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The run-up in Bihar

S. Viswam

As Bihar gets into the election mode, the challenges facing the major parties, particularly the Bharatiya Janata Party, face is coming into sharp focus. The BJP faces three disadvantages to begin with. The first is that it has no local leader worth the calling to head and steer the campaign. This has forced the party to elevate the prime minister to the position of party leader, main campaigner and vote-getter. Second, the top local leader Sushil Modi, a highly respected and experienced politician is not regarded as chief minister material though he has been number two for many decades. The third, and most important, the BJP faces the combined challenge of the Congress, the Rashtriya Janata Dal (Lalu Prasad Yadav) and the Janata Dal (United) who have formed an alliance.

To this, we should perhaps add another factor. As *The Hindu's* correspondent Nistula Hebbar points out in her paper "rebellion in party ranks after ticket distribution is a common phenomenon". There are signs that the run-up in Bihar may witness the phenomenon in all the parties, but the correspondent says that the BJP president Amit Shah, who calls the shots on poll campaign

strategy is ensuring that this does not happen in Bihar. Shri Shah is currently in Bihar to undertake damage control wherever rebellion is raising its ugly head. The former Union Home Secretary and now a party MP from Arra R. K. Singh recently raised a controversy by declaring that criminals are being given the party ticket. Amit Shah is to ensure that the entire process of ticket distribution goes smoothly. News reports datelined Patna have said that there is already a measure of resentment in the party ranks over the choice of the candidates. As is often heard in most states, there are complaints about senior party members being sidelines and the tickets being given to what the *Hindu* correspondent calls "newcomers and cross-overs from other parties." What the correspondent goes on to add is significant and interesting. Testifying to the fact that Bihar's BJP depends heavily on Narendra Modi, the report says that Modi "will be in Bihar for a rally or a meeting every second day, and there will be no other face from the party. Leaders in revolt are being told that they need to unite around with Modi's political appeal." So, what all this means is that in Bihar, it is Modi versus the rest! Just as in the Lok Sabha poll of

2014, it was Modi versus the rest on a national scale.

Between the Lines

Forgotten heroes

Kuldip Nayar

I have not been able to understand why Pakistan is reluctant to recognize heroes who went to the gallows during the national struggle for independence. Bhagat Singh is one of them. Eighty-four years ago he was sentenced to death by the special court at Lahore and was hanged in the city jail. Pakistan should lead the celebrations.

In the thickening Islamic atmosphere, Bhagat Singh is a kafir. Bhagat Singh's life should be taught in Pakistan's schools as it is done in India. There is nothing in Islam which forbids the recognition of heroes in other religions.

Bhagat Singh shot John Saunders down, mistaking him for General Scott who had himself brutally lathi-charged Lala Lajpat Rai, a freedom fighter. In fact, as Jawaharlal Nehru said, the lathi-charge was the last nail in the coffin of British imperialism. It proved to be prophetic as the British had to quit India a few years later.

For some years, the activists from India have been trying to persuade Pakistan to pay homage to Rajguru and Sukhdev, who were hanged along with Bhagat Singh. Some of us, a few years ago, went to Lahore to clear the spot where the three were hanged. It was a traffic crossing. At that time we persuaded the Pakistani media to devote a programme in the memory of Bhagat Singh.

Regretfully, India has, over the years, lessened attention to Bhagat

Singh. The media is also silent. There is hardly a meeting held to recognise his or his comrades' sacrifices. True, the Indian society has ousted the value system. But I had never imagined that even the memory of those who made today's democratic polity possible would get little mention.

However, the British historians continue to run down the importance of Bhagat Singh and Chandrasekhar Azad by branding them as "terrorists." They were also hanged for their revolt against the foreign rule. Obviously, the British do not know the difference between a terrorist and a revolutionary. In fact, the British themselves come in the category of terrorists because they killed thousands of people whose only fault was they wanted to be free and rule themselves, a hallmark of democracy which the UK cherishes.

Foreign rulers always claim that their regimen is benign and helps the subjects. The British are no exception. They say the same thing about their governance. But if their atrocities were to be enumerated the record would be brutal. The credit for not defaming the British for their 150-year rule goes to the Indians who have taken the past in their stride and have even joined the Commonwealth with the Queen as the symbol of unity.

Still the British have never said or written a good word about India's generosity in not raking

Lalu Prasad Yadav, a former chief minister, union minister and strong man of the Rashtriya Janata Dal would have been in the running for the chief minister's post but for the court directive barring him from poll contests. In any case, the RJD-JD(U)-Congress alliance has already nominated Nitish Kumar as the group's chief ministerial candidate. The NDA counterpart will be someone named by the Prime Minister. Against this background, it is interesting that the NDA led by the BJP has announced, ahead of the polls, that only a backward class leader and not an upper caste politician would be the CM in case the NA wins. The next CM, if NDA wins will be from either the OBC's or the EBC's, according to minister of state for micro, small and medium enterprises and a prominent Bhumihar leader Giriraj Singh. This statement is read in Bihar in the context of the RSS chief Mohan Bhagwat's call for a review of the current reservations policy. A news report says: "In choosing Shri Singh, a prominent upper caste leader, to make this statement, the motive was to accord it an aura of consensus in a caste-sensitive state." However, there is a sting in the tail. The report adds: "The declaration, however, puts paid to the ambitions of at least half-a-dozen upper caste contenders for CM's post in the party."

In the run-up to the Bihar elections and also the coming parliament session, says a report in the *Economic Times*, "verbal exchanges between the Congress and the BJP are getting increasingly hostile." This was only to be expected for two reasons. First, (Continued on Page 3)

up the past. However, the British go on criticizing the movement for independence and those who participated in it. It is heartening to find Pakistan allocating money to preserve the house in which Bhagat Singh lived when he was young. Indeed, all those who suffered at the hands of Britain before partition are heroes in all the three countries, Pakistan, Bangladesh and India. I wish they could jointly recall their sacrifices to tell their people that they share the same history, the same heritage and the same agony at the hands of the British.

There are many instances of British cruelty. Jallianwala Bagh tragedy (April 13, 1919) - a milestone for the nationalists towards the journey to the destination of independence - takes the cake. Brigadier-General Reginald Dyer, who was given control of Amritsar by Lt. Governor of Punjab, Michael O'Dwyer, chose April 13, the day of harvest festival, *Baisakhi*, for his revenge. To vent their protest against the Rowlett Act, which gave the rulers the power to detain anyone without trial, some 20,000 people had collected in a garden, called Jallianwala Bagh, a stone's throw from the Golden Temple.

Dyer set the police on the gathering like hunters unchaining their ferocious hounds to bring the pursued animal to bay. He purposely blocked the garden's only gate to prevent anyone from escaping from the place. Targeted by machine guns, men, women and children had no escape or respite from the bullets till the police exhausted their ammunition.

As many as 1,650 rounds were fired. Scores of people jumped into the garden's only well, mute witness

to that barbarous massacre. Some 400 people died on the spot and more than 1,500 were injured. London too was horrified. It recalled Dyer who, appearing before an inquiry committee, said that he had done his duty. He expressed no regret. Nor was he admonished. Some in the British political hierarchy rationalized that he had saved Punjab from "anarchy".

The rulers who considered Mahatma Gandhi "an anarchist" can go to any limit to denigrate the freedom movement. The revolutionaries compared themselves with the insects which burnt themselves to keep the earthen lamps alight. Had they not done so the thousands who went to jail or laid down their lives would not have got the inspiration their martyrdom evoked.

Bhagat Singh, a prolific writer, had explained what did killing mean to them: "We are attaching great sanctity to human life, we regard man's life as sacred... We would sooner lay down our lives in the service of humanity than injure anyone. There was no revenge, no vendetta. These actions (killings) have their political significance in as much as they serve to create a mentality and an atmosphere which shall be very necessary to the final struggle. That is all."

Mahatma Gandhi, who was against the violent methods of revolutionaries, admired these martyrs when they were executed. He said: "Bhagat Singh and his comrades have been executed and have become martyrs. Their death seems to have been a personal loss to many. I join in the tributes paid to the memory of these young men. And yet I must warn the youth of

the country against following their example. We should not utilize our energy, our spirit of sacrifice, our labours and our indomitable courage in the way they have utilized theirs. This country must not be liberated through bloodshed."

The Mahatma's words should be an advice for India and Pakistan and heeded in the spirit he had exhibited.

(Continued from Page 2)

the coming fight in Bihar, against the fact of caste dominating politics in Bihar, is basically between alliances representing the forward castes (NDA) and the backward castes (the RJD, the JDU). The Congress is in the latter alliance but it is a home to both the forward and backward castes as well as to the intermediate castes.

As days pass and the campaign gets into full swing, we will be witness to the interplay of castes and classes. Be prepared to be educated and informed.

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Democracy and Dissent

M. Hamid Ansari

No single adjective, or set of adjectives, can adequately describe Rammanohar Lohia. For over two decades he was the 'stormy petrel' of Indian politics. He was erudite and had a passionate interest in all matters relating to human freedom, justice and dignity. He earned recognition of his knowledge of law from none other than the British magistrate trying him for preaching against the war effort in 1939. Earlier, in November 1936, he joined Jawaharlal Nehru when the latter founded the Indian Civil Liberties Union (ICLU) with Rabindranath Tagore as its president. The concept of civil liberties, Lohia said on that occasion, "defines state authority within clear limits. The task of the State is to protect these liberties. But States usually do not like the task and act contrarily. Armed with the concept of civil liberties, the people develop an agitation to force the State to keep within clear and well defined limits".¹

Dr. Lohia was an idealist and had his icons in the early period; Mahatma Gandhi represented his "dream", Nehru his "desire" and Subhash Bose his "deed".² This idealism led him to request Gandhi ji to propose to world leaders a four point program: (1) cancellation of all past investments by one country in another (2) unobstructed passage and the right of settlement to everybody all over the world (3) political freedom of all peoples and nations of the world and constituent assemblies and (4) some kind of world citizenship.³ Gandhi ji was

indulgent but did not act on the suggestion.

