scholar at The Faculty of Law, Delhi University\)](#)

- Recently, the Supreme Court in *D.A.V. College Trust and Management Society Vs. Director of Public Instructions* held that non-governmental organisations which were substantially financed by the appropriate government fall within the ambit of 'public authority' under Section 2(h) of the Right to Information Act, 2005. Under this section of the RTI Act, 'public authority' means "any authority or body or institution of self-government established or constituted by or under the Constitution and included... any non-government organisation substantially financed directly or indirectly by funds provided by the appropriate government." Owing to the reasoning given by the court, the judgment can potentially have wide ramifications in the discourse pertaining to the ambit of the RTI regime on national political parties. In *D.A.V.*, the top court held that 'substantial' means a large portion which can be both, direct or indirect. It need not be a major portion or more than 50% as no straitjacket formula can be resorted to in this regard. For instance, if land in a city is given free of cost or at a heavily subsidised rate to hospitals, educational institutions or other bodies, it can qualify as substantial financing. The court resorted to 'purposive' interpretation of the provisions by underscoring the need to focus on the larger objective of percolation of benefits of the statute to the masses. In 2010, the Association for Democratic Reforms (ADR) filed an application under the RTI to all national parties, seeking information about the "10 maximum voluntary contributions" received by them in the past five years. None of the national political parties volunteered to disclose the information. Consequently, ADR and RTI activist Subhash Agarwal filed a petition with the Central Information Commission (CIC). In 2013, a full bench of the CIC delivered a historic judgment by declaring that all national parties came under 'public authorities' and were within the purview of the RTI Act.



Accordingly, they were directed to designate central public information officers (CPIOs) and the appellate authorities at their headquarters within six weeks. In 2013, The Right to Information (Amendment) Bill was introduced in Parliament to keep political parties explicitly outside the purview of RTI that lapsed after the dissolution of the 15th Lok Sabha. Notwithstanding the binding value of the CIC's order under Section 19(7) of the Act, none of the six political parties complied with it. Quite interestingly, all the parties were absent from the hearing when the commission issued show-cause notices for non-compliance at the hearing. Finally, in 2019, a PIL was filed in the Supreme Court seeking a declaration of political parties as 'public authority' and **the matter is sub judice**. Irrespective of the ideological differences among these political parties on almost all the issues under the sun, non-compliance of the RTI mandate has been a great unifier. Drawing an analogy between the Supreme Court's judgment on D.A.V. and the political parties' issue which is sub judice, **it can be argued that national parties are 'substantially' financed by the Central government. The various concessions, such as allocation of land, accommodation, bungalows in the national and State capitals, tax exemption against income under Section 13A of the Income Tax Act, free air time on television and radio, etc. can easily satisfy the prerequisite of Section 2(h) of the RTI.** If an entity gets substantial finance from the government, there is no reason why any citizen cannot ask for information to find out whether his/her money which has been given to the entity is being used for the requisite purpose or not. Applying the purposive rule of interpretation which is discernible from the preamble of the RTI Act, the ultimate aim is the creation of an 'informed' citizenry, containment of corruption and holding of government and its instrumentalities accountable to the governed. Under the anti-defection law, political parties can recommend disqualification of Members of the House in certain eventualities under the Tenth Schedule of the Constitution. The Law Commission opines that political parties are the lifeblood of our entire constitutional system. Political parties act as a conduit through which interests and issues of the people get represented in Parliament. Since elections are predominantly contested on party lines in our parliamentary democratic polity, the agenda of the potential government is set by them. As noted by Dr. B.R. Ambedkar in his famous Constituent Assembly speech, "The working of a Constitution does not depend wholly upon the nature of the Constitution. The Constitution provide only the organs of State...The factors on which the working of those organs of the State depend are the people and the political parties they will set up as their instruments to carry out their wishes and their politics." It is hoped that the top court will further the positive advances made in this direction. Since sunlight acts as the best disinfectant and our political parties tirelessly claim themselves to be apostles of honesty and integrity, it is expected that they would walk the talk.

Unnao Case

- A Delhi district court has asked Apple to hand over location data from the iPhone of expelled BJP MLA Kuldeep Singh Sengar, who is an accused in the alleged rape of a minor girl from Unnao. The rape allegedly took place in 2017, though Sengar has denied the allegation and claimed he was not at his house in Makhi village, when the alleged rape took place. In his defence, Sengar has cited call detail records to claim he was almost 50 km away from the scene of the alleged crime. The



Delhi district court wants the exact location data from the iPhone in order to determine Sengar's location. This could help determine whether the alibi is correct or not. According to PTI, Apple told the court that the company would need to "seek instructions regarding the availability of the data because as of now it is not known whether the data is stored, and if yes, where and if it was stored at all". Further, Apple's counsel said the company would have to decide in which format the data will be made available to the trial court, if at all it is present. The court, meanwhile, wants the data by October 9 and said that it should be furnished along with an affidavit containing a certificate from the system analyst or the authorised person of the company. Apple's 'Legal Process Guidelines' for government and law enforcement, mentioned on the company's website, outlines the kind of requests that the company accepts and the information that is available from it. The list of information available from Apple includes, device registration, customer service records, iTunes information, Apple retail store transaction and Apple online store purchases, along with gift cards, iClouds, Find My iPhone. Information from Games Center, info regarding iOS device activation, My Apple ID, iForgot Logs, FaceTime and iMessage are all mentioned in this list. Location is not explicitly mentioned as one of the data points available. Apple's support page for 'Location Services' says when these are turned on, the iPhone "will periodically send the geo-tagged locations of nearby Wi-Fi hotspots and cell towers (where supported by a device) in an anonymous and encrypted form to Apple". The company says this is done to augment crowd-sourced database of Wi-Fi hotspot and cell tower locations. In Apple's privacy policy, the paragraph on Location services says services such as maps "may collect, use, and share precise location data, including the real-time geographic location of your Apple computer or device". It adds, "unless you provide consent, this location data is collected anonymously in a form that does not personally identify you and is used by Apple and our partners and licensees to provide and improve location-based products and services." What Apple is saying is that this location data cannot be used to identify a particular user. But remember there are third-party apps like Google Maps, etc which are also collecting user data, including location data as well and this information is usually linked to an individual's account. Apple does comply with law enforcement agency requests in India and other parts of the world. Apple's transparency report for July-December 2018, showed that it received 49 device related requests, 28 requests for financial identifiers, 18 requests for accounts and 8 emergency requests. It said it complied with 23 of the device requests, 16 related to financial identifiers, 11 account requests and six of the emergency requests. It has not revealed the exact nature of the requests. Device requests typically includes demands received from a government agency seeking data related to device identifiers, which could include serial number or IMEI number, for accounts this could be information such as email address or Apple ID. Account requests also seek other customer content data, such as photos, email, iOS device backups, contacts or calendars, according to Apple's transparency report page. In India, Apple has not provided content-related data in any of the account requests. The Find Me (previously Find My iPhone) feature is mentioned in the list of information available with Apple for law enforcement agencies. It is designed to work for users who have lost their Apple device and helps pinpoint the last location where an iPhone or any other Apple device was lost. In order for this to work, it needs to be activated on that specific device before the iPhone is lost. The



feature can also be used to remotely lock or erase an iPhone if it is lost. Apple's support page says that when it comes to "device location services information" it is stored on each individual device and the company cannot retrieve this information from any specific device. "Location services information for a device located through the Find My iPhone feature is user facing and Apple does not have content of maps or alerts transmitted through the service," adds the page. Further connection logs from the Find My iPhone feature are only "available for a period of approximately 30 days." Apple says if this data is available it "may be obtained with the appropriate legally valid request for the requestor's country." Going by its support page, it does not look like Apple has access to location data, given it is stored on the iPhone. Apple's philosophy with regard to data processing has been to ensure the device is capable enough to carry out most tasks on the device itself, rather than having everything sent back to the services, which would also explain why it does not have a lot of user content data. And when it comes to users' iCloud accounts, the data is encrypted and Apple says it "retains the encryption keys in its US data centres". Regarding data extraction from an iPhone, Apple's support page says "it is unable to perform an iOS device data extraction as the data typically sought by law enforcement is encrypted, and Apple does not possess the encryption key". This applies to all devices from iPhone 6 and later on, which are on iOS 8 or a later version of iOS.

Can the Government Intercept WhatsApp?

- The Indian Express reported that the Telecom Regulatory Authority of India (TRAI) is studying the possibility of bringing platforms such as WhatsApp under the ambit of "lawful interception". Lawful interception of online communications platforms such as WhatsApp, Skype, Signal or Telegram has been a long-running debate that has ranged governments and regulators across the world against technology companies and privacy activists. The authorities want such platforms to provide access to messages, calls, and their logs to law-enforcement agencies to aid them with investigations. India, too, has made demands for traceability of communications from instant messaging platforms. The telecom sector watchdog has been carrying out consultations to build a regulatory framework for over-the-top service providers (OTTs) — or platforms that use the infrastructure of traditional telecom companies like the Internet to offer their services. TRAI has been looking at the regulation of OTTs since 2015, when mobile companies first raised concerns over services such as WhatsApp and Skype causing loss of revenues by offering free messaging and call services. The other argument made at the time was that these services do not fall under the licensing regime prescribed by The Indian Telegraph Act, 1885, and effectively operated in a regulatory dark spot. Over time, TRAI looked at various aspects of the lack of a level playing field between telecom companies and OTT service providers, including the economic aspect. However, with the boom of data consumption in the country over the last two or three years, primarily led by OTTs, TRAI officials indicated that the economic aspect did not hold ground anymore. With this realisation, the regulator began looking at the security facet of the regulatory imbalance between the two kinds of players. **While telecom players are subjected to lawful interception as per the telegraph law, OTT platforms, by virtue of not being licensed, are currently not subject to interception by law-enforcement agencies.** TRAI will submit its views to the



Department of Telecommunications (DoT), which will decide on the next course of action. Currently, the regulator is learnt to be studying global practices as far as lawful interception on online platforms is concerned. It is also looking into whether other regulators and authorities have been provided any facilities for interception of communications, and could suggest that the platforms should provide the same facilities to the Indian government. **The Indian Telegraph Act, 1885 states that on the occurrence of any public emergency, or in the interest of public safety, the central government or a state government can take temporary possession — for as long as the public emergency exists or the interest of the public safety requires the taking of such action — of any telegraph established, maintained or worked by any person licensed under the Act. This mandates telecom companies to provide access to messages, calls, and logs of these in case a court order or a warrant is issued.** However, the government, while clear on demanding access to message logs for law-enforcement purposes, is not relying on The Telegraph Act to meet this objective. Instead, it wants the platforms to come up with a solution to enable traceability. Apps such as WhatsApp, Signal, Telegram, etc. claim to provide end-to-end encryption of their messages. This has caused some uncertainty among the authorities on how they can seek access to messages. On the FAQ page on its website, WhatsApp states: “We will search for and disclose information that is specified with particularity in an appropriate form of legal process and which we are reasonably able to locate and retrieve. We do not retain data for law-enforcement purposes unless we receive a valid preservation request before a user has deleted that content from our service.” It also says that in the ordinary course, WhatsApp does not store messages once they are delivered. “Undelivered messages are deleted from our servers after 30 days. As stated in the WhatsApp Privacy Policy, we may collect, use, preserve, and share user information if we have a good-faith belief that it is reasonably necessary to (a) keep our users safe, (b) detect, investigate, and prevent illegal activity, (c) respond to legal process, or to government requests, (d) enforce our Terms and policies,” it says. “We also offer end-to-end encryption for our services, which is always activated. End-to-end encryption means that messages are encrypted to protect against WhatsApp and third parties from reading them.” Currently, there is no jurisdiction anywhere in which messaging apps have been known to provide access to their messages. However, pressure on such services to provide access for law-enforcement purposes has been rising everywhere. The United States Department of Justice has made fresh arguments for access to encrypted communications. The New York Times reported on October 3 that Attorney General William P Barr, jointly with his British and Australian counterparts, has written to Facebook CEO Mark Zuckerberg, pointing out that companies should not “deliberately design their systems to preclude any form of access to content even for preventing or investigating the most serious crimes”. In India, Law and IT Minister Ravi Shankar Prasad has repeatedly stressed the need to be able to trace messages to prevent serious crimes. While the Indian government has conceded that encrypted messages may not be accessible, it has asked the platforms to provide origin of messages that could possibly incite violence or other mischievous acts.



