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Emergency should never be Forgotten

Kuldip Nayar

Strange! In the process of selecting who should be the next President of India, the nation has forgotten the Emergency which was imposed some forty two years ago. More than one lakh people were detained without trial. The media which could have reported the conditions prevailing was muzzled. Civil servants obediently issued the orders, which came from Sanjay Gandhi, the extra-constitutional authority that ruled the country in the name of his mother, then the Prime Minister.

The judiciary caved in and upheld that Parliament could suspend the fundamental rights enshrined in the Constitution. Even the imposition of the Emergency was justified. Only one judge, Justice H.R. Khanna, gave the dissenting judgment. He was later superseded. It is another matter that the country punished the then Prime Minister, Indira Gandhi: she was ousted from power, lock, stock and barrel in the elections that were held. Similar was the fate of her son, Sanjay Gandhi.

What disappoints me is that the

Supreme Court never passed a resolution or done anything to register its criticism against the judgment which had given the judiciary a bad name. Even now it is not too late. The Supreme Court has liberal judges on the bench. They can make up by passing a resolution that their predecessor bench was wrong in having endorsed the Emergency.

At least the Prime Minister Narendra Modi cabinet should say sorry on behalf of the Centre for the excesses committed by the earlier government during the Emergency. The then Attorney General, Niren De, had even argued in the court that the right to live was forfeited during the Emergency.

There was so much fear among Delhi lawyers that advocates like Soli Sorabjee from Mumbai, along with V. M. Tarkunde from Delhi, argued the habeas corpus petitions filed by my wife. Still I spent three months in jail.

The two judges, Justice S. Rangarajan and Justice R.N.

Aggarwal, who gave the judgment, were punished. The first one was transferred to Guwahati where people still remember him for his impartiality. The second was demoted and sent back to the Sessions Court. This did not, however, deter them and they carried on their work boldly and independently.

Probably, the pressure on the judges has lessened in recent years because of vigilant media. But the worse is happening in appointments to the benches. They are being made according to the whims and wishes of rulers. This began with the Congress government and has continued when the Bharatiya Janata Party (BJP) is in power.

I recall that the process started when Indira Gandhi had superseded three judges—Justices J.M. Shelat, K.S. Hegde and A.N. Grover—to appoint Justice A.N. Ray as the Chief Justice. She had been unseated from parliament and disqualified for poll malpractices for six years. Instead of accepting the verdict with grace, she imposed the Emergency and amended the election law itself.

The excesses which Indira Gandhi and Sanjay Gandhi committed during the Emergency may be part of history to me, they are recalled by not only those who suffered but also those who supported democracy. It was the Janata Party, which came to power after defeating Mrs Gandhi that changed the Constitution to make the imposition of the Emergency impossible. And Justice Khanna's dissenting

judgment that the basic structure of the constitution could not be changed was accepted as the norm. This has ensured the parliamentary system of governance and has deterred every ruler since then from tinkering with the judiciary.

Ultimately, the independence of the judiciary depends upon the quality of judges. In the US, the biggest democracy, the Supreme Court is divided between the Republican judges and Democrat judges. Since the tenure of the judges is for lifetime, the appointees of one party have risen above their old loyalties and become independent and impartial.

In India, we had the best of judges when the government appointed them. But now the party politics has crept in. At least it has been seen in High Courts that the party in power has not appointed the best of lawyers but those who owed allegiance to particular political party. Even in the Supreme Court, some appointments come under the shadow of doubt.

Some examples of the past are worth praise. Take the case of former Solicitor General Gopal Subramaniam whose appointment to the Supreme Court was stalled by the Narendra Modi government. Blaming the government for blocking his appointment, Subramaniam said his "independence as a lawyer is causing apprehensions that I will not toe the line of the government. This factor has been decisive in refusing to appoint me." He withdrew from the race.

In fact, it was at his instance

that the Gujarat police was forced to book a murder case in the Sohrabuddin fake encounter matter. When the prime witness, Tulsiram Prajapati, was liquidated under suspicious circumstances, Subramaniam had recommended the transfer of the case to the CBI. Significantly, Subramaniam also admitted that it was on his suggestion that the Supreme Court, while granting bail to accused Amit Shah, now the BJP president, had barred him from entering Gujarat.

Most pathetic was the role of the media. I recall that when the Emergency was imposed there was anger and more than a hundred journalists assembled at the Press Club at my bidding to criticise the Emergency. But when I tried to pick up the thread after my detention, there was hardly anyone to support. Mrs Gandhi had created so much fear in the minds of journalists that they were more worried about their jobs than the freedom of the press, which they otherwise cherished.

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The Agony and Ecstasy of Infosys

J. L. Jawahar

There is a notion prevailing that the company belongs to shareholders. There are many reasons for it. But the company law takes care to ensure that shareholders do not interfere with day-to-day management. Some rights are given to be exercised in meetings, but to be exercised in a group only. It is based on the concept of separation of management from ownership. Owners are suspected to bear some sentimental approach to the company promoted by them which would prevent harsh decisions that business demands. Even promoters agree to that and invite (so-called) professional managers to take over the management. So far so good.

