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Editor :
G. G. Parikh

Managing Editor : Guddi

D-15, Ganesh Prasad,
Naushir Bharucha Marg,
Mumbai - 400 007.

Email : janataweekly@gmail.com
Website: www.janataweekly.org

Talaq, Talaq, Talaq

Kuldip Nayar

The Supreme Court's judgment is harsh and unequivocal. There could be no compromise on the basics of the Indian constitution, freedom to women and men to lead their lives as they wanted. I wish the Muslim community had accepted the bar on triple talaq, which goes against the spirit of the constitution. But it looks as if the fundamentalists have been having their way.

This was even the case with Shah Bano, a Muslim woman, where the Supreme Court intervened and fixed alimony in 1985 after a long legal battle. The Muslims did not accept the judgment and argued that the courts were not at liberty to interfere in matters which relate to their personal law. According to the Muslim personal law board, the issue of support to divorced women by means of maintenance and *mahr* is provided under the Shariat. But the Supreme Court did not accept the plea and fix the amount for maintenance.

The triple talaq had no place in a secular society. Most Muslim countries in the world, including Pakistan and Bangladesh, have banned it. But the situation in India

is such that a debate on the subject is not possible. Even a semblance of discussion is rejected outright as an interference. The triple talaq continues to be invoked and the male dominance remains undiminished.

In contrast, the Hindu Personal Law came into being after the intervention of the first Prime Minister of India, Jawaharlal Nehru. It was he who introduced divorce in the Hindu religion for the first time. He was strongly opposed by Dr Rajendra Prasad, who was the chairman of the Constituent Assembly and widely respected. Nehru had his way because he controlled the government machinery.

Muslims have faced a similar challenge for decades. The triple talaq has no Quranic sanction but it has been there for a long time. Some Muslim women challenged it in the Supreme Court which has said that gender equality should be considered in this regard. The government thought of issuing a questionnaire to find out the consensus but refrained from doing so.

The Muslim Personal Law Board vehemently opposed this move. Incidentally, it has no woman member and continues to dictate terms without any consultation with women. This has been resented by the women themselves but the Muslim Personal Law Board continues to follow a policy which doesn't even entertain the women's opinion. And thus, the fundamentalists continue to have their say.

The question is bound to come up before Parliament some day because the different sections of the Muslim community and even others are agitated over the situation. There are social boycotts by most Muslim women. Muslim men, on the other hand, continue to dominate, even though they grant that the Prophet wanted both men and women to be treated as equal. However, when it comes to codifying this idea, the Board doesn't care.

How can a debate take place when the Muslim Personal Law Board is straightaway opposed to the questionnaire seeking people's opinion? Women hailing from different parts of the country have protested and demanded that they should be consulted. The Narendra Modi government is reluctant to take any step lest it should be misunderstood. Things cannot be left at that point.

Parliament should step in first to debate on the issue in both Houses and then find out how the community, particularly its women, feel about this question. Political parties understandably want to maintain silence because of electoral considerations. In many states, including Uttar Pradesh which is the largest Hindi-speaking seats with 80

Lok Sabha seats, the Muslim community seems to be the king makers.

For instance, Samajwadi Party leader Mulayam Singh Yadav was able to garner Muslim votes since he was respected in the community who felt alienated from the Congress. In the recent assembly elections in UP, the anti-incumbency factor had come into play and the Chief Minister Akhilesh Yadav was defeated despite having Azam Khan, then his cabinet minister, who was projected as the custodian of Muslims.

Congress Vice-President Rahul Gandhi, indiscreet in his speeches, has been trying to get Muslims on his side. But he doesn't sell generally among the people and it would probably be better for Sonia Gandhi herself to lead the party. There is no Italian-tag attached to her any longer. And she attracts the crowd in her own name more than her son does. This is a challenge for the Congress which has staked its future with Rahul but feels increasingly convinced that he does not go down well with the masses. In fact, his sister Priyanka Vadra has more of a popular face than him.

It is a shame that a secular democratic country has been living with a practice like triple talaq fearing the annoyance of the community. Prime Minister Rajiv Gandhi bungled by bringing in legislation on stipend for Muslim widows. It unnecessarily fuelled the anti-Babri Masjid agitation and during the P.V. Narasimha Rao government the mosque was demolished. The rest is history.

In the same way, triple talaq cannot continue because it goes against the grain of what is enshrined

in the Constitution. In fact, it is surprising that it has lasted so long despite the directive principles to have a common civil code. The successive governments since independence have evaded the question. The Modi government may also do the same. But this is not the solution. The triple talaq will have to go, sooner or later. The Supreme Court has indicated how the constitution should be interpreted in this regard.

The Muslim community is being misled by the fundamentalists. Unfortunately, the politics has also come in. The ruling Bhartiya Janata Party has its eyes on the next general election in 2019. Be that as it may the atmosphere of pluralism should not be polluted. The Supreme Court or for that matter any Court would have no ground to interfere if the preamble of the constitution is followed, that is secular and democratic policy.

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To End the Commission System

Sandeep Pandey

Even after the matter of death of 23 children on 10 August, 2017 at Baba Raghav Das Medical College Hospital had come to light, children continued to die there. In all 30 children died over two days 10-11 August and 60 children died over five days from 7 to 11 August indicating that Yogi government had little control over the turn of events.

Yogi says he has been working on the problem of death of children due to Japanese encephalitis since 1996-97 but if there is no improvement in the situation then responsibility must be fixed.

After becoming the Chief Minister he has said on more than one occasion that he is only a part time politician. If this is the truth then it is inexplicable why he chose to become the Member of Parliament four times in a row. If he thinks he can't give full time to his chief minister-ship then he must give up the post. In the Indian historical tradition there are not many instances when a monk or a saint became a ruler. The role of monk or saint has usually been that of an advisor to the ruler.

Yogi says that nobody can be more concerned about the children in Gorakhpur than him. But merely a statement won't do unless he is able to bring to end the high incidence of children's deaths.