Lohia was a socialist and an avowed anti-communist. He was amongst the few who struggled with the difficulty of transferring the ideology of socialism from Europe to non-European cultural locations.⁴ He differed with the Congress leadership on a whole range of issues. These included the acceptance of the decision on Partition in 1947 and he wrote a detailed monograph entitled *The Guilty Men of India's Partition*.

He had pronounced views on the caste system and the damage it has done to Indian psyche. These were candidly, albeit brutally, expressed in another monograph, *The Caste System*. At the same time, he was realistic about ways of modulating it, as is evident from the following passage:

"To stop talking of caste is to shut one's eyes to the most important single reality of the Indian situation. One does not end caste merely by wishing it away. A 5000 year long selection of abilities has been taking place. Certain castes have become especially gifted. Thus for instance the Marwari Bania is on top with regard to industry and finance and the Saraswat Brahmin in respect of intellectual pursuits. It is absurd to talk about competing with these castes unless others are given preferential opportunities and privileges. The narrowing selection of abilities must now be broadened over the whole and that can only

be done if for two or three or four decades backward castes and groups are given preferential opportunities.

"I must here make distinction between opportunities for employment and those for education. No one should be turned away from the portals of an educational institution because of his caste. Society on the other hand would be perfectly justified in turning those away from its employment whom it has so far privileged. Let them earn their living elsewhere. Society is required alone to equip them with the necessary educational ability."⁵

Despite the adulation of earlier years, Lohia's criticism of Nehru and his policies after early 1940s was trenchant. His articulation of the principles of the Congress Socialist Party transmuted itself in the fifties into the Praja Socialist Party which, as he put it, "is as distant from the Congress party as it is from the communist and the communalist parties."⁶ He had a nuanced view of the parliamentary form of government and advocated alongside the option of direct mass action. He told his party colleagues in 1955 that instead of an insurrectionary path they ought to choose a balanced mix of constitutional action and civil resistance where necessary.⁷

Lohia's advocacy of issues relating to farmers took a practical shape in 1954 when the UP Government increased irrigation rates for water supplied from canals to cultivators. In his speeches in the area, he incited cultivators not to pay "the enhanced

irrigation rates” to Government. He was severely critical of the state Government. He was arrested and charged under Section 3 of the U. P. Special Powers Act, 14 of 1932.

In a habeas corpus petition in the High Court, he contended that the Act, and particularly Section 3 of it, stood repealed under Article 13 of the Constitution on account of its being inconsistent with the provisions of Article 19.

The Court, in its judgment, addressed two questions: firstly, that Section 3 of the Act, making it penal for a person by spoken words to instigate a class of persons not to pay dues recoverable as arrears of land revenue, was inconsistent with Article 19 (1)(a) of the Constitution and secondly, that the restrictions imposed by this section were not in the interests of public order. The Court ordered that he be released, and costs paid.⁸

In 1950 the People of India gave themselves a Constitution that promised to secure to all citizens, inter alia, “liberty of thought, expression, belief, faith and worship.” This was given a concrete shape by the specific rights guaranteed by Articles 19 and 25 and the associated framework ensuring their implementation. The past six and a half decades have witnessed the manner, and the extent, of their actualization.

The Constitution was not crafted in a vacuum. It was preceded by the Freedom Movement and the values enunciated in it. These were formally encapsulated in the Objectives Resolution of January 22, 1947. At the same time the Constitution-makers, or some amongst them,

Throughout the fifties and early part of 1960s, Lohia’s critique of government policies was unrelenting. He was elected to the Lok Sabha in August 1963 and a few days later delivered a sharply focused speech in an adjournment motion expressing dissatisfaction with the government’s policies and postures. He even used some archaic expressions: “Parliament,” he said, “is the master whereas the Prime Minister is its servant. The servant has to behave modestly and politely with his master.” He utilized the parliamentary platform to express powerfully his views on what he considered were shortfalls in domestic and foreign policy issues. At the time of the Presidential election in 1969 in which he was an ardent supporter of the former Chief Justice of India Subba Rao, he called upon the youth to think about politics focused on five principles: socialist unity, unity of all opposition parties, joint demonstrations, single purpose platforms, and hard work.⁹

II

were not unaware of the pitfalls. In his speech at the end of the drafting process in the Constituent Assembly, Ambedkar had warned about the impending “life of contradictions.”

Ambedkar spoke of the danger posed to political democracy by disconnect between political equality and socio-economic inequality. A few decades later two eminent sociologists commented on some of its underlying aspects. They noted the backdrop of two competing narratives: “the civilisational history of co-survival of communities and the political history of ethnic competition and conflicts.” They said “the use of the coercive power of the State for effecting homogenization in the society and the counter-violence by the political-cultural entities

Rammanohar Lohia’s political legacy, and the impulses generated by it are very much in evidence today and has been so for over two decades. “In the world of politics,” as one of his ardent scholar-activist followers has put it, “Lohia is remembered today as the originator of OBC reservations; the champion of backward castes in the politics of north India; the father of non-Congressism; the uncompromising critic of the Nehru-Gandhi dynasty; and the man responsible for the politics of anti-English.”¹⁰

Commentary on this graphic summing up is unnecessary. Time and experience will tell if Lohia would have urged a greater measure of flexibility in the strategies of affirmative action currently underway. My purpose this afternoon is to focus on the principle of dissent in democracy that Dr. Lohia personified and its relevance for the continuing success of functioning democracies anywhere in the world.

resisting such incursions by the state constitute the problem of the political system in India today.” They enquired “whether the institutional imperiousness of the liberal state can be effectively countered by the popular movements” and felt the challenge in India “is to discover and press on the softer edges of the space within which the transformative, democratic movements find themselves enclosed. In this sense, the challenge for these movements is as much intellectual as political.”¹¹

The quest for correctives often found expression through assertions relating to freedom of expression and its concomitant, the concept of dissent. It is concept that contains within it the democratic right to object, oppose, protest and even

resist. Cumulatively it can be defined as the unwillingness in an individual or group to cooperate with an established authority “social, cultural or governmental. In that sense, it is associated with critical thinking since, as Albert Einstein put it, “blind faith in authority is the greatest enemy of truth”.

It has been observed with much justice that the history of progress of mankind is a history of informed dissent. This can take many forms ranging from conscientious objection to civil or revolutionary disobedience. In a democratic society, including ours, the need to accept difference of opinion is an

Despite the unambiguously stated position in law, civil society concerns about constraints on the right of dissent in actual practice have been articulated powerfully. “On the surface,” wrote one of our eminent academics some time back, “Indian democracy has a cacophony of voices. But if you scratch the surface, dissent in India labours under an immense maze of threats and interdictions.” Referring to the then new reporting requirements for NGOs, he said:

essential ingredient of plurality. In that sense, the right of dissent also becomes the duty of dissent since tactics to suppress dissent tend to diminish the democratic essence. In a wider sense, the expression of dissent can and does play a role in preventing serious mistakes arising out of what has been called “social cascades” and “group polarization” which act as deterrent on free expression of views or sharing of information.¹²

Dissent as a right has been recognized by the Supreme Court of India as one aspect of the right of the freedom of speech guaranteed as a Fundamental Right by Article 19(1)

III

“Nothing is more fatal for disagreements and dissent than the idea that all of it can be reduced to hidden sub-texts or external agendas...The idea that anyone who disagrees with my views must be the carrier of someone else’s subversive agenda is, in some ways, deeply anti-democratic. It does away with the possibility of genuinely good faith disagreement. It denies equal respect to citizens because it absolves you of taking their ideas seriously.

(a) of the Constitution. The court has observed that “the restrictions on the freedom of speech must be couched in the narrowest possible terms” and that the proviso of Article 19(2) is justiciable in the sense that the restrictions on it have to be ‘reasonable’ and cannot be arbitrary, excessive or disproportionate.¹³

In the globalizing world of today and in most countries having a democratic fabric, the role of civil society in the articulation of dissent has been and continues to be comprehensively discussed; so does the question of its marginalization or suppression.

“Once we have impugned the source, we don’t have to pay attention to the contents of the claim...This has serious consequences for dissent.”¹⁴

This was written in 2012. It is a moot point if, given the Pavlovian reflexes of the Leviathan, things would have changed for the better since then. Informed commentaries suggest the contrary.

Every citizen of the Republic has the right and the duty to judge. Herein lies the indispensability of dissent.

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(Continued on Page 15)

Gandhi and the Founders of the African National Congress

Anil Nauriya

African National Congress was founded in Bloemfontein, South Africa on January 8, 1912. Gandhi was still in South Africa then. His paper, Indian Opinion, welcomed the establishment of the ANC (then named the South African Native National Congress) as an “awakening”. In fact, six months before the ANC was formed, Gandhi’s paper carried a report about the likely formation of such an organisation. The report cited Pixley Seme (1881-1951), who would reputedly be the main driving force behind the establishment of the organisation, and would later become its fifth President-General. In 1911 the speculation was, as mentioned in the report, that the eminent African leader from the Eastern Cape, Dr Walter Rubusana (1858-1936) would head the organisation. In the event, however, John Dube (1871-1946), Gandhi’s neighbour in Inanda near Durban, was chosen to be the first President-General. Gandhi’s paper welcomed the choice “of our friend and neighbour” and published in detail the ‘manifesto’ issued by Dube. Seven years earlier, in 1905, Gandhi had met John Dube and heard him speak. He then praised John Dube and wrote in favour of African land rights. In 1906 Gandhi’s paper praised a ‘manifesto’ issued by John Dube against colonial policies that worked unfairness towards Africans. Both John Dube and Gandhi had been impressed with

the work of the African-American, Booker T Washington in the field of education. Gandhi had supported initiatives on African education and in 1905 and 1906 endorsed the Lovedale-based educational initiative for an inter-state African College (which later developed into Fort Hare University). Gandhi appreciated the importance of education and industrial training. There was enough familiarity between Gandhi’s Phoenix institution and John Dube’s Ohlange for developments at the Ohlange institution to be reported in Gandhi’s paper every now and then. For example, the addition of a building at Ohlange in 1907 was reported in Indian Opinion.