But at times it is possible that some of the shareholders, not necessarily promoters, feel that the company is not running on proper lines. They dare to make suggestions to management either to do something or desist from doing something. But the management is entitled to ignore it as it is not legally bound to take note of it. They claim what they are doing is the best for the company and its shareholders — that is, maximization of profit. In a public limited company at present, the shareholders are in plenty, distributed all over the country or even foreign countries. The shares are distributed very thin but for some concentration in the hands of a few. It makes it difficult for shareholders to join together to make any concerted effort on any issue to influence the management. It involves some effort, organization

and expenditure to do it. Nevertheless, some of the individual or institutional shareholders take upon themselves the task of bringing together like minded shareholder. They form the active shareholders. Naturally there could be some personal interest of the initiators also involved in it, apart from the company's interest. Such active shareholders are prevalent in the west particularly in the USA. It becomes necessary because the shareholders there are more disabled to exercise any rights. Their decisions in meetings also are not binding on the managements. The demands of shareholders may extend from requests for payment of dividends out of accumulated profits while the management wants it accumulated for future plans. The active shareholders may think that splitting up of the company on different lines of business may be more profitable. It may also facilitate disposal of unprofitable units keeping profitable lines. At times they may even suggest sale of the company outright.

Carl Icahn is one of the most reputed active shareholders in the USA. If he finds a company whose shares are quoted low in the market, he would like to enter into the company as a shareholder by purchasing some shares if he has none already. That gives him a legitimate interest to poke his nose in the affairs of the company. Then he makes suggestions to improve the performance of the company to get higher price for shares. Thus he invested substantially in the Korean

conglomerate KT&G. He wants the company to divest some lines of business and dispose of some noncore assets to make it more profitable. The management did not agree. He continued his tirade against the company. The management felt better to compromise with him and allowed his nominee on the board. With Biogen Idec Inc. he demanded splitting of the company or an outright sale of it. The management did not agree. They ignored his demands. He started a proxy war, but could not get adequate support. He failed in his efforts. Thus at times it is possible that active shareholders start with a personal agenda. His fight with Time Warner is legendary not only for his failure but also for the tactics he adopted. He made multiple demands. He wants to split up the company into four units for different lines of business, increase buy back of shares to \$20 billion and take steps to reduce costs. In fact the board thought of splitting up the company but dropped the proposal in view of tax liabilities. A proposal was there to buy back of shares to the extent of \$5 billion. But the fight of Icahn has become a distraction. He tried to tempt shareholders that he can bring the share price to \$27 from the existing \$17. But shareholders did not join his camp. In the meeting he proposed a panel of directors for election. But it was defeated. The Chairman of Time Warner, Richard D. Parson is a gentleman. He offered peace. He agreed to take two of his nominees on the board and to increase buy back of shares

to \$12 billion. Icahn had to accept to save his face.

But the fact is, in none of these cases the management felt it proper to go to the SEC (Securities and Exchange Commission) of USA with a complaint that the active shareholders have become a diversion adversely affecting the ability of the management to execute strategic priorities. That is exactly what Vishal Sikka of Infosys has done. It is not against any particular group, he said. But it is obvious that it is with reference to the objections raised by some of the promoters recently. But the situation is radically different in the two cases. Whereas the demands of active shareholders in other countries are about the economic efficiency of the managements, in the case of Infosys the promoters wanted to uphold some ethical standards to be followed and respect the culture of the company. They did not have any complaint about the economic performance and profitability of the management. In fact the company projected a growth of 13.8% for the year 2016-17. But it was scaled down twice finally coming to less than 8%. The promoters did not raise any objection. But when the salary of the CEO was raised by 55% over the earlier year — from \$7.8 million to \$11 million — they pointed out that it is unfair compared to the increase for most of the employees which was 6-8%. When one of the executives relinquished his job, he was given a golden parachute costing equal to salary of 60 months, which was unprecedented and unjustified. It would be a different matter if he is continuing with the company.

Usually, the enhancement of

remuneration to executives is sought to be justified on the ground that they may leave the organisation unless they are paid that much. They also say that there are other companies who are anxious to take them if he leaves. Really? Does it mean that he undersold himself to the company when he joined on negotiated terms? Are there no executives available in the market to fill the posts if they leave? Is the market so barren? Obviously, it is blackmailing of the company. Top executives collude in the process. That is unethical on their part. Of course, ethics has no place there!

The culture of the company as inculcated by the promoters from the beginning is to treat all the employees fairly and equitably. In fact when the business was dull and proposals were made to retrench some of the employees, the then management of the company decided against it. Alternatively, the highly paid employees were asked to cut their salaries and accommodate the employees without need for retrenchment. That is the culture the promoters wanted to continue in the company. In general, the media and management circles pointed out that Narayanamurty is out of step with the present situation in business world. That is the mild way of telling he is obsolete. Does it mean ethics are anathema to business? That, in fact, is the basic question. If profit alone is the criterion for the performance of the company, why to talk of governance? Just compliance with regulations is enough to claim as successful governance? In what way is it different from management? Just defining the mission of the company and vision of management in

bombastic style makes it good corporate governance?

In the present day business environment, it is said “Everyone is doing it”. Is it the standard that everybody has to follow? Otherwise he becomes obsolete! This is what Narayanamurty condemned even in his earlier days as promoter. That cannot be accepted as criterion for ethical standards. If you think ethics has no place in business, it is a different matter. But nobody agrees to that, at least openly. Now that Sikka has apprised the SEC that active shareholders remain a risk factor for the performance of the company, he has already established an excuse for the possible failure to reach the target of \$20 billion by 2020. He could safely point out that the blame lies with the promoters who stand in his way of management. The danger is that every democratic government could allege that the opposition has become a nuisance and but for them they could have brought down the heaven on to earth. There are ethical ways of maintaining corporate culture without adversely affecting profitability. Corporate culture expects that every employee is treated fairly and equitably so that they feel happy and one with the organization. Once those values are declared alien to management, that is ecstasy to management and agony of people like Narayanamurty.