On the fourth day from the tragedy in Gorakhpur Yogi made a statement that he cannot stop observance of Janamashtmi in Police Stations until offering of Namaz on roads is stopped. He said that until

people in the Kanwar yatra don't make a noise through whatever instruments they have and don't dance how will it appear to be a Kanwar yatra. Otherwise it may appear to be a funeral procession. He said if microphone is to be banned in Kanwar yatra it should first be banned in all religious places. No voice should be audible outside a religious place. He asked the officials whether they can enforce such an order? He further said that if they cannot do this, then no ban would be imposed on anything. He made an appeal to people to shower flower petals on kanwariyas.

How can we believe that even before the headlines about children's death in Gorakhpur have disappeared from the newspapers somebody who is concerned about children will talk like this on a non-priority issue and even that in an aggressive tone. Even after becoming the CM he is keen to represent his religious identity and wants it to be assertive. He is obviously more worried about the Kanwariyas than the children.

Maybe the people who don't have children and more importantly have kept themselves aloof from living in human relationships should not hold high executive offices. When they don't have children and family how will they have empathy for the loss of children? Only a person who has experienced family life will understand the difficulties of life better and will also be in a better position to come up with solutions. That is why problems for common poor and lower middle class people have increased in the Modi-Yogi

regimes.

The Gorakhpur incident also offers a glimpse of what will happen if health care is privatised. The company which held the oxygen supply contract simply stopped the supply when payment was not made. Private hospitals will not treat the poor because the reason for their existence is profit making. For the poor the only hope is government hospitals. Therefore more people keep coming to BRD Medical College even after knowing that there is a danger to their child and they are probably not going to get the best of facilities.

In a democratic country education and health care should remain in the government sector so that all citizens have access to good quality of these services. Privatisation of these sectors will be an anti-poor stand. The government should take complete responsibility for these two sectors and must make effort to make available to people high quality services in them. Even after news of death of children made national headlines garbage strewn over floor in the corridors of the BRD Medical College could still be found. What can be a bigger mockery of the national clean India campaign?

A three member investigation team from the Central government declared that the deaths of children were not caused due to lack of oxygen supply. This has been a matter of debate since the very first day. Whether the children died due to stoppage in Oxygen supply or not, fact remains that the hospital owed

close to Rs. 70 lakhs to the vendor who was contracted to make the supply, even though money was available with the hospital. Clearly it was an issue of commission not having been paid or a higher demand for commission remaining unfulfilled.

In this country payment and receipt of commissions is the primary mode of corruption and the Narendra Modi government, ostensibly committed to end corruption, has not even acknowledged the existence of this problem.

Part of the money generated from commissions is ploughed back into electoral politics. This is unaccounted or black money. If the practice of commissions is done away with, it will be the beginning of ending of corruption campaign and the first visible sign will be clean elections.

It is blot on this country that rate of commission have been set for every government department, office, scheme, project, etc. If one wants to be the beneficiary of one of the many government schemes a prescribed amount of money has to be paid. If some construction is to be done, then officials of development authority and anybody who has to give any approval will demand their share of cut. Rates are fixed for movement of files from one table to another in government offices. If somebody has taken a government contract then money will have to be paid to in-charge government officials. Different amounts are fixed for different works, departments, supply of items, for copying in examinations, people's representatives of ruling party and higher level officials. The bribe amount is also shared with colluding

officials above and below. This system of commissions is still flourishing because it finances electoral politics.

Does the Yogi or Modi government have the political will to strike at the roots of corruption in this country?

Remembering Prof. Bhargava

Bharat Dogra

With the recent demise of Prof. Pushpa M. Bhargava India lost one of its most capable scientists and also a scientist of the highest integrity. Along with his very impressive scientific achievements he was known for his deep commitment to protecting the interests of people and environment. This combination made him particularly suitable for understanding the full depth of the very serious threats posed by Genetically Modified or GM crops to sustainable farming based livelihoods, health and environment as well as overall food sovereignty and security, particularly in the context of India. With his comprehensive understanding of the issue strengthened further by the strong ethical base of the stand taken by him, he openly and firmly confronted and exposed the multinational companies and local interests colluding with them in a very courageous and inspiring way.

A few quotes from his writings in the last years of his life would help to make clearer the strong stand taken by him on this issue. Writing in *The HindustanTimes* (August 7, 2014) he wrote, "There are over 500 research publications by scientists of indisputable integrity, who have no conflict of interest, that establish harmful effects of GM crops on human, animal and plant health, and on the environment and biodiversity. For example, a recent paper by Indian scientists showed

that the Bt gene in both cotton and brinjal leads to inhibition of growth and development of the plant. On the other hand, virtually every paper supporting GM crops is by scientists who have a declared conflict of interest or whose credibility and integrity can be doubted."

Elsewhere in this article he commented, "The central government departments that have been acting as peddlers of GM technology-probably in collusion with MNCs marketing GM seeds - have shown little respect for law."

He further wrote, "It is well-known that the US would like to control food production around the world by marketing patented GM seeds... The MNCs that sell GM seeds that are protected by intellectual property rights also sell agri-chemicals. If we allow such MNCs to control our seed production, we would simply de facto lose our freedom."

In a letter dated July 26 2015 addressed to the Prime Minister on this issue Prof. Bhargava wrote, "I have provided to the Genetic Engineering Approval Committee a list of tests that must be done before a GM crop is approved. However, only less than 10 per cent of the tests are actually being done before approval of GM crops."

We should remember the strong stand taken by this eminent scientist on this critical issue in his last years.