FIR Against Celebrities

- The police in Muzaffarpur district in Bihar have done well to order the closure of a sedition case against 49 eminent personalities for addressing an open letter to the Prime Minister on the need to stop hate crimes and lynching. The decision could have come much earlier rather than weeks after the Chief Judicial Magistrate ordered the registration of a FIR based on a lawyer's complaint. The complaint has now been closed as false, an opinion that both the magistrate and the station-house officer could have arrived at on a mere glance at the complaint. Sudhir Kumar Ojha, the lawyer who approached the magistrate, had produced no supporting documents, not even a copy of the letter signed by the writers, filmmakers and artists. Further, it would have been quite obvious that there was nothing in the appeal that promoted disaffection against the government or brought it into hatred and contempt. The complaint had further absurdities. It included penal provisions related to making imputations against national integration, public nuisance, affray and even trespassing into a burial ground! Mr. Ojha has the habit of arraying celebrities and prominent leaders as accused in private complaints and obtaining orders under Section 156(3) of the CrPC. for a police investigation. It is quite certain that both the magistracy and the police are aware of his predilection for serial litigation. A simple search of his name in the website of the CJM's court reveals that he has filed complaints against Arvind Kejriwal, Imran Khan, Digvijaya Singh, Priyanka Vadra and Chandrababu Naidu in 2019 alone. The decision to prosecute the advocate for filing false complaints is an encouraging sign that his run may not last. Section 182 of the IPC makes giving false information to a public servant with a view to causing injury or annoyance to another an offence punishable with a six-month jail term or a fine of ₹1,000. And under Section 211, making a false charge of an offence, knowing that there is no lawful ground for doing so, attracts a two-year prison term; and, if a more serious offence is alleged, the accuser may be jailed for even seven years. It is quite obvious that these provisions have not deterred malicious complaints. In cases involving celebrities, it is to be expected that a public outcry would stymie a malicious prosecution, but not everyone can be as lucky. In times when outrage, feigned or real, is used to accuse people of defamation, obscenity, cyber-insults and injuring religious sentiments, it would be wise to recall the Supreme Court's caution in *Khushboo vs. Kanniammal* (2010) in which the court quashed multiple private complaints against actor Khushboo for remarks on pre-marital sex with the observations, "It is not the task of the criminal law to punish individuals merely for expressing unpopular views" and that courts should not allow a criminal trial "triggered by false and frivolous complaints, amounting to harassment and humiliation to the accused."

Remembering VP Menon's Role in Accession Of J&K and Other States (Arghya Sengupta - Research Director, And Jinaly Dani - Research Fellow, Vidhi Centre For Legal Policy)

- 30th September marks the 126th birth anniversary of V P Menon. Born on September 30, 1893, **Menon was the Secretary in the Ministry of States** which was established by the Government of India in 1947 to deal with the accession of princely states. While the nation rightly remembers Sardar Patel's herculean efforts in ensuring that over 500 princely states seamlessly joined the Union of India, few know that it was Menon working in the background, travelling across the



country and persuading different Maharajas and Nawabs to accede. Perhaps Menon's greatest contribution was coming up with the original policy on accession that required the princely states to accede only in the three matters of defence, external affairs and communications. Since these matters were fairly non-controversial, Menon believed they would be readily accepted by the rulers. In his book *Integration of the Indian States*, Menon recounts approaching Sardar and pointing out the advantages of this policy: "The basic unity of India would be achieved and, when the new constitution was framed, we could thrash out the necessary details." It was Menon's policy piloted by Sardar Patel that was finally reflected in the Instrument of Accession (IoA) executed by the states becoming a part of the Union of India in 1947 and their seamless integration thereafter. One of the states to which Menon travelled to secure its accession was Jammu and Kashmir. **By October 25, 1947, an attack by Afridi tribesmen had reached the outskirts of Srinagar, forcing the Maharaja of J&K to escape the city and relocate to Jammu. On October 26, the Defence Committee of the Indian Government held a meeting to discuss the viability of a military intervention in J&K. Lord Mountbatten, who was part of this meeting, observed that since J&K had not acceded to either India or Pakistan, it was an independent country. According to Mountbatten, if the Maharaja acceded to India, troops could be sent to rescue the state.** Subsequently, it was Menon who immediately flew to Jammu and secured the Maharaja's signature on the IoA. Recounting that day in his book, Menon states: "The Maharajah was asleep; he had left Srinagar the previous evening and had been driving all night. I woke him up and told him of what had taken place at the Defence Committee meeting. He was ready to accede at once. Just as I was leaving, he told me that before he went to sleep, he had left instructions with his ADC that, if I came back from Delhi, he was not to be disturbed as it would mean that the Government of India had decided to come to his rescue and he should therefore be allowed to sleep in peace; but that if I failed to return, it meant that everything was lost and, in that case, his ADC was to shoot him in his sleep!" **Menon returned to Delhi with the executed IoA which was then accepted by the Government of India.** With accession secured, the next challenge for Menon and his team in the Ministry of States was to ensure complete integration. While this was a legally complex but politically straightforward matter in respect of most princely states, negotiations between representatives of the Government of India and Sheikh Abdullah, the Prime Minister of J&K, in relation to J&K's status in India failed to produce a mutually acceptable result. It was thus decided that the Constitution of India would reflect the position under the 1947 IoA. In a letter dated September 29, 1949, Menon writes to Sheikh Abdullah proposing an initial formula for the draft Article 370. He states: "The State of Jammu and Kashmir is an Acceding State and ordinarily the State would have been treated like other Part III States. In view, however, of the special problems arising in connection with this State it seems desirable that the constitutional relationship between the State of Jammu and Kashmir and the Union of India should, however, under the new constitution, approximate, for the present, to that subsisting under the Instrument of Accession, already executed by His Highness the Maharaja." The final text of Article 370 introduced in the Constitution of India is based on this understanding. Sheikh Abdullah however had reservations regarding Menon's letter. He proposed an alternative formulation which simply stated that the Indian Parliament would be entitled to legislate only on defence, external affairs



and communications. Seemingly making light of Abdullah's objection, in an internal correspondence between Vishnu Sahay, Secretary, Kashmir Affairs to V Shankar, PS to Sardar Patel, Menon asked that the following be conveyed to Shankar (and presumably Patel): "Parts II (citizenship), III (fundamental rights) and IV (directive principles) of the Constitution would apply automatically to Kashmir unless the position is expressly saved... What is worrying Sheikh Abdullah and the Working Committee of the National Conference is that if these general provisions become applicable to Kashmir also, their legislation against other citizens of India in respect of acquisition etc. of property will become invalid. The Kashmiris are perhaps worried about the occupation of their country by the Punjabees!!" Thus, overriding the Sheikh's objections, but in deference to his principled disagreement, the Ministry of States sent a draft proclamation to the Yuvraj of Kashmir, Karan Singh, for signing. **This was the final step towards complete integration in the Union of India by which all princely states that had acceded to India were required to accept the Constitution of India as their own through a public proclamation. It is significant to note that J&K's proclamation was worded differently from the others. This proclamation, issued on November 25, 1949, did not accept the Constitution of India as J&K's own. Instead, it stated that the Constitution of India, "in so far as it is applicable to (J&K)" would "govern the constitutional relationship between (J&K and the) Union of India".** This was a reference to Article 370 of the Constitution of India. The rest, as they say, is history.

Rethinking College Recruitment

- In a marked departure in the way assistant professors, who are on the lowest rung of the academic ladder, are hired and confirmed at all the 23 Indian Institutes of Technology, the IIT Council recently introduced the tenure track system. Under this system, an assistant professor may be hired without the mandatory post-PhD experience requirement and her performance reviewed internally after three years. Based on an evaluation by an external committee at the end of 5.5 years, he or she may either be granted tenure (made permanent) and promoted to the next higher level of associate professor or asked to leave. In certain cases, based on the recommendation of the external committee, an extension of two years may be granted to the candidate before being assessed again. At present, a fresh faculty member is placed on probation for a year before confirmation without being subjected to any kind of a critical evaluation. According to the Council, this leads to a situation wherein "a large number of faculty, despite having very good credentials, do not put in enough effort on research and teaching". Over the years, the number of faculty whose performance is below par has risen to such an extent that "more than half" underperform. The tenure track system is being seen as a silver bullet to prevent further deterioration and to remove non-performers. "The tenure track combines academic freedom with responsibility and accountability," Higher Education Secretary R. Subrahmanyam told the media. If we look at the tenure track system in other countries, it is clear that the process doesn't guarantee excellence or improve accountability at the institutional level. While the principal purpose of tenure in the U.S. is to provide permanency and safeguard academic freedom, using the same system to promote research and teaching excellence reflects a lack of application of mind. Flogging a small subset of young faculty to improve the metrics using the threat of tenure



track while leaving the large majority of senior faculty unmonitored will do little to achieve the prime objective. Keeping the young faculty on a tight leash can prove to be counterproductive. To begin with, the power asymmetry that already exists between new recruits and the older faculty will worsen. But tenure's biggest disservice may be in the field of research. With the sword of Damocles hanging over their heads, young faculty may end up being more risk-averse and refrain from working in unchartered, cutting-edge research areas. The temptation to settle for safer, short-term, sure-shot solvable research problems or just extending their PhD or post-doc research is likely to become overpowering. If the Ministry of Human Resource Development (MHRD) feels compelled to ape the West, it should be willing to go the whole hog and match the U.S. and other countries that have this system in terms of research facilities. Unlike in most U.S. universities that have a tenure track system, it is extremely difficult for new appointees to hit the ground running as even basic infrastructure to carry out research is not in place at many of the newer IITs. There have been innumerable cases in the older IITs where even securing lab space can take as long as a year or more. While those working in theoretical areas might find it relatively easier to publish papers, experimentalists will be at a greater disadvantage as setting up labs will take longer. While even established IITs face difficulty finding good computer science faculty, finding computer science students willing to pursue the PhD programme will be even more challenging among the new recruits. While the older IITs provide seed funding of about ₹20 lakh, the new IITs provide just a couple of lakhs of rupees. Researchers will necessarily have to turn to funding agencies for grants. With a significant reduction in the number of research proposals getting funded, new faculty will be forced to compete with well-established researchers for a piece of the pie. The delay in disbursement of funds by agencies is another problem. The biggest area of concern is the upper age limit of 35 years for an assistant professor's post, which is not the case in the U.S. Since assistant professors are in the early 30s when they secure a position, anyone who fails to secure tenure at the end of 5.5 years is almost out of the reckoning at any other academic institution. With the MHRD planning to extend this system to Central universities and the draft National Education Policy recommending its introduction in all institutions by 2030, chances of securing a position at an alternative institution will be almost nil. Unlike in the U.S., industry jobs are not in plenty in India for those who fail to get tenured. The 5.5-year period to secure tenure is particularly disadvantageous to women researchers. The introduction of the tenure track system without addressing the underlying problems researchers face is likely to make it even more challenging to find good talent. It is also unclear if the new IITs, which are just being built, will find themselves at a disadvantage in attracting talent. At this stage, one can only hope that the IIT Council has deliberated on these critical issues and not acted in haste or under duress.