A musical competition and performance held there in 1909, in which young Africans from far and wide had participated, was also reported. The Indian statesman, Gopal Krishna Gokhale (1866-1915) visited South Africa in October-November 1912 at the invitation of Gandhi. In November 1912, Gandhi and Gokhale called on John Dube. (See the report in John Dube’s paper, Ilanga lase Natal November 15, 1912) The historical significance of this meeting must not be underestimated. Gokhale had been President of the Indian National Congress in India in 1905. Gandhi would become President of that organisation in 1924, a decade after his return to India. Thus it

was a past and a future President of the Indian National Congress who were, in November 1912, calling on the founding and current President of the African National Congress. In an editorial in its issue of November 15, 1912, Ilanga lase Natal affirmed the calibre of leaders like Gokhale and Gandhi. Gandhi’s paper severely condemned the Natives Land Act, 1913 as an “Act of confiscation” and supported John Dube’s criticism of the Act. As early as in 1905, Gandhi had supported Africans’ rights in land. He and his journal welcomed the Transvaal Supreme Court judgement in the case of Edward Tsewu (b. 1866), another future founder of the African National Congress, upholding the Africans’ right to hold land. From Gandhi’s speech at the YMCA in Johannesburg on May 18, 1908, we know that he had moved beyond expressing his concern merely over Indian issues; in his speech he made a forthright rejection of the policy of segregation and envisioned a South Africa in which the various races “commingle”. The Gandhi-led passive resistance, or ‘satyagraha’ in South Africa was appreciated and commended in Dube’s

Ilanga lase Natal and by the editors of The Basutoland Star in 1908. Of the editors of The Basutoland Star [Naledi Ea Lesotho], we know that Monyakuane was himself among the founders of the ANC. In 1909, when the draft South African

Constitution was being debated in the British Parliament in London, delegations representing Africans, Coloured people and Indians went from South Africa to England to present their points of view. Pixley Seme and Alfred Mangena (1879-1924), another African activist who would be among the leading founders of the ANC, were asked in 1909 by the Transvaal Native Congress to co-ordinate with WP Schreiner, John Tengo Jabavu, Gandhi and others in connection with the African delegations going from South Africa. Apparently, Seme and Mangena were already based in London at the time. In July 1909, John Tengo Jabavu, Gandhi, Dr A Abdurahman and leading ANC founder Vice President, Dr Walter Rubusana, had been together in the gallery of the House of Lords in London where the draft South African constitutional legislation was being debated. At least from 1909 onwards, we find Gandhi commending passive resistance to Coloured and African activists and peoples. In 1910 Gandhi criticised the new constitutional set-up in South Africa under which a leader like Dr Rubusana was not considered entitled to contest for Parliament although he could be a member of the Provincial legislature in the Cape. Years earlier, in 1904, Gandhi had endorsed Dr Rubusana's interrogation of Sir Gordon Sprigg in East London and his criticism of discriminatory pavement regulations in that Eastern Cape city. The personal achievements and activities of some of those who went on, in the future, to found the ANC were reported in Gandhi's paper. Alfred Mangena's attendance at a meeting in London to discuss South African affairs, and his being called to the Bar in England were reported in the paper as was the calling

to the Bar of George Montsioa (b.1885), who would be another founding member of the ANC. Gandhi's paper covered in detail the proceedings before the magistrate in the case concerning the ejection of Sefako Makgatho (1861-1951), President of the Transvaal Native Organisation on January 3, 1912 from a first class railway carriage on the Delagoaline near Pretoria. The incident had occurred five days before the founding of the ANC, and nearly 20 years after Gandhi's own ejection from a train in Pietermaritzburg in 1893. Sefako Makgatho, a founder of the ANC, would succeed John Dube as its President General in 1917.

About Gandhi's links with Dr Pixley Seme, the active force behind the formation of the ANC, we know from multiple sources. Dr Pauline Podlashuk was a medical doctor active in the suffragette movement in South Africa, as secretary of the Women's Enfranchisement League. She had translated Tolstoy's Russian language letter which the famous writer and thinker had written to Gandhi in 1910. In her memoirs, which have been published recently, Dr Podlashuk refers to a meeting, to which she was witness, between Gandhi and Pixley Seme at the Tolstoy Farm, near Johannesburg in 1911. Dr Podlashuk, who was there along with Ms Stewart Sanderson, Joint Secretary of the League, recalls that Pixley Seme and Gandhi discussed the latter's passive resistance movement. Gandhi's friend and associate, Hermann Kallenbach was also present. Another founding member of the ANC, Selby Msimang (1886-1982), records that he worked with Pixley Seme whose law offices in Johannesburg were close to Gandhi's. Selby Msimang notes that

in the absence of Pixley Seme he would consult with Gandhi. In the natural course of things, this could not have happened unless there was a high degree of understanding between Pixley Seme and Gandhi. Several years later, in 1939, Gandhi would reminisce that he had often advised African people. It is clear that he had multiple contacts with some of the founders of the ANC, that Gandhi respected them and that they respected him. He backed non-violent African struggles against restrictive laws. For instance, in 1913 Gandhi's paper hailed the African Women's anti-pass struggle in the Orange Free State as reflecting a "brave stand". Earlier, Gandhi's paper had cited the outrages on the coloured and African women in the Orange Free State and had noted that the women in the OFS had resolved on passive resistance "as the only means of fighting against the immorality of the white unwashed of the Free State". Many African women were imprisoned in this struggle. The same year witnessed the largest movement led by Gandhi in South Africa. This time Indian indentured labour, miners and plantation workers and Indian women as a bloc courted arrest and went to prison.

Gandhi's wife, Kasturba was imprisoned in Pietermaritzburg and Gandhi himself was sent to prison in Bloemfontein. This record indicates that by the time Gandhi left South Africa in July 1914 there had been significant points of contact between him and the early African leadership. It is noteworthy that an appreciable part of this interchange went back to several years before the African National Congress was actually founded.

Some important facts about Reservation - II

P. S. Krishnan

The procedure for inclusion of a caste or community in the list of BCs is different for the State and for the Centre though the criteria are the same for inclusion in the State list as well as the Central list.

For inclusion in the State List of a State of a caste/community which is not in the State List of that State, an application must be made by or on behalf of a caste or community to the State Commission for Backward Classes of the relevant State. A State Commission has been established in every State pursuant to a direction of the Supreme Court in the landmark Mandal case (*Indra Sawhney v Union of India*) judgment of 1992 which upheld the Government of India's Order of 1990 under the late V.P. Singh (I was the Secretary of the concerned Ministry of Welfare then and that Order was issued as per my guidance) recognizing the Socially and Educationally Backward Classes and providing 27 per cent Reservation for them in direct recruitment (not promotion) to the appointments and posts in the services of the State under the Central Government and Central PSUs and other Central institutions.

Evidence must be provided to the Commission of the social and educational backwardness and inadequate representation of the applying caste/community in the services of the State.

After examination and enquiry, if the State Commission is convinced and arrives at the finding that the applicant caste is socially and educationally backward and inadequately represented in the

services of the State, it advises the concerned State Government for the inclusion of that caste in the State List of BCs. Otherwise, it tenders Advice to the State Government to reject the application. Otherwise it tenders Advice to the State Government to reject the application. The Advice of the State Commission is ordinarily binding on the State Government. In cases of disagreements with the Commission the Government has to record reasons.

For inclusion in the Central List of BCs of a caste or community not already included in the Central List, an application must be made to the National Commission for Backward Classes (NCBC), also established pursuant to the Supreme Court's direction in the Mandal case judgment. The NCBC as also some of the State Commissions for Backward Classes have been established by statute, in the case of the Centre, by the National Commission for Backward Classes Act, 1992. The NCBC, after examination and enquiry tenders Advice to the Central Government for inclusion of an applicant caste/community in the Central list of BCs if the NCBC is convinced that it is socially and educationally backward and inadequately represented in the services of the State; and otherwise to reject the application. The NCBC's Advice is ordinarily binding on the Central Government. In cases of disagreements with the Commission the Government has to record reasons.

The Central Government has almost never disagreed with the NCBC's Advice. A rare instance of

disagreement was the decision of the Central Government just before the Lok Sabha elections of 2014 to include Jats in the Central List of BCs for a number of States, overruling the NCBC's Advice; and this decision of the Central Government was set aside by the Supreme Court shortly thereafter. In 1997, there was a split Advice of the NCBC to Central Government where the Central Government referred it back to the NCBC.

After the issue of the Common Lists, following the procedure laid down in the OM of 1990 and the Supreme Court's direction of 1992, explained under the head "Central List — Its Preparation", the NCBC took up applications of various castes and communities for inclusion in the Central List, which did not find place in the Common Lists.

Before examining individual applications, the NCBC laid down well-thought-out Guidelines for Consideration of applications, carefully prepared a Questionnaire to be filled by the applicants and issued clear Guidelines for Filling up the Questionnaire and a transparent procedure for speedy examination of applications. This transparent procedure included one or more Public Hearings in each case, preceded by wide publicity through media through locally popular media.

So far, the applications of about 350 castes/communities for inclusion have been advised by the NCBC for inclusion (apart from applications of sub-castes, synonyms of castes/communities already included in the Central List) and the applications of

about 470 castes have been advised to be rejected. Among the castes whose applications were rejected, are “powerful castes”, some of whose members had mounted agitations against Reservation for Backward Classes in 1990 all over North India and again, less intensely but equally virulently, in 2006-2007. Among the prominent faces in the electronic media and in Delhi’s politics, I can recognize some of the active agitationists of 1990 and 2006-2007. When Reservation for BCs was introduced in a State in 1981, one of these powerful castes agitated against it by attacking the Scheduled Castes, and again in 1995, when in that State the percentage of Reservation for BCs was increased to 28 per cent post-Mandal. All these agitations were against Reservation for Backward Classes with snide attacks on Reservation for SCs and STs also. Their applications were rejected for the simple reason that they are not socially backward. Nor are they educationally backward. Nor, further, are they inadequately represented in the services of the State. On the contrary, their representation in the services is multiples of their population proportion.