For a Universalised Public Distribution System

Neeraj Jain

The government is speedily pushing ahead with what is being called in official circles as the JAM trinity. That refers to three things: vast numbers of no-frills Jan Dhan bank accounts created under the Prime Minister's programme; an identification number for (eventually) nearly all Indians; and near-universal mobile telephony. The government's Chief Economic Advisor Arvind Subramanian tells us in the *Economic Survey 2016–17* that once these are fully adopted, then welfare services can be delivered to the poor by a 'administratively more efficient' mode—the government can then transfer cash directly to individual accounts, in place of providing goods and services to the people. This will solve the present problem with our existing welfare schemes, which are 'riddled with misallocation, leakages and exclusion of the poor'.¹ Explaining the philosophy behind the JAM initiative, the finance minister stated: 'the question was whether to continue subsidies indefinitely with an unquantified amount going to an unidentified number of people, or target specific categories of people needing them.'²

Targeting at the poor

One of these welfare schemes whose delivery the government wants to make more 'efficient' is food subsidy. Subramanian claims that by eliminating the ration system, and transferring the food subsidies directly to the accounts of the poor through JAM, the government will be able to eliminate leakages and

exclude the better-off from receiving benefits, resulting in significant savings for the government.³ What does the government plan to do with these savings? Does it want to use them to increase the cash transfers to the poor, or expand the number of poor to be given this food subsidy?

The main scheme through which the government distributes food subsidy to the poor is the National Food Security Act (NFSA). Under this, the government distributes five kilograms of grains (rice/wheat/millets) per person per month at the price of Rs 3/2/1 per kg to 67% of the country's population, through the public distribution system (PDS). As we have discussed elsewhere,⁴ the NFSA is a very inadequate Act. The government needs to: (i) significantly expand its coverage, that is, it needs to expand the number of people who are eligible for this food subsidy; (ii) increase the amount of foodgrains that are to be distributed to every person at subsidised rates under this Act, from the 5 kg per person per month at present to at least 7 kg if not more (the Indian Council for Medical Research recommends that an adult requires 14 kg of foodgrains per month); and (iii) expand the entitlements from only cereals at present to include other basic food necessities such as pulses and edible oil which are much required to combat malnutrition.

But the government wants to do none of this with the savings from improved targeting of food subsidy. Subramanian and Jaitley are very

explicit about it: the government wants to reduce its food subsidy bill, so that it can channelise the savings into public investment in infrastructure.⁵ In today's economic scenario of neoliberal reforms, this means the government wants to transfer these savings as subsidies to the private sector for investment in infrastructure, through what it calls the Public–Private–Partnership (PPP) route.

Subsidies to the rich

As it is, the government gives huge subsidies to the corporate houses. The amounts are mindboggling. To give just three absolutely amazing examples:

- In this year's budget, the government has allocated Rs 64,900 crore for the construction of roads and highways—which essentially means that this is the amount that is going to be doled out as grants to the private corporate sector in the name of PPP. This is a substantial increase from last year's allocation of Rs 52,400 crore (2016–17 RE).⁶ And yet the government wants to reduce food subsidy and further hike this 'subsidy' to private businesses!
- During the three years it has been in power, the Modi Government has given away Rs 16.5 lakh crore in tax concessions to the country's richie rich. These concessions are in corporate taxes, custom duties and excise duties.⁷
- Over the period 2004–16, first the UPA Government and now the

BJP Government have waived loans given to country's rich to the tune of Rs 2.6 lakh crore. (Of this, Rs 1 lakh crore has been waived by the Modi Government during its first two years in power.)⁸ Additionally they have also restructured loans to the tune of Rs 6 lakh crore⁹—this is a roundabout way being resorted to by public sector banks in collusion with the government to eventually write-off these loans.

Note that these subsidies (in the form of loan write-offs, tax concessions, government grants, etc.) are being given to some of the richest people in the world. India today boasts of having the fourth largest number of billionaires in the world.¹⁰ In comparison to these several lakh crore rupees worth of subsidies, the food subsidy bill of the government is only Rs 1.45 lakh crore (2017–18 BE). This is for providing bare minimum calories—that too, only in the form of cereals—to the largest population of hungry people in the world. And yet the government wants to reduce its food subsidy bill, and transfer the savings to building roads and highways!

Failure of targetting

Let us now examine the other aspect of the government argument—that it wants to target food subsidy and direct it to those who really need it, so as to eliminate 'leakages'. But, the fact of the matter is, 'targetting' of food subsidy has been going on since 1997, when the then government replaced the Universal Public Distribution System with the Targeted Public Distribution System. Twenty years later, the finance minister says the leakages are continuing, and wants still better targetting!

This only means that targetting has miserably failed to check leakages. This is in fact brought out in a Planning Commission study, which shows that leakages from the PDS doubled after targetting! The PDS was universal in 1993–94 but targeted in 2004–05. NSS data for these years show that for rice and wheat together, leakages increased from 28% in 1993–94 to 54% in 2004–05. On the other hand, even after the Central Government introduced targetting, those states such as Tamil Nadu, Andhra Pradesh and Chhattisgarh, which did not accept the Central targetting norms, continued to provide universal or near-universal PDS coverage, and also took steps to improve PDS functioning through various reforms, had almost no or very low leakage.¹¹

This leads us to exactly the opposite conclusion to that drawn by Arvind Subramanian and Arun Jaitley—that to reduce the leakages from the PDS, genuinely eliminate hunger, and provide food security to all in an efficient manner, what is needed is not further targetting, but universalisation of PDS.

This suggestion would leave many of our leading economists aghast. They had opposed the country's emaciated NFSA too, claiming that even that was not affordable. They will now exclaim: this suggestion will absolutely bankrupt the country, increase the fiscal deficit to unsustainable levels, will push us back to the pre-globalisation decades of slow growth, blah blah blah.

How much will a universal PDS cost?

Let us therefore make an estimate of what universalisation of the PDS is going to cost the country. We base our calculations on a simple

methodology developed by Praveen Jha (with the School of Social Sciences, JNU) and Nilachala Acharya (research consultant with Centre for Budget and Governance Accountability, Delhi); and modify it in accordance with another research paper by Himanshu and Abhijit Sen, both with the JNU. We update their calculations to this year (2017).¹²

Even if the PDS is universalised, Himanshu and Abhijit argue that the maximum all-India proportion of households who would choose to buy cereals from it would not exceed 70%. Let us base our calculations on a higher percentage, of 75%.