[NEET Impersonation Scam](#)

- ➔ What the embittered relationship between Tamil Nadu and the National Eligibility-cum-Entrance Test (NEET) required was a salve, but instead things just got more complicated and murkier. The recent expose of what has come to be known as the NEET examination scam has placed further stress on the State's experience with the exam in more ways than one. A couple of mails sent to



the administrators of the Theni Government Medical College in south Tamil Nadu blew the lid off a scam with far-reaching consequences. A student of the college had gained his seat through subterfuge — by having someone impersonate him at the NEET. This turned out to be only the tip of the iceberg, and as investigators began unravelling the spool, more skeletons tumbled out. **A number of students and their parents were investigated for possible impersonation fraud in the NEET, for operating with the help of middlemen to hire a medical student to write the test for them, for a hefty consideration.** This, no doubt, required spinning a careful web of deception, right from submitting photos of the impersonator in the NEET application forms, to actually appearing for the examinations and single-window counselling for admissions, to submitting the application with the original student's photo at the allotted college. Further probe cast a shadow on the admission of more students, including in private medical colleges. With the CB-CID tasked with investigating the case, bits and pieces of the puzzle are falling in place, revealing a multi-State operation. While the larger picture, with all its many nuances, is not yet clear, it is evident that fraud has been committed, and serious lapses in procedures and processes were exploited by students eager to score a medical seat by hook or by crook. They might have got away with it, but for an anonymous tip-off. Given that NEET was intended to standardise testing for admission into medical colleges and ensure a certain minimum quality, such lapses erode the very core of its raison d'être. The Ministry of Health and Family Welfare and the National Testing Agency, which conducts the examination, must exhibit zero tolerance to such attempts to frustrate the integrity of the test. Both these agencies must immediately set their energies to identifying lacunae in the existing system and ensure that a foolproof testing methodology is in place. Using biometrics to identify students taking NEET has been suggested, and its value in adding a further layer of checks and balances is indisputable. Parents and students too would do well to temper their vaulting ambition for an MBBS seat with a measure of rationality. There are only a limited number of MBBS seats available, and while that number is slowly growing, it will never equal the demand.

Kerala Tops School Education Rankings

- Kerala and Rajasthan have emerged as States with the best quality as school education in the country, with scores of 76.6% and 72.9% respectively, in the NITI Aayog's rankings released. The Union Territory of Chandigarh, however, piped them overall with a score of over 80%. Reflecting the huge differences in quality across the country, Uttar Pradesh scored the lowest among 20 large states with just 36.4%, although the small State of Arunachal Pradesh and the Union Territory of Lakshadweep had even lower scores. **The School Education Quality Index (SEQI) is part of the NITI Aayog's effort to rank State performance in across various indicators including water, health and the ease of doing business, to encourage data-driven policy reforms.** The Centre plans to collaborate with the World Bank to offer performance linked grants as incentives for States with high rankings. The first edition of the SEQI assessed States on the basis of learning outcomes, access, equity, infrastructure and facilities, and the governance processes which aid such outcomes. It is mostly based on data from the National Achievement Survey (NAS) of 2017-18 and the Unified District Information on School Education data of 2016-17, apart from self-



reported data from the States, which was verified by a third-party agency. West Bengal refused to participate in the evaluation process and has not been included in the rankings. NITI Aayog CEO Amitabh Kant noted that the range of performance between the high-ranking States and those at the bottom was wide, with a need to plug the gaps. “The thing that is a worrying sign for me is the equity index,” Mr. Kant said, noting that most large States covered clustered around a 60% score in this category. “This must be improved. It is essential to ensure that children from all backgrounds, all strata of society, get the same quality of education.” Among the large States, Tamil Nadu topped the equity index, which uses indicators such as the difference in language and mathematics learning outcomes of students from the SC/ST and OBC students in comparison to the general category students, as well as their rate of transition to higher classes. It also compares the performance of girls versus boys, and students in rural and urban areas. Facilities for children with special needs and the provision of a girls’ toilet in schools were also included in the assessment. Tamil Nadu was also the best performer in the category on access outcomes that measured enrolment, the rate of transition to higher classes and the percentage of out-of-school children mainstreamed into schools. Karnataka was the topper in the learning outcomes category, which looked at the language and mathematics performance of Class 3, Class 5 and Class 8 students. This category had the highest weightage in the index, accounting for a third of total.

How Plan for Clean Air Works

- Starting October 15, some stricter measures to fight air pollution will come into force in Delhi’s neighbourhood, as part of the **Graded Response Action Plan (GRAP)**. The action plan has already been in effect for two years in Delhi and the National Capital Region (NCR). What is new in the recent announcement is that measures aimed at stopping the use of diesel generator sets will, from next week, extend beyond Delhi to the NCR, where many areas see regular power cuts. The measures that are coming into force will be incremental. As pollution rises, and it is expected to as winter approaches, more measures will come into play depending on the air quality. All these measures are part of GRAP, which was formulated in 2016 and notified in 2017. Experts working in the field of air pollution have credited this list of measures with causing the dip in Delhi’s air pollution over the past few years. Approved by the Supreme Court in 2016, the plan was formulated after several meetings that the Environment Pollution (Prevention and Control) Authority (EPCA) held with state government representatives and experts. The result was a plan that institutionalised measures to be taken when air quality deteriorates. **GRAP works only as an emergency measure. As such, the plan does not include action by various state governments to be taken throughout the year to tackle industrial, vehicular and combustion emissions.** When the air quality shifts from poor to very poor, the measures listed under both sections have to be followed since the plan is incremental in nature. If air quality reaches the severe+ stage, GRAP talks about shutting down schools and implementing the odd-even road-space rationing scheme. GRAP has been successful in doing two things that had not been done before — creating a step-by-step plan for the entire Delhi-NCR region and getting on board several agencies: all pollution control boards, industrial area authorities, municipal corporations, regional officials of the India



Meteorological Department, and others. The plan requires action and coordination among 13 different agencies in Delhi, Uttar Pradesh, Haryana and Rajasthan (NCR areas). At the head of the table is the EPCA, mandated by the Supreme Court. **GRAP was notified in 2017 by the Centre and draws its authority from this notification.** Before the imposition of any measures, EPCA holds a meeting with representatives from all NCR states, and a call is taken on which actions has to be made applicable in which town. Last year, the ban on using diesel generator sets was implemented only in Delhi. This year, it is being extended to a few NCR towns. Rural areas are, however, being left out of this stringent measure because of unreliable power supply. The biggest success of GRAP has been in fixing accountability and deadlines. For each action to be taken under a particular air quality category, executing agencies are clearly marked. In a territory like Delhi, where a multiplicity of authorities has been a long-standing impediment to effective governance, this step made a crucial difference. Also, coordination among as many as 13 agencies from four states is simplified to a degree because of the clear demarcation of responsibilities. **Three major policy decisions that can be credited to EPCA and GRAP are the closure of the thermal power plant at Badarpur, bringing BS-VI fuel to Delhi before the deadline set initially, and the ban on Pet coke as a fuel in Delhi NCR.** The EPCA, headed by retired IAS officer Bhure Lal and including members from the Centre for Science and Environment, was constituted in 1998 by the Supreme Court. The initial mandate of the body was to ensure the shift of Delhi's bus and auto fleet to CNG — a mammoth task that was among the most crucial ones in cleaning Delhi's air in the late 2000s. The body continues to monitor pollution and assists the Supreme Court in several pollution-related matters. One criticism of the EPCA as well as GRAP has been the focus on Delhi. While other states have managed to delay several measures, citing lack of resources, Delhi has always been the first one to have stringent measures enforced. In a recent meeting that discussed the ban on diesel generator sets, the point about Delhi doing all the heavy lifting was also raised. In 2014, when a study by the World Health Organization found that Delhi was the most polluted city in the world, panic spread in the Centre and the state government. The release of a study on sources of air pollution the following year also gave experts, NGOs and scientists a handle on why Delhi was so polluted. All of these things, state government officials say, have made Delhi the obvious pilot project. For GRAP as well as EPCA, the next challenge is to extend the measures to other states effectively.

Severe+ or Emergency

(PM 2.5 over 300 µg/cubic metre or PM10 over 500 µg/cu. m. for 48+ hours)

- * Stop entry of trucks into Delhi (except essential commodities)
- * Stop construction work
- * Introduce odd/even scheme for private vehicles and minimise exemptions
- * Task Force to decide any additional steps including shutting of schools

Severe

(PM 2.5 over 250 µg/cu. m. or PM10 over 430 µg/cu. m.)

- * Close brick kilns, hot mix plants, stone crushers
- * Maximise power generation from natural gas to reduce generation from coal



- * Encourage public transport, with differential rates
- * More frequent mechanised cleaning of road and sprinkling of water

Very Poor

(PM2.5 121–250 $\mu\text{g}/\text{cu. m.}$ or PM10 351–430 $\mu\text{g}/\text{cu. m.}$)

- * Stop use of diesel generator sets
- * Enhance parking fee by 3–4 times
- * Increase bus and Metro services
- * Apartment owners to discourage burning fires in winter by providing electric heaters during winter
- * Advisories to people with respiratory and cardiac conditions to restrict outdoor movement

Moderate to poor

(PM2.5 61–120 $\mu\text{g}/\text{cu. m.}$ or PM10 101–350 $\mu\text{g}/\text{cu. m.}$)

- * Heavy fines for garbage burning
- * Close/enforce pollution control regulations in brick kilns and industries
- * Mechanised sweeping on roads with heavy traffic and water sprinkling
- * Strictly enforce ban on firecrackers

Ongoing Monsoon Fury

- If Bihar is struggling to stay afloat in the ongoing monsoon, its distress can be traced to poor infrastructure and a lack of administrative preparedness. Even large parts of the capital, Patna, have been paralysed without power and communications, as the State government tries to drain its streets of water, and critical rations are distributed by boat and helicopter. The rain has not spared the more affluent residents either; those living in upscale localities including the Deputy Chief Minister, Sushil Kumar Modi, have been rescued. But the plight of people in a dozen other districts, many of them struggling with underdevelopment, is much worse. Across Bihar, there has been a significant loss of life and property. Scenes of similar distress have been reported from some other States as well, notably eastern Uttar Pradesh. The monsoon is expected to withdraw after October 10, more than a month behind normal, and its overhang is consistent with the prevalent scientific view on the effects of a changing climate: extreme rainfall and drought occurring at an increased frequency. Normal patterns will become less common in coming years, according to the current consensus. This alarming outlook calls for a far-sighted national response, with the Union Ministry of Environment, Forest and Climate Change, given the responsibility of coordinating the efforts of other Ministries in charge of housing, urban and rural development, water management, and agriculture, as well as State governments. Indian cities are attracting heavy investments in several spheres, but State and municipal administrations have not matched their ambitions for development with capacity building and infrastructure creation. They must focus on ensuring the safety of citizens and durability of economic assets. Ignoring urban planning and adaptation is proving costly, and losses are sapping the vitality of the economy. In its Cities and Climate Change report, the UN Framework Convention on Climate Change pointed to flooding as a key danger, apart from drought and heat islands. This is



particularly true of urban centres through which rivers flow — such as Patna — and are often located on the coast, facing the additional threat of cyclones. India's cities should work towards solutions that use engineering and ecology to contain the excess water from rain and put it to good use. This could be in the form of new lakes and bioswales, which are vegetated channels to manage rainwater. There is no better time to create such green infrastructure than today, as water management is a priority programme of the NDA government. States should be able to find financial and technical linkages to put up flood-handling structures. In Bihar's case, coordination with Nepal to track monsoon flows is also vital, since big Gangetic rivers originate in the Himalayan region.