It is one of these castes that has now changed its tactics and is agitating for its inclusion in the list of Backward Classes or scrapping of all Reservation altogether, giving another opportunity for the media to provide publicity with a slant against Reservation, as they have been doing in the past too whenever anything was done for the SCs or STs or BCs or whenever any section mounted agitation against whatever limited was done for the SCs, or STs or BCs as mandated by the Constitution.

One of the allegations of the Writ Petitioners of 2006-2007 against the Central Educational Institutions

(Reservation in Admission) Act, 2006 (the Writ Petitions started even before the Act was passed or even moved in the Parliament) was that the inclusion of castes in the BC lists was arbitrary and powerful castes had been included. The Ministry of Human Resources Development (HRD) had sought my help as Advisor to guide the Government’s defence. Since I was in the know of the entire matter, I could provide necessary information to the Government’s Counsels and they, on that basis, showed to the Supreme Court how it was powerful castes which were not socially backward whose applications had been rejected, and submitted the Findings and Advices of NCBC in a number of illustrative cases. These include the cases of some of today’s agitationists. This seems to have impressed the Supreme Court of the principled way, based on the Constitutional mandate and socio-historical facts, in which applications for inclusion had been considered. The Supreme Court upheld the Constitutional validity of the impugned legislation which provided Reservation for SCs, STs and BCs in the Central and Centrally Aided educational institutions. This credibility should be maintained. For maintaining this credibility, the Central and State Governments and the National and State Commissions should be absolutely scrupulous about unequivocally repudiating and rejecting the pressures of powerful non-Backward castes to infiltrate into the list of BCs and also any other wrong attempts to include in the Schedule of SCs, castes which did not and do not suffer from “Untouchability” and to include in the Schedule of STs non-tribal communities and communities which though tribal do not fulfil the criteria of STs. Unfortunately, Governments often falter knowingly and deliberately especially on the

eve of general elections. This will not only harm the genuine SCs, STs and BCs, but also make it all the more difficult for India for optimally progress.

Agitations is not a criterion

Of the castes which have been rejected on the objective Advices of the NCBC, two or three of those which have numerical social, economic and political power are the ones which are now agitating for inclusion. Gujjars and Yadavs are not among the agitationists as confidently stated by K. N. Bhat in his article referred to above. Gujjars have already been included in the Central lists for all States where they exist. What the Gujjars in Rajasthan agitated for was for recognition as a Scheduled Tribe and inclusion in the Schedule of STs. Realizing the impossibility of this effort, they have settled for recognition as a category of BCs with a separate sub-quota. Yadavs have been included in the Central List for all States where they exist. Therefore, the question of their agitation for inclusion in the list of BCs does not arise.

At present, the agitating castes are the Patidar/Patels of Gujarat, the Marathas of Maharashtra and the Jats of a number of north-western States. Marathas have been rejected by the State Commission for inclusion in the State List of Maharashtra and by the NCBC for inclusion in the Central List for Maharashtra on the ground that they are not socially backward. Jats, with the exception of part of Rajasthan, have also been rejected. I am not sure whether the Patels or Patils have ever gone before the State Commission. To my knowledge, they have not applied to the NCBC.

If the application of a caste for inclusion is rejected by the State Government or Central Government,

following the above procedure detailed above, the remedy laid down by the Supreme Court in the Mandal case judgment is that in such cases appeal lies to the Supreme Court and only to the Supreme Court.

The agitation of Patels or Patidars of Gujarat is not new. The renowned social scientist Shiv Viswanathan said in a TV programme recently that this is something new. It is not factually correct. As I mentioned earlier, they agitated in 1981 by attacking the SCs when Reservation was introduced for BCs in Gujarat and again in 1995 when the State Government increased the percentage of Reservation of BCs in that State to 28 per cent after the Supreme Court's Mandal case judgment. On both occasions, they were against all Reservations. Now also their demand is scrapping of all Reservations or the inclusion of Patels/Patidars also in the list of BCs — the latter is just impossible for the simple reason mentioned earlier. Therefore, effectively their real demand is the old demand to scrap all Reservations, which is nothing new.

Agitations and the ability to mount agitations do not constitute a criterion for inclusion in the list of BCs or in any list. It is in fact evidence that the agitating communities do not have justification to get included in the list of BCs or any other List that they seek to be included in.

What next?

The monstrosity and utter impossibility of the demand for inclusion of any Socially Advanced Caste in the list of Backward Classes (or for that matter the demand of any non-tribe for inclusion in the list or Schedule of STs or the demand of any caste which is not a victim of “Untouchability” to be included in

the list or Schedule of SCs) does not invalidate the socio-historical realities and Constitutional mandate on which Reservation for SCs, STs and BCs is based.

But, Reservation is only one item in a holistic and comprehensive package of Social Justice measures required to be undertaken, and sincerely and thoroughly implemented in order to achieve the Constitutionally mandated goal of Social Equality, i.e., Equality of SCs, STs and BCs with SACs in all parameters of development and welfare in all fields, such as economic; educational at all levels; health, nutrition and infant and child survival-related; housing and residential areas facilities-related, etc.

I have given to successive Governments, different Prime Ministers, different important Ministers, different political parties and different leaders a complete Road-Map listing out each of these Social Justice measures of which Reservation is one part – legislative measures as well as programmatic/schematic measures. No Government in India, either at the Central level or at the State level, irrespective of political parties, has applied itself to this vital national task. These measures are based on the Constitutional mandates, Presidential commitments to Joint Sessions of the Parliament, specific Constitutional amendments, Recommendations of authoritative bodies with which I have been associated in one way or the other – as Chairman or as Member or as Advisor or as informal Advisor — such as Committee of Ministers on Dalit Affairs (2005-2008) under the Chairmanship of Shri Pranab Mukherjee, the then Finance Minister, who is the present President; the National Commission

for Review of the Working of the Constitution of India under the Chairmanship of Justice (Retd) M.N. Venkatachaliah, former Chief Justice of India; many Plan Working Groups and Planning Commission's Steering Committees, and also public documents formulated by me and adopted, partly or wholly, by successive Governments (but not implemented) like the Dalit Manifesto of 1996, etc.

Unless this vital task is fulfilled and Social Equality established and the capability is created through sincere implementation of the legislative and programmatic / schematic measures communicated through my Road-Map, India cannot achieve optimal progress. The caste system, the inhuman “Untouchability”, which is an important part of the caste system, and all-pervasive discriminations and inequalities of the centuries of our history and the decades of our Independence created by the caste system and “Untouchability” are a dead weight on the nation, a heavy stone round our national neck.

Only after the adoption and consistent and thorough implementation of these measures over a reasonable time, and only after, thereby, the capability is created in every deprived and disadvantaged caste/community of India to secure its due share of employment under the State, employment outside the State, self-employment, seats in educational institutions and of every other life opportunity on its own “merit” in open competition can the question of gradually giving up Reservation arise — this has to be done very carefully making sure that there is no danger of relapse. This cannot be dictated by any scholar or academician or leader or Party or any SAC unilaterally. This will

have to be arrived at by mutual consultation, at the appropriate stage and time, fully involving the SCs, STs and BCs and SACs.

In other words, the question of gradually giving up Reservation for SCs, STs and BCs can be thought of only when

- a) their representation, at all levels of the services in each cadre, reaches the proportion equivalent to their proportion in the population of the country, in the case of the services under the Union of India and reaches the proportion equivalent to their proportion in the population of the respective States in the case of the services under the States; and
- b) the State, through the holistic measures mentioned above, enables them to become capable, through open competition, of maintaining the level of representation mentioned at (a); and
- c) "Untouchability" and vulnerable tribal isolation and all their consequences completely disappear, and the SCs, STs and BCs reach the level of Equality with the SACs in all parameters of development, welfare and life.

These tasks can be fulfilled by the Socially Advanced Castes (SACs) who occupy the commanding heights of most of the Central and State governments, who occupy the commanding heights of most crucial institutions including academic institutions, financial institutions, and by relatively stronger communities of BCs, i.e., relatively more populous land-owning communities of BCs. It is they who can, if they are serious, abolish "Untouchability" and desist from its practice by deed, by word and by thought and ensure that all

other measures mentioned above are taken without any mental reservation or implementational deficit.

It is true that in the Socially Advanced Castes (SACs), there are persons who are poor and unemployed. But that alone is not the cause of the agitation against Reservation. Psychologically, for many persons of the SACs it is galling to see that persons from communities which they used to look down upon and whom they still consider inferior have begun to register progress through Reservation and the other limited Social Justice measures that have been taken so far. There is resentment towards persons of the SC, ST and BC communities who have moved forward and upward.

There is adequate information to show that even now in all indicators including poverty, levels of income, educational achievement at each level, living conditions etc, the SACs

are best placed while the SCs and STs are at the bottom, with the BCs coming in between, usually closer to the SCs and STs than to the SACs.

All the same the problem of poverty and unemployment does exist among SACs also.

The remedy for this is not the abolition of Reservation. The following figures show that the number of persons who are getting employment in the services under the State through Reservation is only a miniscule part of the number of those who are unemployed.

It can be seen from the above Table that the seats reserved for SCs, STs and BCs in public employment is only a miniscule proportion (0.69 per cent) of the total number of educated unemployed in India. Therefore, to say that Reservation is the cause for unemployment of youth of SACs is barking up the wrong tree.

EMPLOYMENT IN PUBLIC SECTOR (2009)*		
	Central Government	2628125
	State Governments	6996456
	Central Government Quasi	3388111
	State Govt. Quasi	2407492
	Local bodies	2054519
	TOTAL	17474703
ANNUAL RETIREMENT AND, THEREFORE, ANNUAL RECRUITMENT		
	Approx. 3% of total employment in Public Sector	524241
	RESERVED SEATS IN PUBLIC EMPLOYMENT	
	50% of the Annual Recruitment (actually a little less than 50%)	262120
NUMBER OF EDUCATED UNEMPLOYED AS REGISTERED WITH EMPLOYMENT EXCHANGES ALL INDIA (2009)*		
38152000		
<i>* Source: Selected Socio-economic Statistics, India, 2011, Govt. of India, Ministry of Statistics and Programme Implementation.</i>		

So far as those who are poor among the SACs are concerned, the proper remedy is to provide them scholarships and educational loans so that no child or youth has to drop out of education at any stage only on account of financial incapacity of the family. This can be done and should be done without abridging the scholarships and other measures required for the SCs, STs and BCs.