Our exercise is further based on the following assumptions:

- Total number of households at present is 24 crore (approximate); therefore, total number of households accessing the universal PDS would be 18 crore households.
- Provision of distribution of rice or wheat under PDS to all households at 35 kg per month per household;
- Provision of distribution of millets under PDS to all households at 5 kg per month per household;
- Distribution of rice and wheat is in the ratio of 2:1;
- Central issue price (CIP) for rice, wheat and millets to be same as that in the NFSA, at Rs 3/2/1 respectively.

In our calculation, we take the economic cost (EC) for wheat and rice as that given in official documents for 2017–18: for wheat, this is Rs 2,409 per quintal, and for rice, is Rs 3,264 per quintal; further we assume price of millets as Rs 2,400 per quintal.¹³ See the Table:

	Description	Units	Amount
I.	Amount of rice required to be distributed (per annum) at 23.33 kg/month per household	Million tons	50.4
II.	Amount of wheat required to be distributed (per annum) at 11.67 kg/month per household	Million tons	25.2
III.	Amount of millets required to be distributed (per annum) at 5 kg/month per household	Million tons	10.8
IV.	Total foodgrains required to be distributed (I+II+III)	Million tons	86.4
V.	Total recovery per annum for distribution of rice: I x Rs 3	Rs crore	15,120
VI.	Total recovery per annum for distribution of wheat: II x Rs 2	Rs crore	5,040
VII.	Total recovery per annum for distribution of millets: III x Re 1	Rs crore	1,080
VIII.	Total recovery through CIP: (IV+V+VI)	Rs crore	21,240
IX.	Total EC for distribution of rice	Rs crore	1,64,506
X.	Total EC for distribution of wheat	Rs crore	60,707
XI.	Total EC for distribution of millets	Rs crore	25,920
XII.	Total EC for distribution of rice, wheat and millets (VII+VIII+IX)	Rs crore	2,51,133
XIII.	Amount of Food Subsidy required per annum (C – B)	Rs crore	2,29,893
XIV.	Present budgetary provision for food subsidy (2017–18 BE)	Rs crore	1,45,339
XV.	Additional Food subsidy required for universalisation of PDS: (D – E)	Rs crore	84,554

Based on these assumptions, the total additional food subsidy required for universalisation of PDS works out to only around Rs 85,000 crore for this year. This is not an unaffordable amount for the Government of India! It has been giving more than Rs 5 lakh crore as tax concessions to the country's richie rich every year, it has given them more than Rs 8 lakh crore in the form of loan write-offs and restructurings, it has handed over to them control of the country's mineral wealth virtually for free resulting in losses to the national exchequer to the tune of several lakhs of crores of rupees . . . the list of concessions being given to the

country's corporate houses and uber-rich is very long.

But for Modi–Jaitley, this suggestion of increasing India's food subsidy bill is simply unthinkable. The 'nationalist' government in power at the Centre would rather have people starve than reduce the mindboggling subsidies being given to India's elites...

1. *Economic Survey, 2016–17*, p. 174, <http://indiabudget.nic.in>.

2. "Constructing Theoretical Justifications to Suppress People's Social Claims", *Aspects of India's Economy*, No. 62, January 2016, <http://www.rupe-india.org>.

[/www.rupe-india.org](http://www.rupe-india.org).

3. See *Economic Survey, 2014–15*, Volume 1, pp. 20–25, <http://indiabudget.nic.in>.

4. Neeraj Jain, *Education Under Globalisation : Burial of the Constitutional Dream*, Aakar Books, 2015, Delhi, pp. 261–63.

5. See *Economic Survey, 2014–15*, Volume 1, pp. 20–25, <http://indiabudget.nic.in>.

6. Neeraj Jain, "Pandering to Dictates of Global Finance", *Janata*, February 19, 2017, <http://www.janataweekly.org>.

7. Ibid.

(Continued on Page 15)

Sandip Das

A Socialist Wanderer

When a friend told me Sandip Das was no more I was overwhelmed with a flood of emotions. The icy hand of death took his life on the night of the 19th July and the news was on my monitor the next day. His last rites at a cremation centre I missed because the place was too far away and I knew I would not make it. The wanderer with distinct political ideals was always smitten by the essence of social concerns and the loner that he was, Sandip Das did not have the mind or capacity to sit tight as a helpless onlooker. He would be there whether his socialist comrades are there or not. He had his affiliations with the PSP, Socialist Party, of course, and was elected to the West Bengal State Legislature as a Janata Party candidate from the posh Chowringee constituency of Kolkata in 1977. Even before that Sandip Das committing himself to

Total Revolution accompanied JP and toured extensively in Bihar and West Bengal. The Gandhian traits in Socialist Sandip were becoming evident by that time. To extremely mobile Sandip Das I put the inconvenient question socialism carried no meaning without a socialist party and why he was not doing meaningful work towards that direction he brushed that off saying party life was not for him. It seems he preferred to remain a wayfarer without caring for set direction.

But he was always fondly received by his socialist friends, remnants of the Gandhians and far wider sections of people in this country and Bangladesh because of his simplicity, amiability and distilled integrity. A man without foe and full of friends. Even when he was not in fullness of his mental strength Sandip

used to tell me he would like to invite Janata editor G G Parikh to Calcutta to show people here who this socialist legend is! That was not to be.

Sandip Das was a bachelor and 79 when the life curtain fell on him. He was a philosophy lecturer in Howah's Uluberia College and later became the visiting lecturer at Wardha's Gandhian Institute of Social Sciences. In honour of his holistic religious views Sandip's family members held the last performance of the departed soul, *but not sradh*, in which texts of Koran, Bible and Gita were read out on the 30th July. His friends and admirers outnumbered the narrow political circle. It is sad Sandip's closest friend Jahanara Begum and her close relative Samad were absent because of ailments.

—Mrinal K Biswas

Distinguished Gandhian Socialist

The former Legislator of West Bengal Assembly, a distinguished Gandhian and Socialist leader and lifelong bachelor Prof. Sandip Das passed away at 9.50 p.m. on Wednesday the 19th of July. He was eighty. During the seventies Lok Nayak Jayaprakash Narayan sent him as his representative to the South East Asian Socialist Conference..