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The Repressive Measures of BJP Governments

Sandeep Pandey

Bharatiya Janata Party and its ideological parent Rashtriya Swayamsewak Sangh don't have much faith in democracy. For this reason they try to suppress every voice against them. Dialogue with opposition which is a common way of resolving disputes is not something which they usually resort to. They believe neither in freedom of expression nor in the right to dissent. They adopt repressive measures when somebody else uses violence and ignore the violence of their own people.

Over hundred people died in Kashmir due to use of pellet guns and over thousand were injured. It didn't appear that the government considered people of Kashmir as its own. It treated them more like enemies and still believes that it can subdue them by force. The Home Minister talks of bringing normalcy to Kashmir. This probably implies more force will be used. The idea that people should be engaged in dialogue is outside the realm of possibility for BJP leaders because they have presupposed that everybody using violence against the state is anti-national. For them it is scandalous to talk to anti-nationals.

On 21st April BJP Member of Parliament Raghav Lakhanpal Sharma tried to take out an Ambedkar Birth anniversary procession through a Muslim locality without the permission of administration in Saharanpur, Uttar Pradesh. When the police tried to stop the procession the mob, which included two Members of Legislative

Assembly also, attacked the residence of Senior Superintendent of Police. No action was taken against Raghav Lakhanpal but the SSP was transferred. How is the action of Raghav Lakhanpal different from a Kashmiri pelting stones at Army?

On 5th May in Shabbirpur village of Saharanpur district dalits objected to loud music being played along with a procession taken out by members of thakur community to mark the birth anniversary of Maharana Pratap. In the ensuing scuffle a thakur died of suffocation. In response thakurs burned about 60 houses of dalits. An organisation of dalits, Bhim Army registered protest and burned some government vehicles in the process. The leader of Bhim Army Chandrashekhar was arrested after a few days.

Now the administration is trying to find fault with people on both sides in both cases. Muslims and dalits are also being made accused whereas it is crystal clear as to who was responsible for provocation. How one sided the violence was can be gauged from the fact that thakurs can burn the houses of dalits but not the other way round. Small errors of Muslims and dalits are being exaggerated whereas monumental mistakes of upper caste are being underplayed. Raghav Lakhanpal has been let off as if nothing happened.

Question arises as to why no strict action was taken against the MP which could have prevented subsequent incidents as it would have sent a clear message that

anybody who tries to disturb law and order will be dealt with in a stringent manner. It is being repeatedly seen that any violence of cow vigilante groups against a suspect is simply ignored by police, like it happened with Phelu Khan in Alwar, Rajasthan on 1st April, but if anybody questions the actions of government then it results in repressive backlash.

On 6 June, 2017, Madhya Pradesh police opened fire on protesting farmers in which 5 lost their lives. One more died later. Dr. Rammanohar Lohia used to say that in a democracy a government which opens fire on its people has no right to continue.

In UP 11 students of Lucknow University were sent to jail for trying to stop Chief Minister's cavalcade and showing him black flags. Is there no space for dissent in democracy? As the CM was going to attend a programme in University could he not have invited them for a dialogue? Beacons cars are now disallowed in UP in an attempt to end the Very Important Person culture. However, whether the beacon is there or not, if punishment for stopping CM's car is jail then the car still continues to be terror for people.

On 9 June, 2017, vendors who set up carts outside Banaras Hindu University hospital in Varanasi and used to cater to patients and their relatives were forcibly removed by the police and when they protested they were arrested. When BHU students protested against the arrest of vendors they too were arrested.

In all 26 vendors and students went to jail and in order to obtain their bail they were asked by the magistrate to produce a surety of Rs. 5 lakhs each. Is it such a big crime to defend one's right to livelihood? In the violence which police perpetrated on vendors each of them suffered a material loss of about Rs. 20,000. The biggest worry for vendors is when they are out on bail how will they earn their livelihood? A person

who claims to have been a tea-seller once has snatched the livelihood of a number of tea sellers from his parliamentary constituency in a very cruel manner.

It appears that the BJP governments have taken a decision to crush all opposition with an iron hand. They don't even make an attempt to understand the other point of view. They have this arrogant

outlook that anybody opposing them is anti-national. From their narrow point of view a large number of people in this country will fall outside their domain of nationalism. When you don't accept any other point of view other than your own then it is an indication of fascism. Violence is a necessary part of fascism because if it is not possible to convince the opposition then it is to be eliminated.

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The Centre believes in mainstreaming of rural development, free education (its schools do not charge fees till the SSC and nearly 4,000 children are getting free education) and affordable health care. Rural areas need and deserve better health care and the state so far has failed to motivate enough number of doctors to shift to rural areas. The civil society as well as medical fraternity needs to do something to motivate doctors to go to rural areas. The Centre is committed to work for this.

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Musings from Mongolia

D. K. Giri

Mongolia rings a bell for Indians conversant with the history of Mongol (Mogul) invasion. Genghis Khan actually did not attack India, but his descendants, Taimur and Babur did. For that very reason, Mongolia stays an important part of Indians' memory. When the Progressive Alliance meeting took place in 25-26 May 2017, I needed no persuasion to accept the invitation and made my way to Ulaanbaatar, the capital of Mongolia. The flight to Mongolia was the longest I have ever taken; it clocked 27 hours with two stopovers, one at Istanbul, another at Bishkek, Kyrgyzstan. But the journey was worth the effort and time, as Mongolia is indeed uniquely exotic. As I looked down from the window of our flight, mountains of the sand stood serene and still. I was wondering how people could live amid the sand mountains, and long stretches of desert without greenery, water and soil. But by then, I had seen only parts of Mongolia. My impression dramatically changed during our stay for the conference.