Care must be taken that the poor of the SAC, who are to be helped in this manner, are identified carefully. There are States where such help is provided for the poor among the SACs. The method of identification, namely, certificate of poverty is often availed of by children of well-to-do landowning families because there is no record of their income as is available in the case of salary earners, and poverty certificates from the appropriate authorities can be bought from the prescribed authorities. There are instances of such purchasability of poverty certificate.

So far as unemployment is concerned, various other measures, unconnected with Reservation, are necessary pertaining to the economy. That is matter for a separate discussion. But, what I want to make clear at this stage is that the unemployment that prevails among SAC youth (which is also there among SC, ST and BC youth) has nothing to do with Reservation.

Solution is possible if all sections of the population, but particularly the powerful sections approach issues objectively and not on the basis of birth-based biases of ancient origin and present currency, and if the SACs (subject to honorable exceptions), give up the dream of bringing back a pre-Mandal, pre-Ambedkar situation — in a sort of “Reverse Dandi March”.

A letter to the Chief Minister of Maharashtra

Rajdeep Sardesai

Dear Devendraji,

Firstly, I wish to thank you for replying to my open letter and creating space for a public debate. This is a sign of a truly healthy democracy and is rare for a politician in this day and age. I truly appreciate that a big politician chooses to reply to a humble columnist: doesn't happen too often in an age where the media is a soft target. However, while I do not wish this to become a *tu tu main main*, I must reserve the right to reply.

Sir, there are four basic issues that I raised in my original letter to which you have responded. Firstly, the meat and beef ban in Maharashtra. On the beef ban, the fact is that your government has imposed a statewide ban in a unilateral manner with no attempt to engage with the stakeholders. The results are there for all to see. Thousands of people associated with the cattle trade have overnight been rendered unemployed. They are all citizens of this country, many of whom voted for you in the last election. I haven't heard a word of empathy for their plight (a number of them belong to the minority community but let's not go down there for now). Should I not ask as a journalist what useful public purpose has been served by this ban? Or does asking questions make me agenda driven?

The issue of a meat ban has a more chequered past. Yes, previous governments of the Congress-NCP, be it at the state or municipal level, have sought to impose bans on meat sale during the Jain festival. Under pressure from the Jain community, attempts have been made by your predecessors (and I mention this in my article without citing the dates) in 1994, 2003-04 and 2014 through government resolutions, but these

were never widely enforced (the 94 order, for example, was never carried out), were often driven by a spirit of voluntarism (an “appeal” was made to close meat shops) and nor did they initially last beyond two days (although the August 2014 Government resolution did seek to extend it to four days). It is only this year that the BJP dominated Mira-Bhayandar municipal corporation imposed an unprecedented eight day ban on meat sale and strictly enforced it. Taking a cue, a group of BJP MLAs, councillors and Jain community persons met the municipal commissioner and sought to extend this to Mumbai city and have a similar eight day ban on meat sale across the city. It is only when the Shiv Sena and MNS opposed this, that your local leaders were forced to back off because they couldn't muster a majority.

The message is clear and this was the point I was making: the state BJP wanted to impose, indeed was pushing to impose, a ban much wider in scope and ambit than in the past. And if I ask questions in this regard, am I agenda-driven or pseudo-secular or simply reflecting the concerns of a large section of the population who do not appreciate the ban culture, be it by a BJP government or a Congress government?

Let's turn to Rakesh Maria and the musical chairs played with the police commissioner's office. You claim that his sudden transfer was necessitated by the rush of festivals: a new man was needed to oversee the festival arrangements. Truth is, almost no senior police officer I have spoken to is willing to buy this theory. Those who have retired have openly scoffed at this explanation, those in service are naturally hesitant

to speak out. The conjecture is that Mr Maria's transfer has something to do with the ongoing Sheena Bora investigation or a personal animus. You seem to suggest that his role as commissioner in a murder case was purely supervisory. Maybe it was, or should be. But the fact is, your government after transferring him to DG Home Guards in the morning, the very same evening claims that he will continue to oversee the Bora investigation. This, even as a new police commissioner and another fine officer Ahmed Javed takes charge. Can there be anything more confusing? Then, to compound the confusion, your government now decides to suddenly hand over the Bora case to the CBI. The Mumbai police claimed in court that it had clinching evidence while seeking remand against the accused; then why is the case being transferred out? Is the Mumbai police incompetent, is there a cover-up, or is the case throwing up new dimensions which perhaps might need fresh investigation? Is a journalist not to ask such questions without his motives being questioned?

Let's turn to the issue of sedition and a government circular. You claim that the circular is a routine translation from Marathi of an order passed by the previous state government. Your reply seems to suggest that the role of the present government is little more than clerical that requires no application of mind to a serious issue. Well, all I can say is that on Tuesday, the Mumbai high court gave a very different spin to this issue: on a petition by cartoonist Aseem Trivedi, they have asked your government not to implement the circular for now and asked you to reply by the 20th of October. Since the matter is now before the esteemed court, maybe we should wait to see how they interpret the government circular: clearly, this round has been won by those who are worried that the

circular can be misused by the police. Also, if you are not in agreement with the sedition circular why did your government not withdraw it? 'Sedition' is hardly a weapon to be used in the armoury of a democratic government which should welcome debate and disagreement. Why did your government re-issue this circular? And if I point to this potential for misuse, am I being agenda driven or simply doing my duty as a journalist?

The fourth issue is one which is dear to your and my heart: the plight of the farmers, especially in Marathwada at the moment. As a politician from Vidarbha, I know you empathise with farmers issues; I am aware that you took a lead role in exposing the irrigation scam when in opposition. And I am also aware of your efforts through the Jal Yukta Shivir Yojana to try and improve the situation on the ground. The facts though are that 729 farmers have committed suicide since January in Marathwada alone, more than any other part of the country, and tanker mafias and usurious money-lenders continue to rule. Yes, this is an inherited legacy (and I refer to the irrigation failures and comments made by previous ministers in my original letter), but on the ground there is hardly any evidence of the situation showing any marked improvement. Maybe, if your micro-irrigation schemes do work, then in the long run, there will be change. But for now, there is a deepening crisis. Should I not be asking you, therefore, to prioritise farm relief above all else? And should I not also ask what happened to the election promise of ensuring that those involved in the irrigation scam are punished? Or is asking hard questions in this age of cheerleaders and unbridled Bhakti, no longer acceptable?

My final point sir: in your response, at various points you call me a 'leftist', 'pseudo secular', and

'biased'. You also rather derisively placed the word senior, as in senior journalist, in inverted commas. Personal attacks are now par for the course; 27 years of journalism have helped me acquire the skin of a rhinoceros. Over the years, I have been attacked by one and all: in 1992-93, Sharad Pawar, also a former Maharashtra CM, threw me out of a press conference because of the questions I asked on the Mumbai riots. Ten years later, my coverage of the 2002 riots led to my being attacked again. I have stood up against all forms of extremism, Hindu and Muslim, and am suspicious of all dogmas, be it of left or right. I have exposed Congress corruption (as editor of a news channel, I supervised the path-breaking investigative story on the Quattorochi accounts being defrozed), and Sangh Parivar hate politics, Mulayam's goondaism (for which I was summoned to the UP state assembly) and Mayawati's disproportionate assets (for which our OB van was burnt). Please do go through my columns over the last two decades, especially on Maharashtra politics, a state whose social and political decline I have observed with dismay.

I am happy to introspect, be corrected, but dislike being pigeonholed in any manner, except to say that I do believe in the spirit of a liberal, plural India that strives to provide equal opportunities to all its citizens. Does that make me a "Leftist?" as you appear to caricature all dissenters or questioners? If I question any form of bigotry, does that make me pseudo-secular? In my view, it makes me a proud, humane Indian.

Post-script: I must also thank all your followers who ensured I trended all through Tuesday on twitter. Their constant abuse gives me strength. Look forward to meeting soon! Jai Maharashtra, jai Hind!

A platform of Socialist institutions

A meeting of Socialist institutions was held in Yusuf Meherally Centre, Madhu Pramila Dandawate Sankul, Tara (Karnala), Post: Barapada, Mumbai - Goa Highway, NH17, Maharashtra 410206 on 18th and 19th of September 2015..

The meeting was convened by eight Socialist institutions: Acharya Narendra Dev Sansthan, Janata Trust, Lohia Academy Trust, Rashtra Sewa Dal, S.M.Joshi Socialist Foundation and Nanasaheb Goray Academy, Samajwadi Adhyapak Sabha, Samajwadi Adhyayan Kendra, Yusuf Meherally Centre.

The meeting was inaugurated by Bhai Vaidya, President, Socialist Party of India, at 3 pm on 18th. Dr. G. G. Parikh presided. 47 persons attended the meeting, representing the following institutions: 1. Bhrashtachar Virodhi Andolan, 2. Center for Socialist Studies, 3. Dr. Babu Sudhatai Kaldate Pratisthan, 4. Dr. Lohia Samata Adivasi Kendra, 5. Dr. Rammanohar Lohia Academy Trust, 6. Dr.P.V.Mandalik Trust, 7. Hind Swaraj Trust, 8. J.P. Nidhi, 9. Lokayat, 10. Mahavir Samata Sandesh, 11. Masoom, 12. Nirmitee Prakalp, 13. Rashtra Seva Dal, 14. S.M.Joshi Socialist Foundation and Nanasaheb Goray Academy, 15. Samajavadi Adhyapak Sabha, 16. Samajavadi Samagam, 17. Shramik Kranti Sanghatana, 18. Vatsalya Mandir, 19. Yusuf Meherally Centre and Janata Trust.