He played a notable role in the struggle for the liberation of Bangladesh in 1971, for which Sheikh Hasina felicitated him in recognition of his contribution. In 1974-75 he took the plunge in the anti-corruption

agitation under the leadership of Jayaprakash Narayan and helped to spread it across West Bengal. During the Emergency he was detained under MISA and spent 17 months behind the bars. In the 1977 elections he was elected to the West Bengal Assembly from the Chowringhee constituency. The former Chief Minister of West Bengal Prafulla Chandra Sen developed a soft corner and grew very affectionate towards him.

He was a Distinguished Professor of Philosophy, a permanent Lecturer of Uluberia College and served as

Honourary Visiting Lecturer in Vidyasagar University and the Gandhian Institute at Wardha. He contributed numerous articles in different journals and edited the J.P. Centenary volume. He was one of the editors of the Collected Works of Prof. Amlan Dutta which is due to be published in five volumes soon.

He also served in the Editorial Board of Jayasree and came in contact with Deshnetri Leela Roy in 1961 when she was the chairperson of the state Praja Socialist Party.

—Bejoy

My Abduction

Bilal Khan

I, along with four others, reached Bombay Hospital, Indore on August 8 to meet Medha Patkar who was forcefully hospitalised on the 12th day of her indefinite fast by the Madhya Pradesh Police. Medha Patkar was fasting to protest against the illegal submergence of 192 villages and one township in Madhya Pradesh by the backwaters of the Sardar Sarovar Dam.

I work closely with Medha Patkar. I work with the 'Ghar Bachao Ghar Banao Andolan' (Save Home-Build Home Movement) in Mumbai. Ghar Bachao Ghar Banao Andolan (GBGBA) has exposed major scams from Adarsh to scams in slum rehabilitation scheme in Golibar undertaken by Shivalik Developers. Medha Patkar has been the leader of this movement. I am also engaged with the Narmada Bachao Andolan (NBA) as a part time activist. I was taking part in the indefinite fast protest organised by NBA.

Some of us decided to visit Bombay Hospital, Indore as soon as we found out where the police had taken Medha after forcefully picking her up from Chikhaldia - the fasting site. As we reached the hospital, we realised that no one was allowed to meet with Medha. It is worth noting that Chief Minister Shivraj Singh Chouhan tweeted that Medha was just hospitalised given her deteriorating health due to her fast and not arrested. Hence, we got into argument with the police as they were restricting entry to meet

Medha Patkar. Our demand was to at least allow one attendant with her if not visitors. The media recorded our arguments with the police and started broadcasting the incident. The police were visibly annoyed by us. I could sense that I was under watch in the hospital premises.

This suspicion was confirmed as I made my way to the washroom. I entered inside with the permission from the watchman. A cop suddenly came from behind and caught hold of me. He grabbed me with his arm around my neck and held my right hand with his other hand as if he was shaking hands with me. He smiled after holding me like this. His smile gave me the impression that I was not in trouble; that he would either ask me to go back to where I had been waiting or perhaps even take me to meet Medha (after all, he knew I was associated with her).

These thoughts, however, were short lived as he ordered someone to take my phone out of my pocket. I didn't see the point in protesting, as I was already encircled by a lot of police. I did not even bother to see who was taking out my phone from my pocket. By now I had accepted that I am in real trouble.

The cop took me to a place that appeared like a lounge. All the visitors present in the area were asked to vacate the premises. More cops poured into the vacated area. I saw one constable with a lathi and I prepared myself for the ensuing event. Although I knew my pleas

would be in vain, I still tried to tell the cops that I had come in just to use the washroom. After a while, the constable with the lathi went outside. Finally, the cop took his hands off me and made me stand to the side. He called two cops inside who were in civil dress. They were continuously staring at me. I thought they might thrash me. One of the two left and I was made to sit with another on a bench. This cop showed me the photographs of other colleagues of mine which he shot when we were giving bytes to the media. He started asking for their names. After a while a constable came inside and informed that the jeep has arrived. I was made to sit in that.

I saw the senior officials saying something in the ears of those constables who were to accompany me to wherever they were going to take me. I was driven to a faraway police station; I couldn't even see the name of the police station. I had become upset by seeing the highhandedness in picking me up despite being innocent. I had stop protesting or reacting and was just observing whatever was happening. I visit Mumbai's police stations very frequently and deal with topmost cops with a sense of confidence while advocating on the side of slum dwellers whenever there is a slum demolition but now all my confidence was gone and I felt betrayed.

My Muslim identity had also added to my nervousness. I was not telling them my full name and it is

only after their insistence that I was sharing my surname. My politics as well as my identity makes me feel more vulnerable .

Finally I entered the police station and immediately asked for three things: lawyer, water and bathroom. First two demands were denied and for the third one I was asked to use the toilet that was there in the lock-up. Then the constable who brought me from the hospital made me stand in front of a duty officer who asked my name and address. He asked me where I had come from and why I came. I told him that I was from Mumbai and how I am associated with Medha Patkar and wanted to meet her. He hurled a filthy epithet at me and asked me to sit in a corner that was stinky and dirty, by taking off my shoes. After a moment he called me and asked me to deposit all the money I had with me. I took out all the cash, counted and gave it to him. Then another officer sitting in another corner asked that duty officer to not deposit the money with him. I found myself totally disconnected with the outside world without a phone and any access to a lawyer or friend. No one would know where I was. I was missing now.

What I was most worried about in the police station was my mother. I was wondering how my mother would react when she would not be able to contact me. She speaks with me on phone every day and sometime twice a day with one or the other excuse just to ensure that I am safe. Initially she did not like my work but later when she realised that I was not leaving activism she just asks me to not go in front during any action and warns me about possible threats. I always defy her tactfully. I cannot imagine making

her upset knowingly. My main worry was my mother only-how will she react to my missing.