We were hosted by the Mongolian People's Party (MPP) which rules the country now by winning 65 seats out of 76 seats in Mongolian Parliament, and a super-majority of massive 85 per cent. The downturn in the Mongolian economy appeared to be the major factor in the landslide victory of MPP. The global drop in the prices of copper and coal, the mainstay of Mongolian economy contributed to a measly 0.4 per cent of GDP growth in 2016. The incumbent Democratic Party was blamed largely for the

mismanagement of the economy which had experienced a boom from 2010 to 2012.

A short profile about the Mongolian People Party is in order as it became the member of the Progressive Alliance, a sort of new incarnation of Socialist International. The Progressive Alliance came into existence in June 2013. Mongolian People's Party, set up in 1921, the oldest political party of Mongolia subscribes to the ideology of social democracy. It became Mongolian People's Revolutionary Party in 1924 believing in Marxism-Leninism, and joined the Communist International. It was then a communist party working at the behest of Soviet communists. There was however, protracted movement against the communist rule. In 1990, Mongolian Democratic Union started a hunger strike demanding the communists' resignation. The politburo of MPRP decided to dissolve and resign on 9 March, 1990. That paved the way for multi-party elections in Mongolia. The MPP has been the dominant political party ruling the country for long except a few set-backs. In 2010, the party restored its original name Mongolian People's Party, and changed its ideology to social democracy.

The Progressive Alliance Conference took off in a grand style with few Members of Parliament from the ruling party, and all their logistic support. The discussion was about building a fairer and prosperous world on the bases of equality and solidarity. Like many

Progressive Alliance conferences, the presentations by member countries were replete with social democratic rhetoric and promise for future. There were discussions also on the crippling affect of populism on democracy and the fragile, nascent democratic structures in the Middle East. The Palestinian question kept haunting the delegates due to the presence of both Palestinian and Israeli comrades. Of course, Progressive Alliance conferences provide unique opportunities for camaraderie between comrades of many countries even if their governments are daggers drawn at each other, like India and Pakistan, Israel and Palestine, Morocco and Polisario (Western Sahara) and so on. There was renewed focus on gender equality and resolutions passed in favour of Arab Social Democratic Forum and against Rodrigo Duterte, the ruthless president of the Philippines, who is murdering people, including his opponents, in the name of controlling drug trafficking. Serious concerns were also expressed about refugee crisis, racism, religious fundamentalism, extremism and such. Terrorism occupied the attention of the conference as bombs exploded in Manchester, Jakarta and Philippines when the conference was in progress in Mongolia.

The visually gripping parts of the visit were the cultural show, sumo wrestling, the nomadic families, the Genghis Khan statue, and the entering the Mongolian Parliament. The visit to the Parliament was a

memorable event; for an Indian, from the most populous democracy in the world, seeing a parliament of 76 members representing 3 million people was a bit amusing. All the delegates were taken through a couple of security barriers, our names were sent before our arrival and were cross-checked from our identity cards and passports. The security drill is common occurrence in the whole world now, no matter how developed is democracy in any country. Terrorism is growing in parallel with democracy, the latter being unable to neutralise it. We were taken to the Parliament Hall which seemed full to its capacity. The Prime Minister was sitting next to the speaker on stage, although his level was bit lower than that of the Speaker. All the MPs were sitting in a round shaped hall with treasury and the opposition facing each other. As we were coming out, we were struck by the people sitting in the adjacent hall. They were all in their traditional, colourful attire, with big turbans. It was in sharp contrast to what we saw earlier where MPs were all in western suits. We thought that was the upper house or the senate, or some name as a part of the Parliament. But it was not so, it was the meeting of the farmer leaders from different parts of the country. It was amazing to see the rural farmers finding space in the Parliament building, next to the parliament session, to hold their meeting.

We were then taken to the statue of Genghis Khan, which is a major tourist attraction. The huge statue, made of 250 tons of stainless steel, is 40-meter tall. It is a matter of some academic inquiry as to why Mongolians want to revive the legacy of Genghis Khan. The world remembers him as a 13th century

barbaric invader who conquered and killed numerous people across the continents. His Mongol empire was the biggest contiguous territory ever in history. But for Mongolians, he was a larger-than-life hero, a man of valour and vision. The airport in Ulaanbaatar is named after him, there is a university bearing his name, and one finds his photo embossed in various souvenir items.

From the statue we moved to a nomad family where we were treated with traditional beverages, food, mostly meat items, and tea. The family lived in a tent, and moved to different places in the car, their caravan attached to it. Earlier, they used horses. We saw the animals kept by the family- goats, lambs, camels, horses, and yak. The camels had two hunches. We were told such camels with two hunches were found only in Mongolia. We were then treated to folk dances by children in an open ground, followed by sumo wrestling. In the evening, professionals from a dance school performed various Mongolian dances for our entertainment.

To my surprise, I found many educated Mongolians knew India; they had been to India for medical treatment or for higher education. These two areas give us scope for deepening relations with Mongolia. A step in strengthening relations was taken as Prime Minister Modi visited Mongolia last year and gave one billion USD credit line. Further assistance may be extended in terms of archeological skills to restore numerous Buddhist statues and renovate ancient monasteries that have priceless hand-printed Sanskrit texts.