The following decisions were taken:

A networking platform of Socialist Organizations should be created for coordinating the activities of the various Socialist Organizations all over India.

The Platform can have the name of "We the Socialist Organizations" with a sub-title in Hindi "Hum Samajavadi Sangathan". Since it is still not a registered Platform, its name can be changed if a better name is proposed.

Dr. G. G. Parikh and the eight sponsoring organizations will be the conveners of the Platform.

Center for Socialist Studies will be the Coordinator of the Platform and will provide secretarial assistance to the Platform.

The Platform will have four Socialist institutions as Regional Conveners: 1 Dr. Rammanohar Lohia Academy Trust, Bhubaneswar for Eastern India; 2 Mahavir Samata Sandesh, Rajasthan for Northern India; 3 Center for Socialist Studies for Southern India and one more to be appointed for Western India.

The eight Socialist institutions which had convened the meeting at Tara will form the Executive Committee of the Platform with power to co-opt 12 more organizations. The total strength of the Executive Committee shall be 20 with a Chairman.

The Regional Conveners shall call a meeting of Socialist institutions in their area and recommend three institutions each to be included in the Executive Committee. This should be done within three months.

The next meeting of the Executive Committee and possibly all the Socialist institutions shall be convened at the earliest after the three months' period.

Finances of the Platforms will be handled by the Center for Socialist Studies for the time being..

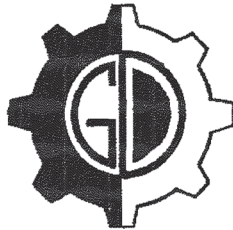
The membership fee of the Platform shall be Rs. 1000/- annually.

Babu Heddurshetti, Center for Socialist Studies,
191, 10th Cross, 10th Main, Nagarbavi, Bengaluru-560 072.
E-mail: center.for.socialist.studies@gmail.com,

(Continued from Page 6)

10. Yadav, Yogendra: 'On Remembering Lohia' - EPW, *ibid*, p 47.
11. Sheth, D.L. and Ashis Nandy. *The Multiverse of Democracy* (New Delhi 1996) pp 20-23.
12. 'Social cascade' has been defined as "large scale social movements in which many people end up thinking something or doing something because of the beliefs or actions of a few early movers who greatly influence those who follow. 'Group polarization' occurs "when a deliberation group ends up taking a more extreme position than its median member took before deliberation began." - Cass R. Sunstein: *Why Societies Need Dissent* (Harvard 2003) pp 54 and 112.
13. Supreme Court of India Writ Petition (Criminal) No. 167 of 2012 AIR 201...Shreya Singhal versus Union of India March 24, 2015 Mehta, PratapBhanu: 'Do not disagree - Blaming NGOs reveals the diminishing space for dissent in our democracy' - <http://archive.indianexpress.com/story> Posted online Feb 29, 2012.
15. 'Strategies to Quash dissent' - EPW vol L No 17, April 25, 2015 p .; 'Open Intimidation' - EPW vol L No 29, July 18, 2015 p 8.

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Frenzy over cow and beef

S. Viswam

Bose unnecessarily maligned
Kuldip Nayar

Why not ban milking of cows?
Sandeep Pandey

Assault on syncretic traditions
Ram Puniyani

**Enhanced relevance of
Dr. Ambedkar**
N. Ram

**Lavanam -
a lovable man of conviction**
Chandra Bhal Tripathi

**GST: undermining
fiscal federalism**
Arun Kumar

It is really unfortunate that while several issues of national importance demand debate and redressal, and that too urgently, earnestly and seriously, the nation should find itself subsumed with a frenzied pan-Indian debate on the cow, a ban on its slaughter and of all things, beef. The issue has been brought to national focus thanks to a bizarre incident a few weeks ago in a village in the Dadri district of Uttar Pradesh. I do not recall any other issue in the recent past that has claimed such extraordinary newsprint space. Beef has verily become a household word in the last few weeks, all for the wrong reasons. The sober, moderate and saner sections of our society have a legitimate beef against all those who are fuelling an already loaded debate which, God knows, we could have well done without.

temple in a village in Dadri over the loudspeaker amidst an ongoing kirtan that a cow had been slaughtered in a residence nearby. A mob collected at the said premises and lynched to death the resident, Mohammad Akhlaq, grievously injured his son and indulged in rampant vandalism, but fortunately spared any harm to a young girl in the house, a point that the Hindu mobleaders claimed as a plus point in their favour! The anger was directed at the 50-year-old Akhlaq for his alleged crime of storing and consuming beef. It transpired later that the rumour which incited mob fury was unfounded.

India is a democracy in which presumably its citizens enjoy, along with other freedoms the freedom to determine and choose to eat the food of their choice. It is also, we need to remember, a country whose Constitution, through the Directive Principles of State Policy, prohibits the slaughter of milk-yielding cows, calves, and other milch and draught cattle. The ban was incorporated in the Constitution to buttress the rural economy by helping to manage animal and agriculture husbandry. It is a country where traditionally the cow has been venerated as a sacred animal, as a "mata" (mother—

The development has been well described by the *Hindu* in its editorial of Tuesday, October 6 which inter-alia says: " In India, the cow has taken on communal colours. It would seem that eating beef is no longer the simple exercise of a food choice, but a pre-meditated act intended to offend Hindus and show disrespect to Hinduism ." What has triggered all the talk on beef? It so happened that an announcement was made from a

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Bose unnecessarily maligned

Kuldip Nayar

Gomata) and as a religious symbol, specially by all sections of society. There are communities that avoid eating beef. Kashmiris for instance. Just as there are even among Hindus some of whom are not averse to beef on religious grounds. The ban on slaughter does not apply to slaughter of buffaloes or the export of buffalo meat or meat of other animals. After the Dadri incident, the Home and Finance Ministers called it highly condemnable and said it did not reflect the image of a mature society.

Banning cow slaughter has been an issue for party politics too. The Congress, claims special credit for introducing cow protection laws. It took umbrage at the Bihar BJP leader Sushil Modi promising to ban cow slaughter in Bihar if the BJP wins the elections. Reacting, the Congress said in a statement that the party had banned cow slaughter in 24 out of 29 states," much before the BJP was even born." The Dadri incident has shaken Uttar Pradesh and caused tension in the entire state. That tension, palpable as it was, has spilled over to adjacent areas of Noida so close to the borders of the National Capital Region. Rumour mongers are active spreading tall tales of animal slaughter and vitiating the atmosphere. Public attention was turned to the issue of beef and beef-eating after Maharashtra government banned beef sales for a few days during Ganesh Chaturthi and a brief period of religious and purificatory fasting by the Jain community. The demand for a central legislation banning cow slaughter has been revived by the saffron lobby after Narendra Modi took over. At the state level, cow slaughter is among the first legislations that governments undertake with an eye on playing to the gallery.

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West Bengal chief minister Mamata Banerjee has done well to declassify the files on Subhas Chandra Bose. Prime Minister Narendra Modi should have followed suit and made available to the public the documents and papers which the Centre possesses on Bose.

While declassifying 64 files comprising 12,744 pages, the chief minister informed the media that documents proved that the Bose family was spied upon. "It's proven...I will only say it is unfortunate," Banerjee said. The first disclosures in April by a media house revealed a 20-year surveillance on the Bose family, between 1948 and 1968. These were accessed from only two declassified special branch files of around 50 pages. The papers reveal how dozens of spies of the Intelligence Branch, as the state IB was then called, mounted surveillance on Netaji's older brother Sarat Chandra and his sons Ameya Nath Bose and Sisir Kumar Bose.

The IB sleuths intercepted letters at a post office near their residences and tailed the family members around the country, drafting secret reports that were sent to IB headquarters in New Delhi. These early revelations from the huge mass of documents have rightly incensed the Bose family.

"This kind of surveillance is usually done on anti-national elements and not freedom fighters

like Sarat Bose," Netaji's grand-nephew Chandra Kumar Bose said. The Bose family has been reiterating their demand for a probe by the Centre into the snooping.

A Special Branch letter from the trove of documents declassified on Friday reveals the government order which first authorised interception of the Bose family letters from their residences on 38/2, Elgin Road and 1, Woodburn Park, Calcutta: Government Order No. 1735 dated 20/9/48. The special branch cites this letter to ask its headquarters for a one-year extension in the interception period because it had been carried on 'with good results'.

This is a sad reflection on Jawaharlal Nehru. Understandably, the Congress party is quiet. Yet, the party should have privately assured the Bose family that it would have no objection if there were an inquiry to apportion responsibility.

Nehru and Subhas Chandra Bose were the two leading lights of national struggle against the British rulers. Both were close lieutenants of Mahatma Gandhi, who was guiding the movement. The difference between the two was that Nehru, distinctly against the weapons, had come to have full faith in non-violence as the method against the mighty British masters to win freedom.

Even when he differed with Gandhiji, who found no difference

between Germany's Hitler and Great Britain's Winston Churchill, Nehru's sympathy lay with the Allies fighting against the Axis to protect and preserve democracy. For some reasons, Gandhiji had come to believe that Germany would win the war. He took many years to change his viewpoint. But this did affect the thinking of the Congress party leading the national movement.

Nehru often expressed his sympathy with the Allies in the sittings of the Congress Working Committee, the party's apex body. However, he followed Gandhiji who, Nehru believed, would release the country from the British bondage. Bose was clear in his view that violence should be used if necessary. When he escaped from jail at Kolkata and travelled all the way to Germany through Afghanistan, he thought that there was no harm to get assistance from a dictator to liberate India. (I have visited the two-storey house where Bose spent the night).

With the disclosures of files at Kolkata, a forgotten chapter of India's freedom movement has been restored. Bose, who constructed Indian National Army (INA), with the support of Indians living in South East Asia, has got the spotlight.

There is no doubt that he guided the Indians living in South East Asia to establish the INA. Whether the Japanese would have allowed India to live as an independent nation after liberation is difficult to imagine. The fascists had their own agenda and had no place for democratic thinking. But there is no doubting Bose's determination. He would have fought against the Japanese if they had tried to make India their colony.