- ➔ While India this year may have recorded its highest monsoon rain in 25 years, an analysis suggests that new monsoon models, called the Monsoon Mission Coupled Forecast Model (CFS), deployed by the IMD over the last decade don't do better than the older ones in long-range forecasting. This year, India ended up with 10% more monsoon rain (or 110% of the long period average LPA of 887 mm) than usual. However, none of the agency's models tuned to capture long term forecast trends warned of this. The IMD's workhorse statistical models said in its last update on August 1 that All India Monsoon Rainfall (June-September) would be 96% of the LPA. The CFS model in April said the monsoon would be 94% of the normal and updated to 99% in August. However, the IMD models that forecast two weeks ahead (called extended range prediction) did warn of increased monsoon activity, as did short-term forecast models (that gauge weather three days ahead). However, the Department doesn't use these to update estimates of the anticipated all India figures. The newer models were developed as part of a ₹200 crore 'Monsoon mission' that has been underway for over a decade and were meant to improve both short term and long-term forecasts. A perusal by The Hindu of the forecast abilities of the CFS model, used since 2012, show that only twice — in 2013 and 2015 — did the CFS model get the monsoon right. It predicted 104% and 86% of the LPA and India ended up with 106% and 86% respectively. Like the CFS, the older statistical model also got 2015 right — when India saw one of its severest droughts. It also got 2017 right. The statistical model said the country would get 98% and India ended up with 95%. The CFS said 100%. On August 1, the IMD said August and September rains would be "100% of what's normal" for the two months with an error window of $\pm 8\%$. The country ended up with 130%, the highest since 1983. IMD scientists admitted that the dynamical models were yet incapable of factoring in changes in the Indian Ocean a month or two in advance. "Anomalies in the Indian Ocean develop rapidly, unlike El Nino which has an 18-month cycle and can be anticipated well in advance," said D.S. Pai, who heads the IMD's climate forecasting division. "The excess rain in September was attributable to the low-pressure systems that suddenly developed. This can't be anticipated beyond a few days," he added.

Miles to Go Before Becoming Open Defecation-Free

- ➔ In the past five years, the Indian government has built a 100 million toilets. This implies that it constructed 38 toilets every minute that had passed since the Swachh Bharat Mission was launched. With a country as large as India, this is a big achievement. But another important question to ask here is: how was this achieved? Hard-working government officials going around



convincing people to build and use a latrine might be half the story, but the remaining half is alarming. From talking to 156 government officials, we learned that many rural Indians were threatened with or even denied their legal rights, such as PDS ration, for not building a latrine. Officials resorted to threats of fines and jail terms to intimidate people in some places. “The tehsildar came [to our village] once. He told the patwari that he should cancel the Kisan Credit Cards of people who did not build toilets,” said a village secretary in M.P. In Rajasthan, a ration dealer told us that the government had asked him to “stop people’s ration until they had a niralo ghar [house with a toilet] stamp on their ration card”. With unrealistic targets pushed down from the top, “Swachh Bharat Mission beneficiaries” were not alone in facing coercion. Government officials at every level – whether elected, appointed, or contracted – faced immense pressure and threats from their bosses. A block coordinator in M.P. said, “We have to motivate people but we also have construction targets. We have to build 18,000 toilets before October 2 [2018]. So, we have put motivation aside and we focus on the construction target. I am a contract worker. They tell us that if we don’t get 700 toilets built, we will be fired.” Coercion in some form or the other was ubiquitous in almost all the places we visited. More than half of the families we talked to reported the use of coercive activities in their villages to get people to build or use latrines; one in every four families told us that they have heard of government benefits being withdrawn for not having a latrine; and Dalits and Adivasis were at least twice as likely as others to report that they or their family members had faced coercion. The spirit of bidding farewell to open defecation as a gift to Gandhi deserves accolades. But we must not forget that there are still miles to go. India needs to have a sanitation policy that focuses on reducing open defecation. And most importantly, it should follow Gandhi’s path of ahimsa and compassion.

What Is the Disease That Killed 5 Elephants in Odisha?

- Since the middle of August, a rare disease has killed five elephants in Odisha. Four calves between the ages of six and 10 have died in Nandan Kanan Zoo in Bhubaneswar, followed by the fifth elephant that died in Chandaka forest this week. **The disease is caused by a virus called EEHV, or elephant endotheliotropic herpesvirus.** The four deaths in Nandan Kanan Zoo are the first reported cases of EEHV-related deaths in an Indian zoo, state government and Central Zoo Authority (CZA) officials said, while the death in the forest too is the first known such case in the wild in India. An EEHV information website, a resource conceived in 2011 at the 7th Annual International EEHV Workshop in Houston, describes **EEHVs as a type of herpesvirus that can cause a highly fatal haemorrhagic disease in young Asian elephants.** “Most elephants carry just as most humans carry a cold virus. When EEHV is triggered, the elephant dies of massive internal bleeding and symptoms which are hardly visible,” said Dr S P Yadav, CZA member-secretary. Some elephants show symptoms such as reduced appetite, nasal discharge and swollen glands, researchers say. **The disease is usually fatal, with a short course of 28-35 hours. There is no true cure for herpesviruses in animals or in humans.** Because the disease has a short course, “this means we have to take a very quick call on a suspected EEHV case and kick off treatment protocols. This treatment is a combination of anti-viral therapy, aggressive fluid therapy (to counter haemorrhaging), immuno-stimulant drugs (selenium and Vitamins C, E), anti-pyretics



and analgesics (to bring down fever),” said senior veterinarian Alok Kumar Das, who treated the four sick elephants at Nandan Kanan. The diagnostic detection of active EEHV infections in Nandan Kanan was carried out at the Indian Veterinary Research Institute (IVRI) in Bareilly. The death of the Chandaka forest elephant has worried officials in Odisha. “If elephants in the wild start falling prey to the virus, then treatment will be very difficult,” H S Upadhyay, Principal Chief Conservator of Forests and Chief Wildlife Warden, told The Indian Express. It will be extremely hard to track down every wild elephant in the state and test whether they are positive for EEHV, and the state government cannot afford the manpower, he said. EEHV is lethal for young elephants between the ages of one and 12. If a young elephant dies before reproducing, it affects the population of the species as a whole in the concerned geography. An Asian elephant calf’s recovery after falling ill due to EEHV in Chester Zoo, UK, has raised new hope. In June, the BBC reported that two-year-old Indali Hi Way’s recovery has been hailed as a “momentous step”. This was after a treatment regimen including nine anaesthetic procedures, blood plasma transfusions, interferon therapy, anti-viral medications and immune boosting treatments, as well as very large amounts of intravenous fluids. The BBC quoted researchers as saying that the case would help “find answers” to the virus. In India, the CZA will set up a national committee of scientists from Guwahati, Kerala, IVRI and Nandan Kanan to develop protocols for the country lest an EEHV outbreak occurs elsewhere in the future. “The timeline may be around two months. One of the aims will be to develop a detection centre in Odisha. Currently it can only be done in Guwahati and IVRI,” Yadav said.

Business & Economics

RCEP: Opportunity, Fears in Regional Trade Deal

- India’s hopes for retaining the right to implement data localisation laws remain alive as Indian negotiators declined to agree to the e-commerce chapter of the Regional Comprehensive Economic Partnership (RCEP) agreement. The e-commerce chapter contains clauses that, if India had agreed to them, would have prevented it from implementing data localisation rules on companies doing business in India. The negotiations on the chapter, taking place in Bangkok, will now have to continue during the Intersessional Ministerial meeting to be held on October 11 and 12. Commerce Minister Piyush Goyal will attend the Ministerial meeting. While India did not agree to the e-commerce chapter clauses, negotiations were now entering a frantic phase because there were still several uncertainties related to the cross-border transfer of electronic information that remained. Adding to the urgency is the fact the **meeting in Bangkok would be the last Ministerial meeting before the agreement is deemed to have been concluded in November**. While the e-commerce chapter has some clauses that affect data localisation, India has been trying to water these down. Clouding the issue further is that the annexe on financial services, already agreed upon by all the RCEP countries, says that the domestic laws of a country regarding keeping financial data within a country supersede the RCEP agreement. The section on transfers of



information and processing of information says that “a party shall not take measures that prevent transfers of information, including transfers of data by electronic or other means, necessary for the conduct of the ordinary business of a financial service supplier.” However, the same section also says that “nothing in paragraph 2 (the paragraph containing the previous clause) prevents a regulator of a party for regulatory or prudential reasons from requiring a financial service supplier to comply with domestic regulation in relation to data management and storage and system maintenance, as well as to retain within its territory copies of records.” This basically means that India cannot be prevented from asking financial companies to maintain a copy of their data within India, but it is unclear still whether India can mandate that such data must only reside within the country. Discussions on this and the other pending issues will continue till Sunday.

- The Regional Comprehensive Economic Partnership (RCEP) is a trade deal that is currently under negotiation among 16 countries — the 10 member countries of the Association of Southeast Asian Nations (ASEAN), and the six countries with which the ASEAN bloc has free trade agreements (FTA). The ASEAN, which includes Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam, has FTAs with India, Australia, China, South Korea, Japan and New Zealand. Negotiations on the details of the RCEP have been on since 2013, and all participating countries aim to finalise and sign the deal by November. The purpose of RCEP is to create an “integrated market” spanning all 16 countries, making it easier for products and services of each of these countries to be available across this region. ASEAN says the deal will provide “a framework aimed at lowering trade barriers and securing improved market access for goods and services for businesses in the region”. The negotiations are focussed on areas like trade in goods and services, investment, economic and technical cooperation, intellectual property, competition, dispute settlement, e-commerce, and small and medium enterprises. It is billed as the “largest” regional trading agreement ever — these countries account for almost half of the world’s population, contribute over a quarter of world exports, and make up around 30% of global Gross Domestic Product (the value of all goods and services produced in a year). Of the 25 chapters in the deal, 21 have been finalised. Chapters on investment, e-commerce, rules of origin, and trade remedies are yet to be settled, and ministerial guidance is being sought at the ongoing meeting in Bangkok. Sections of Indian industry feel that being part of RCEP would allow the country to tap into a huge market, if the domestic industry becomes competitive. Pharmaceuticals and cotton yarn are confident of gains, and the services industry too, may have new opportunities. Several industries feel India needs to be mindful of the amount of access it gives to its market. There is fear that some domestic sectors may be hit by cheaper alternatives from other RCEP countries. Apprehensions have been expressed that cheaper Chinese products would “flood” India. Critics are also not confident that India would be able to take advantage of the deal, given its poor track record of extracting benefits from the FTAs with these countries. India’s trade gap with these countries may widen if it signs the RCEP deal, they say. Industries like dairy and steel have demanded protection. The textile industry, which has already raised concerns about growing competition from neighbouring countries with cheaper and more efficient processes, fears the deal would impact it negatively. There are some differences within industries. The bigger players



in steel, for example, are apprehensive of the potential impact on their businesses; however, makers of finished goods have argued that limiting steel supply to domestic producers through higher import duties will put them at a disadvantage.