The other important area that binds the two countries is democracy. The

new democracy in Mongolia born in 1990 with some incentives from India seems irreversible, intersecting with Buddhism, freedom and nationalism, India should help Mongolia rewrite its history, mainly on Genghis Khan who has been portrayed as a barbaric marauder, his universalism, civilisational values, governance techniques and military skills, should be preserved as Asian heritage. This would challenge China's historical reassertion in Asian region. Let it be noted that Mongolia, like many other countries, is worried about the rise of China. Though China brings loads of money into Mongolia in return for mineral resources, Mongolia is concerned lest it should be gobbled up by China like Inner Mongolia was.

A strong and viable Mongolia is good for India. The cultural presence of India in Mongolia between Russia and China is good for Asian geo-politics. By resurrecting the powerful legacy of Genghis Khan, India and Mongolia could debunk the China's historical claim on Asia.

Madhu Dandavate

By

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Not Worth the Tax

Arun Kumar

The Niti Aayog press conference a month ago, in which the taxation of agricultural incomes was suggested, embarrassed the NDA government. When there are farmers' agitations in many parts of the country, and talk of farm loan waivers, does this make sense? The politics of such a move is clear, its economic aspects were spelt out in an article by Bibek Debroy ('**12 reasons why**', *Indian Express*, May 3).

The article made 12 points, but it missed the 13th, which follows from the 12th point. This missed point makes the other points redundant. The 12th point stated that the answer to an RTI application revealed that "In 2012, 8,12,426 individual tax payers disclosed agricultural income. The average income per individual assessee was Rs 83 crore." So, the incomes of these individuals turn out to be an astounding Rs 674 lakh crore. The GDP in 2012-13 was a little less than Rs 100 lakh crore.

If correct, these individuals declared incomes that were 6.7 times the GDP: Thus, the black economy that year was far more than Rs 574 lakh crore or 574 per cent of the GDP. Coming from a high government official, all this cannot be doubted.

If such data was available, demonetisation to unearth black incomes was not required. Investigation of these eight lakh plus entities would have been enough. Why did a billion people stand in endless queues for two months?

Many people lost their jobs, went hungry, even died in queues and so on when officials knew what to do.

According to data in the Income Tax Return Statistics AY 2012-13, in 2012-13, the "Number of Effective Assesseees" was 4,72,67,582. That number rose in 2014-15 to more than 5.167 crore. The categories included here were Company, Firm, HUF, Individual, Trust and so on. However, no category called agriculture is mentioned. This is understandable since there is no tax on such incomes. Then, how is data on agricultural income being generated by tax authorities?

If one has income from both agriculture and non-agriculture, then one declares the agricultural income as well, even though one does not have to pay a tax on that. It is just like dividend income, which, in the hands of an individual, is free but is declared in the return. The income data from the tax department for Assessment Year 2012-13 reveals that only 73,000 entities filed a return of above Rs one crore and, of them, 1,600 entities filed a return of above Rs 50 crore. Only 2,600 entities paid a tax of above Rs 10 crore. So, very few from the non-agriculture sector declared any income close to what the RTI data reveals.

It is conceivable that people declaring a small non-agricultural income may declare large agricultural incomes. But then, they should be suspect and investigated by government agencies. Since there were about eight lakh such entities,

scrutinising their accounts should not be that difficult. If these black incomes were caught, then 200 per cent of the GDP would have accrued as tax collection whereas today, only 5.5 per cent of the GDP is collected as direct tax. Is this data believable? That brings one to the fourteenth and subsequent points.

If the GDP figures rather than the RTI ones are taken as more credible, how much income tax can be collected from agriculture, assuming that the income distribution in agriculture and non-agriculture are similar? There are 138.35 million operational holdings, but how many would have taxable incomes if agriculture were to be taxed?

The share of agriculture and allied activities in the GDP is around 14 per cent. That would mean a GDP contribution of about Rs 21 lakh crore out of Rs 150 lakh crore. The net income that would be taxable would be much less.

Roughly 50 per cent of the work force is in agriculture, and a similar per cent in non-agriculture. But the former earn only 14 per cent of the GDP while the latter make up 86 per cent. Since India's per capita income now is around Rs one lakh, the average income in agriculture would be only around Rs 27,000.

From the 86 per cent of GDP contributed by non-agriculture, 5.5 per cent is collected as direct taxes. Assuming that the distribution of income in agriculture is similar, from the 14 per cent of GDP that

this sector contributes, one can only collect less than one per cent of GDP. But the average agricultural income is one fourth of that of non-agriculture, so one would expect to collect only 0.27 per cent of GDP.

Adjusting for deductions, etc., the collection may be no more than 0.1 per cent of the GDP. Collecting this tiny bit of tax would be horrendously difficult for a variety of reasons, including definitional

and administrative ones, so that cost may not justify the likely tax collections.

How much would the tax collection from agriculture rise over time (called “buoyancy”)? Not much, given that the share of agriculture in the GDP has been falling. So, it can only contribute a declining share of taxes. The alternative would be to collect more from the services where the bulk of black incomes are generated.

In conclusion, while for the sake of equity, all incomes should be treated alike, agriculture is a special case. It is not that if agricultural incomes are not taxed, there is no tax on such incomes. Keeping agricultural prices low is also a tax. Finally, if the 12th point is believable, eight lakh entities are generating large black incomes; if they are tackled, neither demonetisation, nor a tax on agriculture is needed.