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Why not ban milking of cows?

Sandeep Pandey

The Indian PM Narendra Modi is going around the world seeking foreign investment. He is projecting India as a modern emerging economic and military power in spite of the country having very poor social indices. Back home people motivated by the ideology of a Hindutva stream, which he represents, are bent upon creating an atmosphere of terror, especially for the minority communities of Muslims and Christians. The message is clear. If the minorities are to live in India they must do so according to the dictates of the Hindutva stream, which incidentally doesn't represent all sections of Hindu society. The cold blooded killing of Mohammed Akhlaq in Bisara, Dadri has come as a rude shock. His son Danish suffered serious injuries and is in hospital. It reminds us of the way Babri Masjid was demolished. An unruly crowd takes the law in their hands and the administration and government are mute spectators. Babri Masjid demolition was the turning point in the process of communalisation of Indian society after the partition of country. This incident also gave birth to the problem of terrorism in this country.

If there is a terrorist or bomb blast incident in the country, names of some Muslim youth as accused along with their photographs are flashed in the news papers next morning even before FIRs are lodged or any inquiry conducted. But in incidents involving violence by Hindutva elements nobody is identified. So far, we don't know who the killers of Govind Pansare, Narendra Dabholkar or

M. M. Kalburgi are? In fact, six eminent writers in Karnataka have returned their awards given by State government because of its failure to arrest the culprits in Kalburgi murder case.

Similarly, in the Mohammed Akhlaq murder case different reports are talking about different people as accused but the actual killers or people who instigated the whole incident are not being clearly identified. The attempt by district administration is more to ascertain whether the meat recovered from the refrigerator of Mohammed Akhlaq was beef rather than nabbing the killers. Eating beef is no crime even though 'The U.P. Prevention of Cow Slaughter Act, 1955' and a government ordinance in 2001 prevents cow slaughter. The punishment for the crime is 2 years of rigorous imprisonment or Rs. 1000 as fine or both. It is certainly not capital punishment, the summary verdict that has been already executed by the mob which assembled outside Mohammed Akhlaq's house on the night of 28 September, 2015. His daughter Sajida rightly raises the troubling question whether her father would be returned if the meat in question is not found to be beef by the forensic department?

The surviving family was first offered a compensation of Rs. ten lakhs which was increased to Rs. 45 lakhs when they met the Chief Minister in Lucknow. The CM also promptly offered Rs. 5 lakh to a youth who got beaten up by the police in protests in Bisara village after the incident ensuring that his government will not be seen

as following a policy of Muslim appeasement. Akhilesh Yadav has been so prompt in distributing compensation rather than making an effort to prevent communal incidents or farmer suicides that it would be appropriate to call him as Compensation Chief Minister. The Samajwadi Party which projects itself as a secular party has miserably failed in containing the communal elements which clearly have the support of Sangh Parivar including the party in power at the centre, BJP. It is a common perception among people that the two parties are hand in gloves to gain from the polarisation of their respective vote banks.

India is the top buffalo beef exporting country in the world with about 24 lakh tons going out of the country annually. There are ten times more illegal slaughter houses than legal ones. The Directive Principles of State Policy contained in Article 48 of the Constitution of India says, 'The State shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle.' Now, buffalo too should be covered under the ban but for religious reasons it has been left out. But it is common practice for cows to be illegally slaughtered in these legal and illegal slaughter houses. Hence if the authorities are too concerned about cow slaughter then they should ban beef production altogether.

Moreover, if Hindus consider cow as mother they should stop the practice of forcibly milking her. The milk of cow is meant for her calf and like tribals or Vegans the Hindus should not take it out by tying her legs. This is not the way one is

Returning Sahitya Akademi Award

In a recent lecture, India's Vice-President, Dr. Hamid Ansari, found it necessary to remind us that India's Constitution promises all Indians "liberty of thought, expression, belief, faith and worship." The right to dissent is an integral part of this Constitutional guarantee. He found it necessary to do so because India's culture of diversity and debate is now under vicious assault. Rationalists who question superstition, anyone who questions any aspect of the ugly and dangerous distortion of Hinduism known as Hindutva – whether in the intellectual or artistic sphere, or whether in terms of food habits and lifestyle – are being marginalized, persecuted, or murdered. A distinguished Kannada writer and Sahitya Akademi Award winner, M. M. Kalburgi, and two Maharashtrians, Narendra Dabholkar and Govind Pansare, both anti-superstition activists, have all been killed by gun-toting motor-cyclists. Other dissenters have been warned they are next in line. Most recently, a village blacksmith, Mohammed Akhlaq, was dragged out of his home in

Bisara village outside Delhi, and brutally lynched, on the supposed suspicion that beef was cooked in his home.

In all these cases, justice drags its feet. The Prime Minister remains silent about this reign of terror. We must assume he dare not alienate evil-doers who support his ideology. It is a matter of sorrow that the Sahitya Akademi remains silent. The Akademis were set up as guardians of the creative imagination, and promoters of its finest products in art and literature, music and theatre. In protest against Kalburgi's murder, a Hindi writer, Uday Prakash, has returned his Sahitya Akademi Award. Six Kannada writers have returned their Awards to the Kannada Sahitya Parishat.

In memory of the Indians who have been murdered, in support of all Indians who uphold the right to dissent, and of all dissenters who now live in fear and uncertainty, I am returning my Sahitya Akademi Award.

– **Nayantara Sahgal**

supposed to treat his mother.

Gandhi ji said, 'In India no law can be made to ban cow slaughter. I do not doubt that Hindus are forbidden the slaughter of cows. I have been long pledged to serve the cow but how can my religion also be the religion of the rest of the Indians?' If tomorrow the Vegans started a movement to ban the use of any animal products including milk in all its variant forms how would the

Hindus feel? Eating choices are best left to individuals according to their belief and understanding.

The Indian Constitution allows one to propagate one's religious views. It is only by this method that people who feel aggrieved by something should try to convince the other community. If Hindus feel cow slaughter hurts their religious sentiments then they should convince

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IS violence in the name of Allah Sanatan violence in the name of Ishwar.

A journalist of a small village Anadur (dist. Osmanabad) who is desperately trying to rescue his daughter from the clutches of Sanatan Sanstha has filed a PIL in the Bombay High Court along with three other citizens who are trying to retrieve wife or daughter or sister. The women have been located at the Sanatan's Ashrams at Ramnathi in Goa and similar ashrams in Panvel and Miraj respectively.

Shri Swami of Anadur said that there used to be Satsang gatherings at Khandoba temple in Anadur seven-eight years back where his daughter used to go every day and join the Dhyana-dharana by concentrating eyes towards the photograph of Dr. Athawale, the founder of the Sanatan Sanstha. When she attained the age of 18 years, she was taken to the Ramnathi Ashram (Goa). She had snapped all contacts with the family. It was with great efforts that she was located to be at Ramnathi. When Swami went there and asked the authorities to grant interview with her, she was brought before him for a minute and then escorted back. When called back again, she emphatically told the father that, as she has become major, she cannot be taken home forcibly. Otherwise she would lodge a complaint with the police saying that her father is trying to kidnap her. The frustrated father was driven out of the premises by the watch and ward.

Similar is the case of the wife of a doctor practicing at Nasik. It is said that, since Dr. Athawale is a high quality practitioner of hypnotism, many boys and girls of age-group 16-18 are lured to join the Sanstha as Sadhaks and are given intensive courses of Dhyana-dharna so that they

become devoted to the idea of establishing *Ishwrache Rajya* (Kingdom of God). They are ready to finish off all the wicked persons who oppose establishment of God's Kingdom. Regular record of the degree of intensity of devotion of the disciple is maintained which shows that the person has achieved 10% or 30% or 40% of intensity. Then he/she is supplied a copy of the manual by name *Kshatradharma Sadhakanche rakshan wa durjananacha nash* compiled by Dr. Jayant Balaji Athawale and Dr. Kunda Jayant Athawale. The trainee is to develop skill to identify *durjana*, and prepare a hit list. S/he is to prepare her/himself to exterminate *durjanas* one by one. Weapons would reach his/her hands at the appropriate time. It is estimated that about five to six hundred inmates are housed in the Ashrams mentioned above. Devotees spread over a vast area do remit huge amounts regularly for the upkeep of the ashrams.

All this sounds very similar to the camps run by the Islamik State (IS).

Such organisations pose a great threat to the smooth functioning of civilized societies. Young minds are corrupted and prepared to execute innocent men, women and children.

All sensitive persons should join hands to conduct mass awareness campaigns against such organisations. It is proposed to organize a Citizens' Conference to deliberate on this issue and plan future action. The Conference may be held at Mumbai on 7th or 8th December 2015.

Friends are invited to communicate their suggestions.

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Muslims to stop eating cow beef. But they should also be willing to learn good things from other religions, like Islam and Christianity. Both these religions don't support the idea of caste system. Would the Hindus be willing to give up caste system so that inequality, a bane of Indian society, can be eradicated?

“Aurangzeb”

I wholly endorse the decision of the NDMC to rename the Aurangzeb Road in New Delhi. I wholly disagree with those Citizens for democracy who are found 'no where' but only in *Janata*, who are in love with the most cruel Mogul King in India. Or alternatively let the name of the king continue with a line below "the most cruel Mogul King" so our young people know the real history! I am a Socialist (not pseudo) and do not belong to any saffron tribe either!

–Rajan Kochar

Assault on syncretic traditions

Ram Puniyani

The country is undergoing a regressive attack in many different fields of life. Apart from the political undermining of secularism, pluralism and Indian nationalism, cultural pluralism and valued syncretic traditions are also under severe pressure. The intensity is increasing. On the back of the murders of well-known rationalists (Narendra Dabholkar, Govind Pansare and M M Kalburgi) and the bans on food, a literary siege is being erected. Writers steeped in a multicultural, plural milieu are under attack on sectarian grounds.