One or the other cops would come after regular interval and ask for the same information again and again - my name and my residence and every time my answer was the same. After almost an hour I could see the change in behaviour of constables, they started treating me well. I was given a bottle of mineral water and asked for if I wanted food. I took the water and thanked them for asking about food. After a while the duty officer called for me and told me that I would be released after their senior comes to police station. He also gave me tea. I felt half relieved as I still did not trust them fully.

By now, I was abducted and had been missing for two hours. Now I thought to ask them of my release because the senior police officer did not seem to be coming. However, the trauma of my abduction had made me so upset that I did not want to talk to anybody and let anything happen to me. Injustice had already happened to me. Agitating against it would mean begging for justice. Finally I was called and made to write and sign an apology letter for entering the hospital without permission. After I signed the letter, I was returned my phone and asked to go.

I took an auto rickshaw and asked to get dropped at the Bombay hospital - from where I was abducted by the police - thinking that I would change the route in case I find any danger. My concern about danger was confirmed as soon as I switched on my phone to talk to the local Indore supporters. I called our Indore supporter and informed him that I

was coming to Bombay Hospital. He asked me stay where I was and that he would come to pick me up. I said I would come back on my own because I did not want to take the risk of being caught again by the police while waiting for him. I had received several calls from the police station to come back.

The moment I entered the hospital I was encircled by a crowd which had come to demand my release. I was then immediately mobbed by the media asking for my byte. I did not receive any further calls from the police station as soon as I started appearing to the media. Every state news channel started claiming that it was due to the impact of their news that I was released. Soon I received a call from a politician who asked about my wellbeing in order to convey that it was due to his influence that I reappeared.

In reality, it was local supporters Latika and Deepmala who created a buzz when I went missing. I had informed Latika when I left for washroom in the hospital. I was also informed that a sympathetic former IG of Indore had also intervened to get me released. Probably the quick media campaign and the intervention of some influential persons was the reason behind the change of behaviour of the cops in the police station towards me.

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India and North Korean Crisis

D.K. Giri

North Korea and United States are likely to go to war anytime as things stand at present. North Korea has been threatening to bomb Guam, an American territory in the Pacific. And the US is ready to retaliate heavily. Donald Trump, unlike his predecessors in the White House has already blown the bugle for war. Should North Korea lift a finger at US, Donald Trump vows to respond with “fire and fury” that the world has never seen before. He warned that US army is ‘locked and loaded’ to take on North-Korea. In the last few days, the war cry has become a bit subdued with North Korea putting off its threat on Guam. Also, China, the mainstay behind North Korea has joined the fray and has urged both Washington and Pyongyang to restrain. North-Korea has heeded Chinese advice, as the former’s nuclear-military power is the creation of China. Should there be a war; China has little option other than defending North Korea. China has so much at stake in North Korea. Out of total trade of North Korea, China controls more than 90 percent. North Korea’s military and nuclear arsenal is built entirely by China. It is asserted by the Chinese that their relations with North Korea are as close as the ‘lips and teeth’.

So if China is involved in North Korean and US stand-off, can India be far behind! India and China seem to stalk each other in international arena, and currently, they have a face-off at Doklam for last two months. Only a couple of days ago, the Chinese and Indian soldiers came to blows in the Ladakh Border.

India’s stake in Korean peninsula is immense. India should be wary of North Korea. India has a huge trade relation with South Korea, the primary stakeholder of North Korean nuclearisation and aggression. North Korea has aided Pakistan’s nuclear process and has supported Pakistan’s position on Kashmir. Moreover, North Korea is the closest ally of China. So, dealing with North Korea alongside South Korea, Japan and USA is engaging with China. India, therefore, needs to engage. Recently, the US admiral Harry Harris urged India to play its role; he said, “India’s voice is a loud voice, and people pay attention to it”.

The war-like situation developed in North Korea when it tested two ICBMs – Intercontinental Ballistic Missile, which can carry nuclear warheads to strike any part of the American territory. Pyongyang embarked on nuclearisation with active material support of Beijing in violation of the restraining agreements, mainly the 1992 Declaration on the Denuclearisation of Korean peninsula, on reconciliation and non-aggression. Some experts believed that Pyongyang’s nuclear belligerence was meant to secure diplomatic concessions from United States. Others interpret it as North Korean’s apprehension of going Iraq and Afghanistan way under US aggression, unless they equip to defend themselves. It is no secret that US has been on the side of South Korea doing brisk business and has maintained that North Korea’s nuclear ambitions are not congenial

to Korean peace. The United States has been carrying out joint military drills with South Korea, and 28,500 US troops - soldiers, sailors, airmen and marines are stationed in South Korea. China has been aiding and abetting North Korea’s militarization as it is alarmed by THAAD – Terminal High Altitude Area Defense, a joint-mechanism by USA and South Korea. The powerful radar installed in it can see far into China. However, later, the current President Kim Jong-Un went beyond Chinese control. Beijing joined other countries in imposing sanctions against North Korea.

China is in a fix on North Korea. If there were a war, United States would get instant support of South Korea and Japan and its other allies, and the conflict may spill over to East China and North China. Therefore, although China realizes that US “only wants to heighten the sanctions and the military threats against Pyongyang” Xi Jinping’s government has banned Pyongyang’s exports of coal, iron ore, and seafood. But is Beijing willing and able to enforce these sanctions? Will China accommodate the American wish to stop the sale of oil and gas to Pyongyang, to deny Pyongyang’s access to Chinese banks, and stop cross-border movement of consumer goods? It is very unlikely.

As China is caught in long-standing border dispute with India, its major competitor in Asia, China may not want to escalate the tensions between North Korea and the United States. The aggressive,

unprecedented posturing by Donald Trump has caught China off-guard. In fact, one theory is that Donald Trump has turned Doklam tide in India's favour by raising heat over North Korea. On Doklam, US and the United Kingdom are more on Indian side than on Chinese. According to Lord Meghnad Desai, Prime Minister Modi and President Donald Trump are in direct contact over Doklam stand-off. When President Trump called Modi to greet him on Indian Independence Day, Prime Minister Modi is said to have praised Trump on his handling of North Korea.