—*Indian Express*

Patna Declaration

82 years of Congress Socialist Party (CSP) 17 May 2017

Delegates in this Samajwadi Samagam recall devoutly the golden 82 years’ history of the Indian socialist movement on the occasion of the anniversary of the foundation day of the Congress Socialist Party (CSP) in historical Anjuman Islamia hall. On this day, in 1934, 100 socialists in this same hall of Patna had formed the Congress Socialist Party within the Congress with two distinct goals: freedom from the colonial subjugation and establishing of socialist system. While working within Congress, the Congress Socialist Party turned the policies of the Congress in support of working classes and played an important role on almost every issue. A committee was formed to prepare the draft constitution, policy document and program of the CSP with Acharya Narendra Dev (Chairman) Jayaprakash Narayan (Secretary) and Abdul Bari, Purushottam Trikmdas, Minoo Masani, Sampurnanand, G C Banerjee, Faridul Haque Ansari, Dr. Rammanohar Lohia, Adul Alim and N G Ranga as members. Jayaprakash Narayan was appointed

the organization secretary to set up the party’s units in different provinces. Samagam remembers respectfully all the socialist martyrs who sacrificed their lives during the freedom struggle and the socialist movement.

The socialist movement has made significant contribution in India’s struggle for independence. Especially in 1942, legendary leaders like Dr. Lohia, JP, Aruna Asaf Ali, Achyut Patwardhan led the ‘Quit India’ movement (August Kranti), after almost all senior Congress leaders were arrested following the call of ‘Quit India’ given by Gandhiji. A letter written to Viceroy Linlithgow from Lahore Jail Lohia reveals that in the August Revolution more than fifty thousand freedom fighters were martyred by the British police and over one lakh fighters were arrested and severely punished. August Revolution Movement is a golden chapter of India’s Independence Movement. 75 years of the Quit India Movement are being completed on 9th August 2017. This Samagam calls upon all socialists and like-

minded people/organizations of the country to reach the August Kranti Maidan in Mumbai on 9th August. There will be a grand program under the auspices of Ham Samajwadi organisations. The Socialist Party (India) has also planned a rally from Ramlila Maidan to Jantar-Mantar in Delhi on the same day to mark the occasion.

We are proud that the socialists had opposed the imperialist conspiracy of partition of India and made every effort to stop the riots between Hindus and Muslims under Gandhiji’s leadership. After independence, the socialists left the Congress and formed the Socialist Party to work independently for the establishment of a socialist society in the country. They established co-operative relationship with Dr. Ambedkar and his Republican Party; fought relentlessly for the values of freedom, democracy, socialism, secularism, social justice, simplicity, self-reliance, upholding the path of non-violence — Satyagraha - Civil Disobedience. Goa got freedom from the possession of Portuguese in 1961 under the leadership of

socialists. Many important literary figures and artists of the country have played important roles in Socialist Party and the Socialist Movement. Prominent writers and thinkers like Rambriksh Benipuri and Phaniswaranath Renu from Bihar were active in the Socialist Party and socialist movement. The Samagam remembers them on this occasion.

Whenever central and state governments tried to make policies against farmers, laborers, women, youth, dalits, tribals, backwards and minorities, or attempted to resort to black laws to crush civil rights, socialists opposed anti-people policies and laws at every step. Whenever socialists got the opportunity to run or join the governments at the state or at the center, they have made every effort to implement welfare schemes. The government in Bihar under the chief minister ship of late Karpuri Thakur is a unique example in the country.

In the country, when the Congress imposed Emergency and snatched all civil rights and freedom, socialists put a strong fight against that. During the Emergency, socialists were arrested on a large scale, but they did not bow before the terror of autocratic power. In 1974 the movement of the youth of Bihar was led by Loknayak Jayaprakash Narayan. We salute the fighters of JP for their struggle and sacrifices for the restoration of democracy. We take a pledge to oppose strongly attacks on democratic institutions, constitutional values and civil rights by the current central government and Sangh Parivar.

On this day, in 1934, under the chairmanship of Acharya Nrendra Deva resolutions were passed for

social ownership of resources and production and re-distribution land among the peasants by uprooting exploitative classes. Today, neo-imperialist clutches on the sovereignty and resources of the country are being tightened. From education to defense sector, it is being entrusted in private and foreign hands. Education has been handed over to the market. With the permission for hundred percent Foreign Direct Investment in the defense sector, the present government has put the country's security system at risk. In order to fulfill the objectives laid down by the founding leaders of the socialist movement, we all socialists resolve to fight together against the menace of neo-imperialism.

Policy decisions to hand over water, forest and land to the corporate are being put on a fast track by the central and state governments. In order to give maximum profit to the corporate, the central government has weakened the labor laws achieved after major sacrifices in the last 150 years by the labor movement. Due to this, inflation and unemployment in the country are at peak. This Samagam supports the protest movements against these anti-people policies across the country by farmers, trade unions, dalits, tribals, women, fishermen, landless labourers, unemployed, civil rights organizations and environmentalists. Along with this, The Samagam also supports 'Nasha-Mukt Bharat Andolan' for implementation of prohibition in the country.

The country is going through a deep crisis. Values of the freedom movement, the principles of socialist ideology and movement, ideals of JP movement, even basic constitutional

values are being hammered by communal fascist forces. There is a conspiracy to destroy the Indian civilization based on plurality and diversity. The present BJP government is bent on destroying the right to privacy, to wear, to eat, to speak, to listen and to believe. Rather than fulfilling the promises made during the elections the government is intent on imposing a communalist, narrow, dictatorial agenda on the nation. Samagam appeals to all citizens and organisation who believe in socialism, secularism, democracy and harmony to oppose this onslaught of the government collectively.

The situation in Kashmir is the worst in its history so far. The present central government and the Jammu and Kashmir alliance government has no short-term or long-term policy to resolve this serious problem. The Samagam demands the ruling party to initiate an immediate unconditional dialogue with all parties to resolve the Kashmir problem. Samagam welcomes and supports the efforts made by socialists under the auspices of Rashtra Sewa Dal in this direction.