- ➔ Milk is the country's largest "crop". In 2018-19, the estimated production of milk, at 187.75 million tonnes (mt), was more than that of paddy (174.63 mt) or wheat (102.19 mt). The value of milk output (₹5,63,250 crore at an average farm-gate rate of ₹30/kg) far exceeded paddy's (₹3,05,602 crore at a minimum support price of ₹1,750/quintal) and wheat's (₹1,88,030 crore at ₹1,840/quintal). Milk is, moreover, a source of liquidity for farmers, as it is sold daily and generates cash to take care of routine household expenses, unlike other crops that are marketed only once or twice a year. But milk matters equally to consumers in India, because it meets the animal protein/fat requirements of a significant portion of the population that is vegetarian. Milk, in the Indian context, is also a 'superior' food with income elasticity of demand greater than one. This means that as incomes rise, the demand for milk goes up even more. The moment families experience some upward mobility, they are likely to put desi ghee (butter fat) rather than Vanaspati (vegetable fat) on their rotis. Global dairy trade takes place not in milk, but in the solids that derive from it — mainly milk powder, butter/butter oil, and cheese. India isn't a major player in the world market. Till the eighties, it used to import up to 50,000-60,000 tonnes of skim milk powder and 10,000-15,000 tonnes of butter oil annually, largely channelized through the National Dairy Development Board. Over the past couple of decades, with sustained production increases, the country has become self-sufficient, or even marginally surplus. This is evidenced by its dairy product exports surpassing imports in most years, although their values are insignificant relative to both domestic output and global trade. One reason for India's imports being low is the high tariffs, especially on milk powder (60%) and fats (40%). If dairy products are covered under an RCEP deal, India may have to allow members of the bloc greater access to its market, whether through phased duty reductions or more liberal tariff rate quotas (TRQs). There is an already existing TRQ for milk powder, which enables import of up to 10,000 tonnes per year at 15% customs duty, and quantities beyond that at the regular rate of 60%. The Indian dairy industry is resisting any enhanced TRQs or other import concessions, even if extended only to RCEP countries, as opposed to the US or European Union. Only New Zealand and Australia. The two countries together exported 19,37,000 tonnes of milk powder, 5,18,000 tonnes of butter/fat and 4,94,000 tonnes of cheese in 2018, accounting for 44.5%, 58.3% and 24.8% of the world trade respectively in these commodities. New Zealand, in particular, hardly has a domestic market for dairy products. In 2018, 93.4% of its milk powder, 94.5% of its butter, and 83.6% of its cheese production was exported. India's milk powder and butter/ghee shipments, by contrast, have barely touched 1,30,000 tonnes and 50,000 tonnes even in their best ever years of 2013-14 and 2018-19 respectively. But the country is the world's biggest market for milk and milk products — which will only grow with rising incomes and high elasticity of demand. Access to this market will obviously benefit the predominantly export-oriented dairy industry of New Zealand and Australia. India's imports primarily comprise whey products and cheese, which have limited consumer markets in the country. For all the hype, the domestic market for cheese is just ₹1,400-1,500 crore, of which ₹900-1,000 crore goes for industrial use (basically pizza-making), and only the



balance is sold in consumer packs. There may not be too many takers for foreign ice cream or yogurt brands either. What New Zealand and Australia would really be eyeing is the Indian market for commodities, viz. milk powder and fat. That is where the volumes are — which Malaysia and Indonesia successfully exploited in palm oil, as did Argentina and Brazil in soyabean oil and Ukraine in sunflower oil. RCEP could perhaps end up doing to dairy what the free trade agreement with the Association of Southeast Asian Nations (ASEAN) did in palm oil, fear many in the industry in India.

[The Slow Climb to The Trillion Economy Peak \(Indira Hirway - Professor of Economics, Centre For Development Alternatives, Ahmedabad\)](#)

- On Independence Day, the Prime Minister expressed confidence that India would be a \$5-trillion economy in 2024, a line that has been picked up by ruling party leaders, Ministers and also senior government officers. However, this is surprising as the impact of economic growth on major development goals — examples being improvement in education, health and overall human development/human capital formation; expansion in productive employment for all and environmentally sustainable development, etc — depends on the nature and composition of growth. The economic growth experience in India in recent decades has shown that growth has had an adverse impact on all these developmental goals. To start with, Credit Suisse, for example, has shown recently that **1% of the wealthiest in India increased their share in wealth from 40% in 2010 to more than 60% in the last five years, and the richest 10% in India own more than four times wealth than the remaining 90%**. That is, if we proceed on the same growth path, a large part of the increase in wealth and GDP will be claimed by the top 10% richest population in India. In other words, the top 10% will take away the lion's share of the \$5-trillion incomes if and when we reach the target of \$5-trillion economy. **Our growth experience so far shows that the rate of growth of employment has declined with increasing economic growth; we have now reached a stage where the economy is suffering from the highest ever unemployment rate.** With rising population and, consequently, the labour force, India will soon experience demographic disaster rather than demographic dividend. The story of health and nutrition is also quite similar. The literacy rate has grown very slowly and according to the United Nations, India's literacy was 71.1% in 2015. **India is now far behind many African countries such as Rwanda, Morocco and Congo in terms of literacy.** According to the Annual Status of Education Report (ASER) 2018, about 70-74 % children (in the age group 6-14 years) go to school regularly; far fewer go to secondary school. The quality of education is far from satisfactory, if one is to read ASER 2018. There is an urgent need for a quantum jump in public expenditure on education in order to fill wide gaps in infrastructure, training and retraining of teachers and to ensure a strong follow up on the quality of education. **However, as against the norm of 6% of GDP, the government spend is around 4% of GDP on education.** It is the same when it comes to the story of health, where the decline in malnutrition, particularly among women and children is very slow; **against the norm of 3% of GDP, the government spends around 1.5% of GDP on health.** Finally, in the process of growth in India, there has been a severe depletion and degradation of environmental resources. A recent Intergovernmental Panel on Climate Change report has warned India of the seriousness of climate



change and its severe adverse impact on the environment and the livelihood of masses. Another major concern about reaching the aim of a \$5-trillion economy is that at present the economy is experiencing a severe slowdown; it would be very difficult to raise the rate of growth to reach \$5 trillion in 2024 unless we focus on human capital formation and address the real reasons for the slowdown. As NITI Aayog has observed recently, the present crisis is the worst crisis India is facing since the Independence. The rate of economic growth, at 5%, is the lowest in the last few years. Also, the rates of savings and investment in the Indian economy have declined, as also exports and total credit. Among the major industries, the automobile industry is experiencing continuous decline, which has led to the retrenchment of 3.5 lakh workers so far. Apart from the ancillaries of the automobile industry, many other industries are declining fairly rapidly too — examples are diamond cutting and polishing, textiles and garments, and several Micro, Small and Medium Enterprises (MSME). All this has affected trading and business units. Agriculture is in crisis today on account of rising costs of inputs and low prices of produces, and low public investments in this sector. Again, agricultural real wages are in decline and non-farm wages are constant if not declining; urban wages are also declining in recent years. As a consequence of all these developments, there is a crash in the aggregate demand in the economy. What is needed urgently is for the government to increase public expenditure in investing in agriculture — in infrastructure, inputs, extension, marketing and storage and training — and in providing profitable prices to farmers. It should also raise funds for the Mahatma Gandhi National Rural Employment Guarantee Act to push up demand by following a Keynesian approach. It should raise public employment by filling all vacant sanctioned posts in the Central and State governments, which would be around 2.5 million jobs. The government should also regularise contract, casual and “honorary” jobs and make them regular jobs. Increasing additional jobs for ensuring basic health and good quality education up to secondary level to all so that any meaningful skill formation is possible should be another aim. **Human capital formation will give a big push to start-ups and MSMEs.** And, finally, the government should also focus on promoting **labour intensive sectors such as gems and jewellery, textiles and garments and leather goods.** The government should not worry about the fiscal deficit ratio as these measures will address the major problems of the economy. What we witness, however, is that public expenditure is declining continuously in the last few years, As the Centre for Monitoring Indian Economy Pvt. Ltd. has pointed out, public expenditure has declined to the minimum in the last five years. Steps such as rolling back some budgeted tax proposals, providing a stimulus package to industries, raising foreign direct investment flows, reducing Goods and Services Tax to help industries are not likely to increase much aggregate demand in the economy. Also, reduction in repo rate by the Reserve Bank of India and asking banks to pass on reduced rates to customers, recapitalisation of banks by ₹70,000 crore to raise liquidity in the economy and other steps to ease credit flows to the economy are all supply side measures; the real problem is a crash in the aggregate demand. Let us hope that the government looks at the weaker sectors and sections to get out of the crisis if not to improve their well-being.

- ➔ The economic growth rate (quarterly) has been sliding for the last five quarters from 8% to 7% to 6.6% to 5.8% and now to 5%. Yet, experts have been talking of a 7% annual rate of growth;



every quarter when the rate of growth has been announced, they have argued that things have bottomed out and that the rate would rise henceforth. The Economic Survey in July talked of a growth rate of 7% for the current year. The Reserve Bank of India (RBI), in its August policy statement, talked of a slowdown to 6.9%, from the 7% predicted in June and 7.2% predicted before that. The Asian Development Bank cut its growth forecast from 7.2% to 7% in April 2019. Similar is the case with the IMF which cut its forecast for the year from 7.3% to 7%. So, they all talked of a 7% rate of growth when a year earlier it had fallen below that. How could these agencies be so far off with their estimates? The reason is that they are not independent data gathering agencies and depend on official data. So, if official data is erroneous, their projections would also turn out to be incorrect. Clearly, the government is interested in projecting a good image and so discounts bad news and ramps up data. The question to ask is, if the economy is growing at 5 or 6%, which is historically a good rate of growth, why is investment rate not rising and consumption in the economy stagnant? Where is growth dissipating? The alternative explanation is that the rate of growth is much less than 5%; that is why investment rate and consumption are stagnating or declining. The investment rate has hovered at around 30% for the last several years because the capacity utilisation in the economy has been around 75%. Unless this rises, fresh investment will mean even lower capacity utilisation and lower profitability since capital will be underutilised. In June, the stock market was at a record high and yet the investment rate did not rise. Data from the Monitoring Indian Economy Pvt. Ltd. shows that investment proposals are at a 14-year low. In the last year, the RBI has cut interest rates four times and by a total of more than 1%; but the investment rate has not budged. The government has been in denial but now experts in the Economic Advisory Council to the Prime Minister, in NITI Aayog and the RBI have admitted that there is a slowdown. The Ministry of Finance has now gone into hyper drive to make major announcements so soon after the full Budget was presented in July. This is an admission of there being a slowdown in the economy. Unfortunately, none of these announcements will lead to a recovery since they do not address the source of the problem. An hour before the latest data on economy showing slowdown was to be announced, the government announced the big bank merger. Was this to divert attention from the data to be released? Be that as it may, bank mergers will have little impact on the immediate problem of the slowing economy. It may only further disturb a major chunk of the banking system in the coming year — and that would not be good for a slowing economy. The package for the automobile sector or making banks pass on interest rate cuts to businesses, announced a little earlier will also have little impact since the problem did not originate there. The announcement of a transfer of ₹1.76 lakh crore from the RBI to the government will only cover the shortfall expected in revenue (which is a result of an unduly high projection of revenue growth). It will allow the government to maintain the fiscal deficit target at 3.3%. But this will not provide the needed stimulus. For that the fiscal deficit would have to be allowed to rise or there has to be an increase in expenditures on the basis of mobilisation of additional revenues. The fiscal deficit today is at about 9% if the States and the public sector units are taken into account. And how much can the government raise is a political decision that has not yet been taken. So, where does the problem originate from? It is from the **unorganised sector which has been in decline since demonetisation. It was further hit by the Goods and Services Tax**



though it is either exempt from it or there is a simplified provision for this sector. This sector producing 45% of the output and employing 94% of the workforce, has been in decline, which is pulling down the rate of growth of the economy. But, why does it not show up in the growth data? In simple terms, the reason is that the **data for this sector is collected once in five years (called reference years)** since the sector has tens of millions of units for which data cannot be collected monthly, quarterly or even annually. In between the reference years, the data is only projected on various assumptions. The government document on estimating advance annual estimates and quarterly estimates makes this clear. For estimating quarterly growth, it uses, “latest estimates of Agricultural Production, Index of Industrial Production (IIP) and performance of key sectors like, Railways, Transport other than Railways, Communication, Banking, Insurance and Government Revenue Expenditure”. Except for agriculture, these belong to the organised sector of the economy. Even for the annual estimates, basically data for the organised sector are used — like in the case of mining, banking, hotels and restaurants, and transport. For construction, steel, glass, etc are used which are also derived from the organised sector production. Thus, the implicit assumption is that the organised sector can be a proxy for the unorganised sector. But with the economy suffering three shocks in quick succession over the last three years which adversely impacted the unorganised sector, this assumption does not hold true. Most of the experts have implicitly accepted the government’s fallacious argument and have thus fallen behind the curve. In brief, the official data only represents the organised sector. To incorporate the unorganised sector, data from alternative sources need to be used. **The decline in the workforce, the rise in the demand for work under the Mahatma Gandhi National Rural Employment Guarantee Act, etc. suggests that the unorganised sector has declined by at least 10%. If this is taken into account, the current rate of growth is much less than 5%. If the government does not accept this, then it must reveal the rate of growth of the unorganised sector that it is using in its estimates and which is not based on using the organised sector as a proxy.**