India has been involved in Korean peninsula in the past, but has not been effective primarily because India is still not a permanent member of the Security Council. Secondly, as a non-aligned country, India had the support of some Third World countries, but had not much clout. Now, it is perceived as an ally of United States, Israel, Japan, and other European countries. So, it commands greater attention. China has been bullying its neighbours with its nouveau riche status in the world; it has been buying off Indian neighbours by trade, investment and financial support. As Karl Marx had suggested, capitalism leads to imperialism, China is treading dangerously that path. What India needs to do is to engage China along with South Korea, Japan and US on North Korea and make it realize that Beijing cannot throw its weight around, flex its economic muscle and exacerbate conflicts between North and South Korea, India and Pakistan and so on.

China's policies have created war like situations in several conflict zones which may explode anytime. China knew how to make money by

using cheap labour with an authoritarian, anti-democratic political set-up. But it has limited diplomatic skills. It can create conflicts but cannot contain or mitigate them. Chinese foreign minister Wang Yi has said that Japan and US are itching for a limited military conflict in North Korea. The same could be said about China on South China Sea, Doklam, and other border areas connecting India. North Korea provides an opportunity for India to prove a point to China that is cannot go on bullying others with its economic strength. There are principles, laws, treaties and conventions that govern international relations.

China says it cannot stop either US or North Korea. It urges an "end to China's responsibility theory". But it can indeed restrain North Korea as it has militarised the state in the first place and has great strategic stake. US, on the other hand has been inconsistent in its North Korean policy. During the Presidential campaign, Donald Trump had boasted that he could sort out North Korea over a hamburger with its President. After he became the President, he is spewing fire on Pyongyang. At the same time, his Secretary of State, Rex Tillerson says to North Korea, "we are not your enemy, we are not your threat". He indicates US willingness to negotiate. But the sabre rattling between Washington and Pyongyang continues.

The world is watching anxiously if North Korea and US resort to a nuclear war. That will be simply a catastrophe for the whole world. That is why there was a unanimous position at the UN last month against the North Korean dictator Kim Jong-Un. Even China joined the rest on

imposing sanctions against Pyongyang which could cost the country one billion USD a year. The countries on the firing line are cautious in their reaction to the situation. South Korean President Moon Jae-In, while urging restraint on US and North Korea, said, "any military action on the Korean peninsula can only be decided by South Korea and no one else". There are mixed feelings in Japan, China and Guam. While their governments are busy preparing for any eventuality, the common people are not so perturbed. They seem to be habituated to the sounds of war-planes flying over their sky. However, war must be avoided at any cost as the costs of war would be too heavy to bear. China, as the main ally of North Korea has a lot to lose if at all there is a war. Therefore, even if the rhetoric reaches the crescendo they should force the warring parties to the negotiating table not to war machines. India, in its 'new international avatar' could play a role in defusing the situation while securing diplomatic gains for itself and its allies. Is India up to it!

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Imagining India Visions of Swaraj and the Democratic Journey- III

Anand Kumar

Democracy and Nation-building in the 1960s

What were the primary concerns about India as a nation among the political leaders in the 1960's after several national elections and increasing disenchantment with the cycle of dominant party democracy? 'National integration', 'fissiparous tendencies', 'provincialism', 'linguism', 'casteism and communalism', 'centripetal forces', 'self-reliance', 'decentralization', 'development', and 'corruption' were some of the key words and issues of this period.

Let us start with a resolution on national integration adopted by Indian National Congress in its session at Bhavnagar in January, 1961: "Democracy, with its widespread system of elections, which is vitally important and which is the very basis of our Constitution, has also resulted in some ways in encouraging certain disintegrating forces. Under cover of political and social activities, the old evils of communalism, casteism, provincialism and linguism have appeared again in some measure... Communalism which has in the past done so much injury to the nation is again coming into evidence and taking advantage of the democratic apparatus to undermine this unity to encourage reactionary tendencies. Provincialism and linguism have also injured the cause for which the Congress stands. Caste, although losing its basic force, is beginning to function in a new political garb. If these tendencies are allowed to flourish, then India's progress will be

gravely retarded and even freedom will be imperilled." It was followed by a special committee headed by Indira Gandhi which submitted a report recommending a national outlook in education and promotion of opportunities for the minorities in the economic field among other suggestions. Then there was a session of National Integration Conference in October, 1961 which found it necessary to look into the problems of emotional integration and need of moral and religious instructions.

But according to Prof. Balraj Madhok, (a leading ideologue of Bharatiya Jana Sangh), the need of Indianization of Muslims and Christians were the major issue of national integration. Presenting this thesis on Indian Nationalism (1969), Madhok asserted that India is an ancient nation possessing all the unities, physical as well as cultural, and not a nation-in-making. Secondly, Indian, Hindu and Bharatiya are synonymous words. They all refer to the nationals of India. It is wrong to talk of Hinduism as a religion in the sense in which Islam and Christianity are religions. It is Hinduism or Hindutva of a man which makes him a national of India. The only way to correct this situation is to make Muslims and other separatist groups to realize that separatism will not pay. They must learn to take pride in India's past which is their past as well. (Then he sites examples of the Muslims and their ways in Indonesia and China). Finally, Indian nationalism should not mean different things to different

political parties. Otherwise, national unity and solidarity will continue to be threatened by fissiparous tendencies which are being directly and indirectly fostered and encouraged by anti-national forces from within and outside the country. (1969: 93-99)

On the other hand, the left ideologue and eminent Communist leader E. M. S. Namboodiripad, in Problems of National Integration (1966), recommended need of independent stand by the Communist Party because of the inherent weaknesses of the 'policies pursued by the bourgeoisie which accentuate the conflict on questions of language, provincial and regional inequality, caste, communal and tribal discontent.' His programme included six issues – i. Firm opposition to separatism and support to twin principles of linguistic states and maximum possible autonomy for the states, ii. Replacing English by the regional languages at the state level and Hindi at the centre as official language, iii. Most rapid reduction of provincial and regional disparities in development, iv. Protecting the tribal people from the exploitation of landlord and capitalist elements from the plains, v. Educational concessions and reservations in government jobs to continue for the 'lower castes', and vi. Firm stand on the principle of secularism and fight against intrusion of religion in the political life of the country. (1966: 92-95)