Anjuman Islamia Hall is an integral part of the legacy of India's great socialist movement. Therefore, the meeting demands that the Bihar government should declare the Anjuman Islamia Hall a national heritage forever; and no other building should be erected in the future in place of this building. The Samagam will submit a memorandum to the Chief Minister of Bihar soon and will contact the central government in this regard.

All the leaders who founded the Socialist Party were young. Therefore, in the end, Samagam

invites the youth of the country to come together with the socialist movement to defeat the forces who sell and break the country; they should unite with the attempt of new politics to strengthen the

country's independence and self-reliance vis-a-vi the neo-imperialist attack.

An organizing committee was formed to organize 'Congress

Socialist Party Formation Day' every year at the same place.

—**Dr. Sunilamm,**
National Co-ordinator,
Samajwadi Samagam

Abolition of Cesses

Several trade unions and workers' organizations are increasingly concerned about the abolition of several cesses which had earlier made funds available for welfare of workers. Supporting these concerns Sharad Yadav, member of Rajya Sabha and Chairman, Department Related Parliamentary Standing Committee on Industry, wrote to the Finance Minister Arun Jaitly on March 24, 2017, "I write this to express my great concern about salt, mica, coal, dolomite, cine, iron ore, manganese and chrome ore workers as welfare cesses being collected for their social security have been abolished without consulting the trade unions. The representatives of various workers' unions met me to inform that apart from abolition of cess laws, enactment of GST will further have negative impact on

workers' welfare in building and beedi industries."

Although the construction cess still continues, as this is the biggest cess for providing security potentially to a very large number of workers, workers' organizations have been worried about its continuation following the decision taken earlier, very arbitrarily, to abolish the cesses related to the welfare activities of several other categories of workers.

A recent report in the *Hindu* in the context of salt workers in Marakkanam, Villupuram district has revealed that the abolition of cesses in some categories of work has already started having an adverse impact on the welfare of these workers. This report published on June 16 and titled 'Welfare Cess

cuts salt on workers' wounds' has pointed out that in recent times urgently needed medical camps have stopped, water tanks are not available and educational help for children has stopped. This denial, the report notes, is related to the July 2016 notification of the Union Ministry of Finance abolishing welfare cesses for workers in six sectors. When local officials were contacted they replied that now they do not have funds for these welfare activities relating to labour.

Clearly this a serious matter and the demands for continuing the welfare activities of workers as well as avoiding any further abolition of such cesses should be accepted by the government.

—**Bharat Dogra**

Footprints of A Crusader (The Life Story of Mrunal Gore)

by

Rohini Gawankar
Published by

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March Against Privatization of Railway Stations

Whether it is traveling or transporting goods, Indian Railways is the lifeline of the entire country. This is one of the largest railway services in the world. The British had used the railway for the economic exploitation of India and the strengthening of its own empire. On the other hand, the creation and extension of rail services in independent India was aimed at strengthening the country's contact system, economy and military system. In the construction and the working of Indian Railway

Service, the country's most valuable resources, both material and human labour is invested.

In the last few years the ruling class has been trying to privatize the railway. However, the present BJP government, in the guise of Public-Private-Partnership (PPP), has cleared the plan to privatize the railway by initiating the sale of railway stations into private hands.

To start the campaign, Socialist Party Delhi State organised a 'Save Indian Railways' march from Mandi House to Jantar-Mantar on 22 June 2017. The party's senior leader Justice Rajindar Sachar flagged off the march at Mandi House. Speaking on the occasion he said that the Socialist Party is committed to the public sector and opposes the government's decision of selling the railway stations to private hands. He expressed anguish that any opposition party in the Parliament including the Left parties has not raised voice against this wrong decision of the government. Neither the railway unions have taken any strong action against the decision. He

expressed hope that after the initiative of the Socialist Party, opposition parties and railway unions will come forward and oppose this anti-constitutional decision and will abrogate it.

The national president of Socialist Party Dr. Prem Singh said that all the state units will organize programs in their respective states to oppose the decision. He informed that the party also plans to organize a national conference on the issue of the privatization of the railway by inviting Hind Mazdoor Sabha (HMS) and other labor organizations. He said that if all the public undertakings including education, army and railways are to be handed over to private hands, then what work will remain for the elected government? Is the government's job merely is to shift national assets into private assets? Has the government become an agent of corporate houses/multinational companies? He reminded the government that the railway is a national inheritance. The Socialist Party will explain to nation's citizens how and why the government's decision to sell the railway stations is an clear betrayal to the country.

The march ended at Jantar Mantar and a public meeting was held. Senior socialist leader Shyam Gambhir conducted the meeting. The meeting was addressed by national president of PUCL Ravikiran Jain and vice president ND Pancholi, senior socialist leaders Vijat Pratap, comrade Baldev Sihag, comrade Narendra Singh, Ravindra Mishra, national vice president of the Socialist Party Renu Gambhir, general secretary Manju Mohan,

secretary Faizal Khan, Socialist Party Delhi State working president Syed Tahsin Ahmad, vice presidents Mahendra Yadav and Tripti Negi, general secretary Yogesh Paswan, secretary Devender Bharati, national president of Socialist Yuvjan Sabha (SYS) Niraj Kumar, general secretary Bandana Pandey, theatre activist Hirany Himkar, journalist Rajesh Kumar Mishra along with many others.

The speakers opined that the decision of selling railway stations into private hands is a direct result of the pro-capitalist policies of the government. They called upon the Socialist Party to make it a comprehensive movement against this anti-people decision.