[Decoding the Corporate-Hindutva Alliance \(Prabhat Patnaik - Professor Emeritus, Centre For Economic Studies and Planning, Jawaharlal Nehru University, New Delhi\)](#)

- Hindutva “nationalism” unlike anti-colonial nationalism does not comprehend economics. The reason is simple. Central to anti-colonial nationalism was an understanding of colonial exploitation. This is why it distinguished between all previous rulers and the colonial rulers: previous rulers had appropriated economic surplus from the peasantry and spent it domestically, thereby generating employment; colonialism expropriated surplus from the peasantry and shipped most of it abroad which destroyed domestic employment. Hindutva obliterates this basic distinction, putting the Mughals and the British on a par, because it does not comprehend economics.
- In the lee of the dilution of Articles 370 and 35A, which amounts to a forcible annexation of Jammu and Kashmir and which stokes Hindutva hyper-nationalism, the government has introduced corporate tax concessions worth ₹1.45 lakh crore, ostensibly to overcome the economy’s crisis. Whatever opposition one would have normally expected to this gratuitous transfer of public funds to corporate pockets, is drowned out in the din of hyper-nationalism celebrating the “triumph”



in Kashmir. The fact that this tax-concession will have a negative effect on the level of activity in the economy, and hence on employment and output, though obvious, is scarcely articulated. Since the tax-concession will not be financed by a larger fiscal deficit, as that would alienate globalised finance capital which the government is loath to do, it will have to pinch resources from the working people. **Any income-shift from the working people to the corporates, however, ceteris paribus reduces consumption demand in the economy. This is because the propensity to consume out of income is higher for working people than for corporates who keep their extra income partly as undistributed profits; even out of the dividends distributed out of such extra income the propensity to consume is low. And since corporate investment depends on the expected growth in the size of the market, which a rise in the current post-tax profits does not change an iota, there will be no additional investment that would be caused by such tax concessions. Hence the overall aggregate demand will decline, worsening the crisis. What is more, with such a decline in aggregate demand, investment in the next period will decline, accentuating the downward spiral of the economy.** This crisis itself has been caused by the enormous increase in income inequality that neo-liberal capitalism has brought about, not just in India but the world over. It has shifted incomes from the working people, namely peasants, workers, artisans, craftsmen, and fishermen, towards the corporate-financial oligarchy. The demand-contracting effects of this shift had been offset for long by a set of contingent factors, mainly asset price bubbles, both in India and globally. But with the decline of such factors, the crisis has manifested itself, with Narendra Modi's demonetisation and GST only compounding the problem arising from the structural infirmity of neo-liberal capitalism. And now the government's solution to the crisis is to further shift incomes from the working people to the corporates which caused the crisis in the first place. But as long as the government succeeds in keeping alive the Hindutva hyper-nationalist discourse, it can manage to divert attention from its economic mistakes. The real question is: how did it succeed in marketing its hyper-nationalist discourse? While there are multiple reasons for it, one must not underestimate the pervasive inculcation of fear and insecurity in the minds of the people. Any criticism of the government, or any presentation of the other side of an argument, brings in charges of "sedition", anti-nationalism, and belonging to the "Tukde-Tukde" gang, with little relief from the judiciary which typically follows the executive; political opponents are threatened by the Enforcement Directorate and the Central Bureau of Investigation for alleged financial misdemeanours; and then there is the army of "trolls" and hoodlums that can be unleashed on anyone, with the police generally looking the other way. In this context, and given the virtually complete capitulation of the media to the project of Hindutva hyper-nationalism, only one side of the picture gets presented; not surprisingly this side is taken by many as the truth. The counter-productiveness of following a pro-corporate and anti-working people income distribution strategy in the midst of a crisis caused by inadequate aggregate demand, will become apparent over time; but this will only spawn even greater Hindutva hyper-nationalist mega projects. The idea is to "shock and awe" people in order to distract attention from the economy and camouflage the government's economic failures. This however entails a double danger to the country. The Hindutva hyper-nationalist "shock-and awe" mega projects, such as "one country-one language", or a National Register of Citizens for the country as a whole, or the Citizenship



Amendment Bill, pose a threat to our very existence as a secular and democratic society and polity; at the same time the pro-corporate and anti-working-people economic policies would mire the economy deeper in crisis. Since such economic policies stimulate the “shock-and-awe” projects, the country is caught in a vicious dialectic which will continue until the tide turns.

[The Link Between Jobs, Farming, And Climate \(Pulapre Balakrishnan - Professor, Ashoka University, Sonapat And Senior Fellow, IIM Kozhikode\)](#)

- Figures reported in the report of the last Periodic Labour Force Survey point to a dramatic rise in the unemployment rate since 2011-12, when the previous survey on unemployment was undertaken. Apart from the category of ‘Urban Females’, the most recent estimate of unemployment shows that it is the highest in the 45 years since 1972-73. But even for ‘Urban Females’, it is double what it was in 2011-12. For the largest cohort, namely ‘Rural Males’, in 2017-18, it is four times the average for the 40 years up to 2011-12. These figures should convince us of the existence of a grave situation, if not crisis, with respect to employment in the country. In the average country of the OECD, an increase in unemployment of such magnitude would have triggered a nationwide debate, not to mention agitation on the streets. The government has responded to the slowing of growth by announcing a range of measures, the most prominent of them being the reduction in the corporate tax rate. While this may have a positive effect, the move is not based on the big picture. The tax cut is meant to be a remedy for stagnant corporate investment. But if the level of corporate investment itself reflects some underlying reality; it is only by tackling the latter that we can get to the root of the problem. A large part of corporate sales is driven by rural demand, reflected in the reported lay-offs by biscuit manufacturers. We do not hear their voices or, more importantly, the government does not, as they are less organised than some other sections of the corporate world, the automobile industry being one such. The rural picture matters not only because the largest numbers are located there but also because of their low incomes. This means that the future growth of demand for much of industrial production is likely to come from there. After all, how many more flat-screen televisions can an urban middle-class household buy once it already possesses one? The high unemployment rate for ‘Rural Males’ does suggest that we have zoomed in up to a reasonable degree of precision on the site of low demand. We must now answer the question of why rural incomes are growing so slowly. The recent history of crop agriculture points towards one reason. In the nine years since 2008-2009, this activity has recorded zero or negative growth in five. Put differently, in the majority of years, it has shown no growth. The economy has very likely not seen anything like this since 1947. When growth fluctuations include production decline, a particular feature emerges. Households incurring consumption debt in bad crop years would be repaying it in the good ones. This implies that consumption does not grow appreciably even in good years. Recognising the record of agricultural production is sufficient to grasp what we see in India today. This does not imply that other factors do not matter, and we could imagine several, ranging from low export growth to the state of the banking sector, but this does suggest that poor agricultural performance is a significant explanation of slack domestic demand. Unstable agricultural production first lowers the demand for agricultural labour and, subsequently, its supply, showing



up in greater unemployment. It has been pointed out that the investment rate has declined. This is indeed correct but this may well be a reflection of the poor agricultural performance. **Private investment both follows output growth and leads it.** When non-agricultural firms observe slow agricultural growth, they are likely to shrink their investment plans and may not revise their decision till this growth improves. **Thus, attempting to influence the private investment rate is to only deal with a symptom. It is rural income generation that is the problem.** Any long-term solution to the problem of unemployment to which the slowing growth of the economy is related must start with agricultural production. Observing the performance of crop agriculture for close to a decade since 2008-09, we might say that we are witnessing something wholly new in India. It has long been recognised that there is a crop-yield cycle related to annual variations in rainfall but we are now witnessing a stagnation. Now, unlike in the case of a cycle, recovery cannot simply be assumed. We would need the expertise of agricultural scientists to confirm what exactly is responsible for this state but it would not be out of place to ask if there is not a role for ecological factors in causing agricultural stagnation. These factors encompass land degradation involving loss of soil moisture and nutrients, and the drop in the water table, leading to scarcity which raises the cost of cultivation. Almost all of this is directly man-made, related as it is to over-exploitation or abuse, as in the case of excessive fertilizer use, of the earth's resources. Then there the increasingly erratic rainfall, seemingly God-given but actually due to climate change entirely induced by human action. A deeper adaptation is required to deal with these factors. Intelligent governance, resource deployment and change in farmer behaviour would all need to combine for this. **It is significant that the reality of an unstable agricultural sector rendering economy-wide growth fragile has not elicited an adequate economic policy response. Policy focus is disproportionately on the tax rate, the ease of doing business in the non-agricultural sector and a fussy adherence to a dubious fiscal-balance target.** It is now time to draw in the public agricultural institutes and farmer bodies for their views on how to resuscitate the sector. We may be experiencing an ecological undertow, and it could defeat our best-laid plans for progress.

[The Attack on Agroecology \(Sujatha Byravan - Scientist Who Studies Science, Technology and Development Policy\)](#)