Architect of 'Congress Hatao—Desh Bachao' (Non-Congressism) and socialist leader Dr. Rammanohar

Lohia presented a different critique of the crisis of nation-building where prominence was given to four areas of policy failures. They were language policy, caste policy, price policy and the challenge of national security. The language policy was marked by the neglect of the Indian languages and continuity of colonial practice of preference to English in administration, legislature, education, and judiciary. There was no move towards preferential opportunities for the Backward sections of the Indian society to create national rejuvenation – the women, the Scheduled Castes, the Scheduled Tribes, the backward castes and the under-privileged sections among the Muslims. The national price policy was loaded in favour of manufacturing sector and negligent of making agriculture profitable. Finally, there was need to secure the national frontiers with a holistic 'Save Himalaya' thrust after the tragedy of Tibet in 1959 and the Chinese aggression of 1962 (Lohia: 1966).

Sarvodaya leader and non-partisan statesman Jayaprakash Narayan was one of the most well-known public intellectuals since the days of the freedom struggle that consistently remained vigilant, and made constructive contributions, about the problems of nation-building (1972). In his view a) Hindu-Muslim unity, b) question of the minorities and communal riots, c) national language, d) problem of linguistic states, e) the Sikh Problem and Punjabi Suba issue, f) Kashmir, and g) Nagaland were in need of constructive solutions through dialogue and deliberations.

Addressing at a reception on August 12, 1966 by the Baptist Church Council and Peace Centre at Kohima, Jayaprakash Narayan said: "The nation-state is a

comparatively new phenomenon. It is not older than 200 years. Earlier there were no nations in the modern sense of the term. There were kingdoms, empires, tribes, unions of tribes, city states, but no nations. There are many nations today. But there is no nation in the world that is not a mixture of sub-nations. Every nation today is a multi-nation, a multi-national state. Look at Soviet Russia, look at China. In Soviet Russia there are about 76 nations, national minorities. The British nation has at least three sub-nations: English, Scottish, Welsh. And the British Constitution gives to the Scottish and Welsh national minorities certain rights and guarantees. Most modern nations are result of violence, some are voluntary unions." (Ibid: 357-58)

Jayaprakash Narayan found it urgent to have clarity of vision of India as a nation with political unity in the following words at a nation conference of all political parties and eminent scholars at Delhi in 1969 where he emphasized the following (1974): "If the people of India with their many diversities are to become an emotionally united nation able to preserve and strengthen their political unity, they cannot but deliberately and understandingly choose the ideal of a composite, non-sectarian nationhood and work actively to that end." He underlined the need to avoid equating between 'cultural unity' and political unity' – a problem with the Hindu nationalists who insist about India as a Hindu-Rashtra and not a nation-in-making. It is important to be able to recognize the challenges of nation-building more clearly: "The confusion here is between the cultural unity of a people and their political unity. Despite the fact that the people of India, from the Himachal to the Setu, have shared for centuries (with local variations) a common cultural heritage they very

rarely belonged to a single political state. Nor is this a peculiarly Indian phenomenon. Elsewhere too such as in Europe or in the Arab world, cultural unity has coexisted for centuries with political disunity. Our central concern at the present moment of our history is to ensure that the political unity established by the constitution should be made firm and enduring. Events have shown that even those sections of the people who share India's ancient heritage have not hesitated when aggrieved, whether rightly or wrongly, to harbour, even proclaim secessionist sentiments. It would be therefore wrong to think that the task of moulding a modern nation out of the diverse elements of Indian society has already been completed by the achievements of our savants and sages." (Ibid: 419-20)

The scenario of 1990s

By 1990s, after four decades of the emergence of the cycle of dominant party democracy through the hegemony of the Congress party under the charismatic leadership of Prime Minister Jawaharlal Nehru (leading the Indian government from 1947 to 1964), there was manifestation of anxiety about increasing togetherness of four 'C's in the discourse of democratic power – i. corruption, ii. criminalization, iii. casteism and iv. communalization. There were the long shadows of the Emergency Raj (1975-77) and disorientation of democracy due to populist politics of Indira Gandhi (the prime minister from 1966 to 1984 with a short interruption of 1977-79). They together had caused a dual phenomenon – awakening of the masses with democratic aspirations and institutional erosion in the battle for power. It was not associated with the political culture of India till the 'Sixties.

There was alarm about the decline of democratic institutions, including the parliamentary system, party organizations, election process and increasing use of 'black money'. There were fears about entering of the criminalized types into the spaces created by the erosion of the dominant party system and its main instrument the Congress party. It was compounded by the disorderly functioning and chaotic

fragmentations of the Janata Party (1977-79) and Janata Dal (1989-92) and their failures in providing alternative way of effective and orderly democratic governance.

There were signs of nexus between communalism and criminalization as manifested during the Sikh killings in 1984 after the assassination of Prime Minister Indira Gandhi, and Babri Masjid-

Ram Janmabhumi confrontations in 1992. In socio-economic terms, it was correlated with new politics of the forces of status quo for 'suppressing awakening at the bottom' and 'backlash at the top'. It was seen as 'using violence as a mechanism of both suppressing the awakening and of channelizing it in directions that take away from the politics of transformation'.

(To be concluded)

(Continued from Page 7)

8. We have calculated this from the following data: (i) Loans written off by public sector banks over the period 2004-15 totalled Rs 2.11 lakh crore ("PSU Banks' Write-Off of Bad Loans at Rs 1,14,000 Cr in 2013-15: RBI", February 8, 2016, <http://www.domain-b.com>); (ii) PSBs wrote off Rs 49,018 crore in 2014-15, and they further wrote off NPAs of Rs 56,012 crore during 2015-16, according to Minister of State for Finance S.K. Gangwar in a written reply to the Rajya Sabha ("PSU Banks Write Off Rs 1.54 Lakh Crore Bad Loans", December 8, 2016, <https://yourstory.com>).

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