—Yogesh Paswan

Acharya Javadekar
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‘Conservation’ or ‘Militarization’? Human Rights Violations in Kaziranga National Park

National Alliance of People’s Movements expresses its solidarity with the struggle of the scheduled tribes, forest and park dwellers living near the Kaziranga National park (KNP), in Golaghat district, Assam, challenging the unjust and repressive attitude of the Forest Department of Assam and silence of the Government of India in the garb of conservation. We salute the spirit of activists like Pranab Doley, Sonewer Narah and others of the Jeepal Krishak Shramik Sangha (JKSS), who, in spite of facing continuous threats, trumped-up charges, handcuffing and arrests have highlighted the impunity enjoyed by the Forest Department in dealing with the local people.

It may be noted that while villagers and activists like Akhil Gogoi, associated with the Krishak Mukti Sangram Samiti (KMSS) have for long been facing repression and raising concerns about the human rights violations, evictions and deplorable state of affairs in villages near Kaziranga, the issue once again came to spotlight with the Government’s ban on BBC’s documentary ‘*Killing for Conservation*’ which has exposed the shoot-at-sight policy of KNP and the grim situation of the locals being threatened, harassed, tortured and even killed by the Forest Department, using conservation as a shield. The documentary has graphically portrayed the serious issues faced by communities living at the periphery of KNP. The Government’s impunity, we feel, is starkly visible, both in its repression on the KNP’s forest

dwellers as well as in its arbitrary ban on BBC’s film, threat of blacklisting the media group and revoking its filming permission across the country!

Across the country, whether in Niyamgiri, Narmada, Nilgiris or elsewhere scheduled tribes and other forest dwellers are always forcefully made to pay the price for ‘development’, many times with their livelihood (displacement) and at times even with their life. It is in this situation that we are compelled to ask the Governments of Assam and India, if what the State is doing at KNP is indeed ‘Conservation’ or ‘Militarization’. The situation here, we feel, warrants a radical overhaul of the conservation policy and practice of the State, which disregards centuries-old indigenous culture, life and livelihoods.

We express our deep concern at the large numbers of extra-judicial killings by the KNP authorities, which reportedly are about 106 in the last 20 years and 57 only in the past three years - 27 in 2014, 23 in 2015 and 7 in 2016. As per the forest department’s own Report of 2014, while hundreds of alleged poachers have been shot dead in encounters over the years, not a single forest staffer has been killed in an encounter between 1985 and June, 2014. This record over 3 decades raises some crucial questions about the official claims that all the killings “are of poachers in cross-fire”! We have enough reason to suspect periodic abuse of the ‘Order’ dt. 14/7/2010 issued by the Government of Assam

according legal immunity to all the forest guards of Kaziranga using firearms, in addition to the existing immunity from judicial proceedings they enjoy for actions done in ‘good faith’ under Sec 197 of CrPC. India has been witnessing the abuse of draconian legislations like AFPSA for decades in Kashmir, Manipur and other North-East states, where legal immunity is used as a shield for fake encounters, rapes and torture. We fear for the well-being of the scheduled tribes and other forest dwellers of Kaziranga in the light of such provisions, granting blanket immunity to forest authorities.

We strongly feel the need for inclusive and participatory socio-economic development of the locals of Kaziranga in order to protect KNP. However, instead of addressing people’s demands, throwing environmental and human rights activists and local people behind bars, at the drop of a hat, without cogent proof and in violation of criminal procedure is a stark reminder of the high-handed Jungle-Raj that continues even 7 decades after ‘independence’. The unjust firing of two persons, repression on many others by the state police last September, when the people were opposing the eviction drive in KNP’s expanded buffer zone as per the Guwahati High Court’s Order and demanding rehabilitation as per the LARR Act, 2013, since the residents were living there since 4-5 decades, is still fresh in memory.

NAPM endorses the key demands of the local people including

immediate review of the 33 Highlands Project in the KNP core zone, disclosure of the Environment and Forest Clearance, Environment Impact Assessment Report and allied documents in relation to the Highlands Project within KNP, implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as well as the LARR Act, 2013; complete reservation to the inhabitants of KNP and its periphery and reservation for ST(P), OBC, MOBC as per government guidelines; regularization of all the casual employees in KNP, immediate release of compensation for loss of life or property during the 2016 floods, a loan waiver for affected farmers, permanent jobs to family members of victims who have lost their life to wild animal attack or innocent victims who have suffered at the hands of Forest Department and immediate withdrawal of large sound and smoke emitting machines from KNP.

NAPM stands in full solidarity with the courageous struggle of the Jeepal Krishak Shramik Sangha (JKSS), Krishak Mukti Sangram Samiti (KMSS), Takam Mising Porin Kebang (TMPK), Mising Mimag Kebang (MMK) and other people's organizations against the impunity and immunity of the forest officials and the unjust, unaccountable model of conservation, leading to gross violation of basic human rights. We call upon the Govt. of Assam and India to ensure immediate withdrawal of all Government Orders that authorize use of force against villagers in the name of conservation, withdrawal of false cases, end to all forms of threat, arbitrary arrests and a dialogue with the people's organizations in the area to address the concerns of scheduled tribes, forest ad park dwellers, and involve

them in the conservation efforts. The Government must ensure that there are no evictions, without lawful rehabilitation. We also call upon the State Government to institute an independent inquiry into all the killings by forest guards and adequate compensation for survivors/family members of the victims of state violence. Government of India must revoke its ban on BBC's documentary and abstain from issuing any form of threat to media or other public organization that report the ground realities.

Endorsed by: National Team of Advisors, Conveners and Special Invitees of NAPM

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