- Agroecology is recognised worldwide as a system that enhances fertile landscapes, increases yields, restores soil health and biodiversity, promotes climate resilience and improves farmers' well-being. Its practices are supported by many agricultural scientists, the Food and Agriculture Organization, the Intergovernmental Panel on Climate Change, farmers' groups and several NGOs. It is therefore surprising that the National Academy of Agricultural Sciences, based on a brainstorming session that included industry representatives, sent a letter to Prime Minister Narendra Modi opposing **Zero Budget Natural Farming (ZBNF)**. ZBNF, developed and publicised by agro-scientist **Subhash Palekar**, has been adopted by Andhra Pradesh. Farming in India, as in most other countries, is largely under the control of powerful lobbies with vested interests and connections to deep pockets. These include fossil fuel, fertilizer and seed companies as well as scientists with funding connections to agribusiness. These lobbies perceive large-scale transitions to agroecology as a substantial threat to their influence on farming systems. If India,



a large developing country, shifts to sustainable farming methods, they would all have to look elsewhere for support. The battle lines are drawn and when natural farming, still a small player in the margins, starts to move towards the centre, shrill voices in opposition are likely to get louder. In Britain, when public hearings were held in the early 2000s to discuss genetically modified (GM) crops, corporations threatened to pull grants from scientists on the committees if they voted against GM. When individual scientists in Europe and the University of California published articles describing how GM foods and crops affected the health of human beings and insects adversely, they were personally attacked and vilified. When glyphosate trials against Monsanto were recently decided in favour of litigants who accused the company of causing cancer, some voices called to have only scientists on such juries, thus opposing the central tenet of “a jury of one’s peers”. What hangs in the balance while these battles are being fought is the threat to food systems and biodiversity. As a result of industrial farming, friendly insects are no longer part of the agricultural landscape, water pollution is rampant, depleted soils are commonplace and plunging groundwater tables have become the norm. The opportunity cost incurred from investing only in industrial methods of agriculture is one that has been borne largely by the farming community and the natural systems. That scientific enquiry and scientists are part of a paradigm of belief systems has been established, at least since Thomas Kuhn’s Structure of Scientific Revolutions. Support from corporations for research has become part of “normal” science. The problems with this normalisation in medicine, pharmaceuticals and university research have been described in numerous studies. Assessment of an issue by scientists does not by itself guarantee its legitimacy or truth. The current battle on ZBNF is between those powerfully entrenched and new voices of state and civil society. Mr. Palekar’s words too have been jarring on some topics. Quarrels among the powerful in one camp or another have become a clash of egos, where substantive matters are lost in semantics and jargon, often taken out of context. There are many successful agroecology-based methods in India, so mudslinging among groups can also be a distraction. The most prominent voice for ZBNF is Mr. Palekar’s and the developing experiment is showing success largely because farmers are supporting it. The practice may not be all zero budget, may not be fully successful everywhere and will need to be adapted to India’s various **agroecological zones**. The funds for the Andhra model (₹16,500 crore) are reportedly going mostly to train farmers. This is small in comparison with huge subsidies for the Green Revolution and the numerous lobbies it has spawned. So, while the enemy is being made out to be Mr. Palekar and his methods, this is a red herring. The real attack is on agroecology, for the threat it poses to entrenched institutions. We presently have a subsidy-based agricultural system where farm inputs are firmly in the hands of corporations and their elite networks. Agroecology-based farming is not regressive, but rather a technology of the future with a traditional idiom. Farmers appear to be listening to and following Mr. Palekar. If policymakers ignore the posturing and stay focussed on improving soil health and quality of life for farmers, while observing and supporting successes, farmers may even double their incomes and India’s food security could sow new beginnings.



Maths Helped Einstein; It Can Help The Economy Too (Parameswaran Aijth - Physicist at The International Centre For Theoretical Sciences, Bengaluru)

- Albert Einstein's discovery of gravity has been invoked as a successful example for achieving seemingly unattainable goals through "out-of-the-box" thinking. Two obvious questions arise. First, did Einstein indeed explain relativity sans any inputs from mathematics? And, two, can economic growth models be devoid of mathematics? Einstein's general theory of relativity is the most accurate theory of gravity available to us at present. True, Einstein was certainly not the first one to make contributions to our understanding of gravity. More than two centuries prior to him, Isaac Newton had proposed a universal law of gravitation. However, Newtonian theory of gravity, though remarkably accurate most of the times, had its limitations. When gravity was extremely strong or when the motions involved were extremely fast, the calculations became imprecise. For example, the theoretical calculation of the orbit of Mercury — the planet closest to the Sun — turned out to have a small disagreement with the actual observations of Mercury's motion. Einstein's theory not only predicted the orbit of Mercury accurately, but also predicted a number of interesting phenomena not anticipated earlier. Einstein's description of gravity was radically different from that of Newton. Newton assumed the existence of an absolute space and universal time. According to Einstein, space and time are part of a single entity called 'space-time'. What we identify as space or time heavily depend on the frame of reference of the observer. However, space-time is universal. And gravity is the manifestation of curved space-time. Any massive object would curve the space-time around it. It is hard to imagine a curved space-time, an entity that spans four dimensions — three spatial dimensions and the time. Typically, we can see the curvature of a surface when we have access to a higher dimension. For example, we see the curvature of the surface of a football because we have access to a third spatial dimension. It is impossible to directly observe the curvature of the space-time since we don't have access to a fifth dimension. However, it is possible to infer the curvature of a space without accessing extra dimensions. All the familiar axioms of Euclidean geometry cease to be valid on curved spaces. For example, according to Euclidean geometry, two parallel lines always remain parallel. However, this is not true, for example, on the Earth's surface. Consider lines of constant longitude: on the equator, meridians are parallel to each other; but on the poles all of them meet. Thus, one could do a measurement to check whether lines that are originally parallel remain parallel. If they don't, this is an evidence that the space-time is curved. Several astronomical observations conducted in the last century confirm that space-time is indeed curved in the presence of massive objects. Einstein himself was not well-versed in the geometry of curved spaces. Here, Einstein turned to his friend, mathematician Marcel Grossmann, to master the necessary techniques and tools. Armed with these tools, and driven by some unique physical insights which are marks of a genius, Einstein was able to construct an elegant mathematical theory of space-time. However, mathematical elegance is not the primary touchstone of a theory of nature. The key yardstick of success is the theory's ability to describe the natural phenomenon that it seeks to describe — in this case, gravity. General relativity remained inaccessible to most of the scientists during its initial years. However, Einstein and many others were able to extract specific observable consequences of the curved nature of space-time by mathematically solving the equations. Even



though space-time itself is not directly observable, all of these observable predictions were verified by a variety of astronomical observations and laboratory tests. Not all areas of sciences are able to construct theories or models that have the level of mathematical rigour that theories of physics enjoy. This is due to the highly complex nature of the phenomena they seek to describe. Most of the social sciences are in this end of the spectrum, due to obvious reasons. However, economics is probably one notable exception, where models and techniques employing higher mathematics have proven to be highly fruitful. However, “math” is also commonly used as shorthand for quantitative reasoning, which is the backbone of all scientific enquiry. Ideally, planning and policy should be largely informed by quantitative reasoning, including the purported goal of doubling the size of Indian economy in five years. Wishful thinking and ideological propaganda are poor substitutes to quantitative reasoning.

India Slips 10 Places in Global Competitiveness Index

- India has moved down 10 places to rank 68th on the annual global competitiveness index, largely due to improvements witnessed by several other economies. Singapore, meanwhile, has replaced the US as the world’s most competitive economy. India, which was ranked 58th in the annual **Global Competitiveness Index, compiled by the Geneva-based World Economic Forum (WEF)**, is among the worst-performing BRICS nations along with Brazil (ranked even lower than India at 71 this year). Announcing its latest index, the WEF said India ranks high in terms of macroeconomic stability and market size, while its financial sector is relatively deep and stable despite the high delinquency rate, which contributes to weakening the soundness of its banking system. India is also ranked high — at 15th place — in terms of corporate governance, while it is ranked second globally for shareholder governance, the WEF study showed. In terms of the market size, India is ranked third, while it has got the same rank for renewable energy regulation. Besides, India also punches above its development status when it comes to innovation, which is well ahead of most emerging economies and on par with several advanced economies, the report said. But these positive metrics contrast with major shortcomings in some of the basic enablers of competitiveness in the case of India, the WEF said, while flagging limited ICT (information, communications and technology) adoption, poor health conditions and low healthy life expectancy. In the overall ranking, India is followed by some of its neighbours including Sri Lanka at 84th place, Bangladesh at 105th, Nepal at 108th and Pakistan at 110th place. The WEF said the drop of 10 places in India’s position to 68th place may look dramatic, but the decline in the country’s competitiveness score is relatively small. A number of similarly-placed economies including Colombia, South Africa and Turkey improved over the past year and hence have overtaken India.

Income Threshold to Avail Microfinance Increased

- In a move that will enable more borrowers to avail loans from microfinance institutions (MFI), the Reserve Bank of India has decided to raise the household income limit of borrowers to ₹2 lakh for urban and semi urban areas from ₹1.6 lakh. For rural areas, the limit has been increased from ₹1 lakh to ₹1.25 lakh. Loans by MFIs to such borrowers are uncollateralised. This will mean that



all the borrowers having an household income of ₹2 lakh in urban/semi urban areas and ₹1.25 lakh in rural areas will be eligible for loans from MFIs, which are uncollateralised. The lending limit per borrower has also been hiked from ₹1 lakh to ₹1.25 lakh. The RBI said the decision was taken after taking into consideration the important role played by MFIs in delivering credit to those at the bottom of the economic pyramid and enable them to play their assigned role in a growing economy.

Life & Science

What Is Quantum Supremacy?

- The Financial Times published from the UK reported that a draft research paper claimed Google researchers have achieved a long-sought-after goal in physics called “quantum supremacy”. The paper had appeared on the NASA website and was then pulled down, but the FT had retrieved a copy. **Quantum supremacy refers to a quantum computer solving a problem that cannot be expected of a classical computer in a normal lifetime. This relates to the speed at which a quantum computer performs.** According to reports about the vanished draft paper, said to have been written by scientists at Google and the Quantum Artificial Intelligence Lab collaboration that includes NASA researchers, **the quantum processor took 200 seconds to perform a calculation that the world’s fastest supercomputer, Summit, would have taken 10,000 years to accomplish.** What differentiates a quantum computer from a traditional computer is the way the two-store information. **The former stores information in the form of bits that can take only two values, zero or one, whereas a quantum computer stores it in the form of quantum bits (qubits) that can take on various combinations of zero and one. The phrase “quantum supremacy” was coined in 2011 by John Preskill, Professor of Theoretical Physics at the California Institute of Technology in a talk he delivered on the benefits of using quantum hardware over traditional computers.**

Transgenic Mosquitoes Can Spread DNA

- Contrary to claims made, genes from genetically-modified *Aedes aegypti* mosquito were found to have been transferred to naturally-occurring *A. aegypti* mosquito population in three areas in Brazil where transgenic mosquitoes were released. It is unclear if the presence of transgenic mosquito genes in the natural population will affect the disease transmission capacity or make mosquito control efforts more difficult. ***A. aegypti* mosquitoes are responsible for transmitting dengue, chikungunya and Zika virus.** About 4,50,000 transgenic male mosquitoes were released each week for 27 months (June 2013 to September 2015) in three areas in Brazil. Genetic analysis of naturally occurring mosquitoes were done prior to the release and at six, 12, and 27–30 months after the releases. Researchers from Yale University studied 347 naturally-occurring *A. aegypti* mosquitoes for transfer of genes from the transgenic insects. The transgenic strains can be distinguished from naturally-occurring mosquitoes by using fluorescent lights and filters. They found that some transgenic genes were found in 10–60% of naturally-occurring mosquitoes. Also, the naturally occurring *A. aegypti* mosquitoes carrying some genes of the transgenic



mosquitoes were able to reproduce in nature and spread to neighbouring areas 4 km away. The results were published in the journal Scientific Reports. **The genetic strategy employed to control *A. aegypti* population known as RIDL (the Release of Insects carrying Dominant Lethal genes) is supposed to only reduce the population of the naturally occurring *A. aegypti* mosquitoes and not affect or alter their genetics. Also, offspring are not supposed to grow to adult mosquitoes and reproduce as per claims made by the British company Oxitec Ltd, which had developed the technology and field-tested it in several countries.** “The claim was that genes from the release strain would not get into the general population because offspring would die. That obviously was not what happened,” senior author Prof. Jeffrey Powell from Yale University was quoted as saying on the University website. **The genetic strategy works on the premise that the transgenic male mosquitoes released frequently in large numbers would compete with the naturally occurring male mosquitoes to mate with the females. Offspring from the mating of transgenic male mosquito and naturally occurring female mosquito do not survive to the adult stage. This is because tetracycline drug, which prevents the dominant lethal gene from producing the lethal protein during rearing in labs, is not present in sufficient quantity in nature.** In the absence of tetracycline, there is overproduction of the lethal protein causing the larvae to die.

UNICEF Looks at Risks Faced by Youth

- In an open letter issued by the organisation’s executive director Henrietta Fore marking 30 years since the adoption of the Convention on the Rights of the Child, the UNICEF sounds the alarm on major growing and future challenges facing children. The letter outlines eight growing challenges for the world’s children including prolonged conflicts, pollution and the climate crisis, a decline in mental health, mass migration and population movements, statelessness and online misinformation. For example, so-called ‘**deep fake**’ technology uses artificial intelligence techniques to create convincing fakes of audio and video content, relatively easily. The letter warns that an online environment where truth can become indistinguishable from fiction has the potential to totally undermine trust in institutions and information sources, and has been demonstrated to skew democratic debate, voter intentions, and sow doubt about other ethnic, religious or social groups. “Online misinformation is already leaving children vulnerable to grooming, abuse, and other forms of exploitation; skewing democratic debate; and, in some communities, even prompting resurgence in deadly diseases due to distrust in vaccines fuelled by online misinformation – the results of which could be the creation of an entire generation of citizens who do not trust anything,” states the letter. The UNICEF suggests that we should start by equipping young people with the ability to understand who and what they can trust online, so they can become active, engaged citizens. The letter cautions that mental illness among adolescents has been on the rise in the years since the adoption of the Convention on the Rights of the Child, and that depression is now among the leading causes of disability in the young. The letter urges that appropriate promotion, prevention and therapeutic treatment and rehabilitation for children and young people affected by mental health issues be prioritised, and that the stigma and taboo surrounding mental illness be challenged so that treatment can be sought and support provided.



The Burden of Malnutrition in Under-5 Children

- Two-thirds of the 1.04 million deaths in children under five years in India are still attributable to malnutrition, according to the first comprehensive estimate of disease burden due to child and maternal malnutrition and the trends of its indicators in every State from 1990. The report states that the disability-adjusted life year (DALY) rate attributable to malnutrition in children varies 7-fold among the States and is highest in Rajasthan, Uttar Pradesh, Bihar and Assam, followed by Madhya Pradesh, Chhattisgarh, Odisha, Nagaland and Tripura. The report was published on Wednesday in The Lancet Child & Adolescent Health by the India State-Level Disease Burden Initiative. The report says the overall under-five death rate and the death rate due to malnutrition has decreased substantially from 1990 to 2017, but malnutrition is still the leading risk factor for death in children under five years, and is also the leading risk factor for disease burden for all ages considered together in most States. The malnutrition trends over about three decades reported in this paper utilised all available data sources from India, which enable more robust estimates than the estimates based on single sources that may have more biases. The India State-Level Disease Burden Initiative is a joint initiative of the Indian Council of Medical Research (ICMR), Public Health Foundation of India, and Institute for Health Metrics and Evaluation in collaboration with the Ministry of Health and Family Welfare along with experts and stakeholders associated with over 100 Indian institutions, involving many leading health scientists and policy makers from India.

Suspension of Apps by Facebook Reveals Scale of Data Privacy Issues

- Facebook said that it had suspended tens of thousands of apps for improperly sucking up users' personal information and other transgressions, a tacit admission that the scale of its data privacy issues was far larger than it had previously acknowledged. The social network said in a blog post that an investigation it began in March 2018 — following revelations that Cambridge Analytica, a British consultancy, had retrieved and used people's Facebook information without their permission — had resulted in the suspension of "tens of thousands" of apps that were associated with about 400 developers. That was far bigger than the last number that Facebook had disclosed of 400 app suspensions in August 2018. The extent of how many apps Facebook had cut off was revealed in court filings that were unsealed later by a state court in Boston, as part of an investigation by the Massachusetts attorney general into the technology company. The documents showed that Facebook had suspended 69,000 apps. Of those, the majority were terminated because the developers did not cooperate with Facebook's investigation; 10,000 were flagged for potentially misappropriating personal data from Facebook users. The disclosures about app suspensions renew questions about whether people's personal information on Facebook is secure, even after the company has been under fire for more than a year for its privacy practices. Facebook apps can take on a variety of forms, from music apps like Spotify to games like Candy Crush. Some apps use Facebook simply so that people can log in to their service or product, which otherwise has nothing to do with the social network. The common denominator is that these apps want access to information about Facebook members so that they can add new



users. The latest revelations follow a settlement that Facebook struck with the F.T.C. (Federal Trade Commission) in July over privacy violations, in which the company agreed to pay a record \$5 billion fine and to increase oversight into its data-handling practices. Some critics claimed at the time that the F.T.C.'s settlement did not go far enough in protecting consumers and the agency faced new calls to take a harder line on the social network.

Apple Enters Streaming Space with Aggressively Priced Scheme

- Apple has finally flexed its muscles to take on content streaming giants like Netflix, HBO, Amazon Prime and Disney with aggressive pricing, free offers and all-original stories. The announcement of a much cheaper Apple TV+ subscription than expected (₹99 a month in India and \$4.99 in the US and other countries) immediately saw shares of Netflix, Disney and Roku tumbling down. **An over-the-top (OTT) viewer in India is spending approximately 70 minutes a day on video streaming platforms, with a consumption frequency of 12.5 times a week**, an Eros Now-KPMG report said last week. Netflix, which has reached 1.3 million subscribers in India, just unveiled its mobile subscription plan for India at ₹99 per month. This is its fourth Indian plan, in addition to the existing basic, standard and premium plans which are priced between ₹499 and ₹799. Amazon Prime Video a "part of Amazon's Prime subscription a" costs ₹129 each month. Soon to be available at ₹99 a month, Apple TV+ will also be available (via Apple TV app) on select Samsung smart TVs and will come to Amazon Fire TV, LG, Roku, Sony and VIZIO platforms soon. On offer are nine originals from the world's most celebrated creative artists that will debut on the Apple TV app on November 1. "By pricing its subscription low, and bundling free annual subscription with its devices, Apple has focused on a very smart and prudent strategy to build a sizable subscriber base and, drive revenues," Ram told IANS. Apple also launched three iPhone 11 models, Watch Series 5 with an always-on retina display and a cheaper iPad.

What is HKmap.live?

- People's Daily, the mouthpiece of the Chinese Communist Party, has lashed out at Apple for hosting on its App Store an app that tracks and displays the movement of police in Hong Kong. The app, HKmap.live, "facilitates illegal behaviour", People's Daily said in a commentary. **HKmap.live publishes crowdsourced information on the location of armed police forces, vehicles, use of tear gas, and clashes and injuries on a map of Hong Kong that is regularly updated.** A website version is available too, as also a version for Android, but the People's Daily article did not mention this, and instead concentrated on its attack on Apple. China, which is sensitive to international criticism of its policies, pulled NBA games off state TV after a team official tweeted in support of Hong Kongers protesting for democracy and freedom. It had earlier criticised the US jewellery brand Tiffany, and the airline Cathay Pacific. The SCMP, which contacted the developer of the app on Twitter, quoted the developer as saying Apple previously rejected the app, but reversed its decision and made the app available for download from the iOS App Store. Apple did not respond to media requests for a comment.



Underwater Hockey Set to Make Waves

- Swimmers wearing snorkels and gripping short, curved sticks dive to the bottom of a pool in Malaysia and charge at a puck as they compete in an energetic game of underwater hockey. Invented in the 1950s in Britain -- where it is known as "Octopush" -- to help divers keep fit during the winter months, the game has gained a small but dedicated following from Europe to Asia. **This year the unusual discipline is set to debut at the Southeast Asian Games, the region's biennial mini-Olympics that attracts thousands of athletes.** At the national aquatics centre in the Malaysian capital Kuala Lumpur, male and female players donned snorkels, flippers, caps and gloves ahead of a tough practice session. Underwater hockey is not for the faint-hearted -- players shoot around at high speed, swimming over one another and jostling as they try to hit the heavy puck, and smash it fast through the water. They occasionally bob up to the surface for a breath of air before diving back down again.

No More Waste Mounds on Siachen Glacier

- Since January 2018, nearly 130 tonnes of waste have been brought down from the Siachen Glacier and disposed of, Army sources said. Based on a 2018 concept note on waste management on the glacier, the Army has made bringing down waste a part of the Standard Operating Procedure (SOP) for troops. Efforts are on to increase the disposal rate to 100 tonnes a year. In the past, waste disposal work was fragmented and intermittent, but the Army is looking to cut waste in the rations and utilities delivered on the glacier, and make Siachen garbage free in 12-15 years. **India has held the glacier's dominating heights since it occupied them in 1984 under 'Operation Meghdoot'.** The biggest challenge was the high altitude as most posts were located between 18,000 and 21,000 feet. Nothing degrades at sub-zero temperatures, so everything had to be brought down. Biodegradable waste consists of cartons and packets rolled using baling machines. For the non-biodegradable, non-metallic waste, three incinerators have been set up at Siachen base camp, Partapur, and near Bukdang village, at 10,000 feet.

How A 65-Year-Old Maths Problem Was Solved

- Take the number 9. It can be expressed as the sum of 0, 1 and 8, which are respectively the cubes of 0, 1 and 2. Or take 17, which is $1 + 8 + 8$, or the sum of the cubes of 1, 2 and 2. How many other numbers from 1 to 100 can be expressed as the sum of the cubes of three integers (whole numbers, positive or negative)? This is a puzzle with its roots in 1954-55, when it was described by University of Cambridge mathematicians. It is not as easy as it may look. While 9 and 17 provide solutions with positive cubes, some numbers require negatives. For example, 11 is $27 - 8 - 8$, which can be expressed as $(-8) + (-8) + 27$, or the sum of the cubes of -2 , -2 , and 3. Other numbers can be much trickier, requiring large cubes that include negatives. Such as 51, which is the sum of the cubes of -796 , 602 and 659, or $(-504,358,336) + 218,167,208 + 286,191,179$. As it turns out, not every number has a solution. During their search for solutions, mathematicians have deduced a rule showing that certain numbers cannot be expressed as the sum of three cubes. For the numbers that do not come under this rule, they kept looking for solutions, and found them one by one. Just two solutions were proving elusive -- for 33 and 42. In March this year, a solution was finally found for 33. This month, the same mathematician



teamed up with another to find a solution for 42, putting the problem finally to rest. Why should it matter whether we can or cannot express a certain number as the sum of three cubes? “Mostly it’s just a bit of fun,” said Andrew Booker of the University of Bristol, the mathematician who worked on the solutions for both 33 and 42. “More seriously,” Booker added in his email to The Indian Express, “as number theorists, our interest in this sort of problem borders on philosophical, along the lines of ‘Is it even possible to solve this problem?’” There are many mathematical problems that are easy to state but hard to solve; it has also been discovered that there are problems that are actually impossible to solve. In March, the journal *Research in Number Theory* published Booker’s solution for 33 as the sum of three cubes, which he had found using a computer algorithm. Now, Booker and another mathematician, Andrew Sutherland of the Massachusetts Institute of Technology, have used the same algorithm to solve for 42. Some numbers can be expressed as the sum of three cubes in more than one way. For example, 10 is $1 + 1 + 8$ (the cubes of 1, 1 and 2) and also $64 - 27 - 27$ (the cubes of 4, -3, -3). For any integer, there is a conjectural formula for the average density of the solutions, Booker said. “For 33 and 42 that density is particularly low,” he said. Booker spent weeks on a supercomputer before he found an answer for 33. For 42, Booker and Sutherland used **Charity Engine, a crowdsourced platform that harnesses unused computing power from over 500,000 home PCs**. It needed over a million hours of pooled computing, which translated into much less in real time. “We had some teething problems with getting the code up and running on their network, but once we got going it took less than a week to find the solution,” Booker said. The number 42 is the sum of the cubes of (i) 12,602,123,297,335,631; (ii) 80,435,758,145,817,515; and (iii) minus 80,538,738,812,075,974. And 33 is the sum of the cubes of (i) 8,866,128,975,287,528; (ii) minus 8,778,405,442,862,239; and (iii) minus 2,736,111,468,807,040.

DreamIAS