From Kerala known for the culture which has kept the identity of different religions and has also led to their intermixing, comes the news that the renowned literary critic and Malayalam scholar, Dr. M. M. Basheer was threatened and told to stop his column on Ramayana, Ramayana Jeevithasaramritham. There have been major non-Hindu writers like Thomas Mathew, poet and popular lyricist, the late Yusuf Ali Kecheri who have contributed to such themes which so far have looked beyond the religious divide. Basheer got abusive phone calls questioning his right and audacity as a Muslim to criticise a Hindu God. He was just commenting on Valmiki's criticism of Lord Ram to call Sita for Agni Pariksha (trial by fire). Basheer, a practicing Muslim, for the first time was made to feel that he is a Muslim. Unable to bear the barrage of aggression of Sangh Parivar elements, Hanuman Sena in particular, he stopped his series. As such he has contributed over 50 articles on the theme.

There are two major points which are very disturbing in the ongoing assault on plural ethos of the country. The first one is that there are innumerable literary people and saints, who irrespective of their own faith have contributed to the cultural aspects of religion in the sub-continent. The legendary classic contributions of Rahim and Raskhan on the life of Lord Krishna cannot be eroded from the literary history of the sub continent. Who can forget the contributions of Dara Shikoh' in translating the Upanishads into Persian. The Nawab of Bijapur had a number of Veena players in his court for invocation of Goddess Saraswati. Even a decade ago we enjoyed the richness of Bismillah Khan's shehnai, many of his compositions are dedicated to deities.

Shiekh Mohammad a saint from Maharashtra who has been the major figure in the Warkari tradition, built his work around god Vithoba (God standing on brick), which is the major part of Bhakti tradition in Maharashtra. Saints like him and others like Ramdev Pir, Satya Pir stand tall in synthesizing the trends of cultural integration. We have Miyan Mir, another Pir in Punjab who was invited to lay the foundation of Golden temple. Even today villages and towns of different parts of India have Sufi shrines and Bhakti saint memorials, where people from all religions throng and pay their respects.

This syncretism was deeply expressed by Kabir, Nanak and Tulsidas in particular. They reflected the synthetic trends and the influence of both religions in their lives and

works. Nanak went on to pick up from Hinduism and Islam both, while Tulsidas mentions in his Kavitali about living in a mosque. Kabir communicated with people in simple Hindi and reflected the 'building of bridges' between the two communities.

Communal politics in India, which began in the colonial period went on to associate culture and traditions exclusively with religion. Today the seeds of division have gone so deep that in recent times we saw the eminent painter M.F. Husain being hounded to the extent that he had to leave the country. His roots were in the village where there was a serious mix of Hindu-Muslim traditions and he regarded Hindu themes as part of his heritage. Interestingly his work did not come under attack till the decade of 1980s, when the communal cauldron started affecting different aspects of our society and vehemence of intolerant elements went on destroying the creations of people like Husain. Hindi film and TV world has the best of such traditions in likes of Shakeel Badayuni (*Man Tarpat Haridarshan ko Aaj-Baiju Bawra*) and Javed Akhtar (*O Palanhare Nirgun aur Nyare-Lagan*) writing beautiful devotional songs and Rahi Masoom Raza scripting B. R. Chopra mega serial Mahabharat.

Another aspect related to attacks on Basheer is also related to the interpretation of the Lord Ram story. In the subcontinent and even in the Far East hundreds of versions of the Ram saga are prevalent. The Hindutva politics has picked up a

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Enhanced relevance of Dr. Ambedkar

N. Ram

As democratic India prepares to celebrate the 125th year of his birth, Dr B. R. Ambedkar stands taller than he ever did before. In the long view of history, his profound and radical approach to social questions, and his place in the struggle for a modern, democratic, and socially just India, have acquired enhanced relevance and value at the expense of various other outstanding national figures who figured in the great debates and controversies of the freedom movement era. This is essentially because the deep-seated problems spotlighted by Dr Ambedkar's life and work remain very much alive while the bold and often profound questions he raised about Indian society remain unanswered.

He was born Bhimrao on April 14, 1891 at Mhow in Central India in an austere and religious Mahar family with a military service background and unusual respect for education. In school (Satara and Bombay), college (Bombay), service under the Maharaja of Baroda (briefly in 1913 and again between July and November 1917), and study abroad (Columbia University, the London School of Economics, Gray's Inn, the University of Bonn), the young man displayed a scholarly orientation, a commitment to the life of the mind, and well-honed intellectual gifts that few other contemporary political leaders of the era could match.

Bhimrao benefited from opportunities that had just opened up, which none in his family or, for

that matter, in the recorded history of his people had access to. Yet every one of his academic, intellectual, and professional achievements was hard earned, in social battle against entrenched oppression, discrimination, and anti-human caste prejudice. By the time he was finished with his formal studies in the early 1920s, Dr Ambedkar had acquired qualifications that surpassed the M.A., Ph.D., M.Sc. (Econ), D.Sc. (Econ), and Barrister-at-law academic credentials he had added, by right, to his name. By the time he was 30, he had been through a real-life education that most people, including the most renowned scholars, do not acquire in a lifetime.

There may be various opinions on the formidable range of issues and controversies in which Dr. Ambedkar figured as a protagonist during four decades of his public life - which can be said to have begun with the brilliant paper he did on "The Castes in India, Their Mechanism, Genesis and Development" for Alexander Goldenweiser's anthropology seminar at Columbia University, New York in May 1916.

Dr Ambedkar was a transparently honest, challenging, and eclectic liberal thinker. He was attracted to utilitarianism, and eventually to Buddhism, in philosophy. He found inspiration in the ideals of the French Revolution and also in the socially forward-looking and humanistic elements and values in Indian culture and civilization over

the millennia. He delved into the Marxist classics, going so far as to claim, during the historic anti-khhot mobilization of peasants in Bombay in early 1938, that "I have definitely read studiously more books on the Communist philosophy than all Communist leaders here." However, he was not persuaded either by the revolutionary theory of Marxism-Leninism or by the practice of socialism in his time. He was sharply and emphatically opposed to Gandhism and to the Congress's ideology, although on certain social issues he held views in common with Jawaharlal Nehru - who, as Prime Minister, badly let down his Minister of Law on the Hindu Code Bill in the early 1950s.

From his early days, Dr Ambedkar stood out as a restless and courageous experimenter who did not always get it right when it came to balancing values and practical considerations that seemed to be in conflict. He had fallen in love with great ideas as a socially oppressed and humiliated schoolboy who refused to be treated with condescension by anyone, including Baroda's royalty. Throughout his life, which ended a couple of months after he publicly embraced Buddhism along with his followers, he was interested in the big picture. The boy who was barred, by the curse of untouchability, from playing cricket with his schoolmates in Satara never took his eye off the ball. He concentrated in his public life on attainable, practical goals. And he never became too big to go

into specifics, details, doubts, books, and the problems of ordinary people, especially the lowliest of the low in Indian society.

During Dr Ambedkar's lifetime, his many opponents and critics alleged from time to time that he had missed the main strategic task of the era – the winning of political independence, with the terms and pace of the struggle set by the Indian National Congress. Such criticism gained wide currency, especially in the press, which tended to patronize him as a sort of subnational leader, a sectional leader of the Scheduled Castes rather than the towering national figure he was in a long-term historical sense. Unfortunately, some of the heroes of the freedom struggle, social reactionaries themselves, completely missed the point about how Dr Ambedkar's studious, tough-minded, and powerful social questioning and battles fitted in the overall picture. Some of them even questioned his patriotism and called him names, but who remembers them today? Looking at the freedom movement experience today, we can begin to appreciate why Dr Ambedkar was unerringly on target on social questions and why his critics and opponents were dead wrong.

It can be argued that one of the defining weaknesses of the leadership of India's freedom struggle was its underestimation, if not neglect, of the big social questions raised by Dr Ambedkar and its compromising stance on these questions, notably on sanatana dharma. The time has come to recognize that Dr Ambedkar represented the profound side of the social struggle that was not adequately represented in the Congress-led freedom movement.

Characterizing Dr Ambedkar's ideological-political outlook does present a challenge to political science; no easy answers are available, nor should they be sought. Although not of the Left in politics², he tended towards radicalism in the social arena in which he spearheaded many a battle in his own style. His lifelong concern with the inequities, indignities, and oppression embedded in religion, conventional morality, and the values of so-called mainstream society led him to forge his own conception of socio-economic justice in an idealistic sense. He turned his back on class analysis, which might have given him new theoretical and political insights but he seemed intuitively to grasp the link between caste and class in India.

What is impressive is that this courageous fighter for social justice who considered himself a political liberal and was sought to be marginalized by his opponents during key moments of the freedom struggle commands a powerful following today as democratic India grapples, in great confusion, with the troubling questions he never tired of raising in politics and public life.

Ideologically, Dr. Ambedkar may not have been of the Left, but at times he moved sharply to the radical side. This happened especially when his ideas, campaigns, and political-organizational work were backed by powerful mass movements, for example during the 1938 workers' struggle in Bombay against the anti-strike Bill. He was the builder of the progressive Independent Labour Party, which did not take off at the all-India level, but yielded some useful political and organizational lessons to the Opposition around the country.

In an interesting article published in *Frontline* in 2002, Venkatesh Athreya argues that in his views on crucial issues relating to economic development, Dr Ambedkar comes across as a radical economist. This may surprise but Dr Athreya substantiates his characterization by showing that Dr Ambedkar was "a strong proponent of land reforms and of a prominent role for the state in economic development," that he "recognized the inequities in an unfettered capitalist economy," and that he went so far as to argue that "the system of social economy based on private enterprise and pursuit of personal gains violates" the basic requirements of political democracy³.

The social and class basis of the following Dr Ambedkar commanded; the deep nature of his social questioning; his passion for social justice; his openness to modern, scientific, and rational ideas; his unyielding secularism and forward-looking views on a number of questions, especially on the condition and future of women and on what it took to make a civil society; his intellectual gifts, tireless curiosity, and wide-ranging interests; his ability to concentrate on attainable, practical goals and his constructive sense of realism – these marked him out as a unique kind of leader.

It is not without political significance that the Hindu Right is currently attempting, against the grain of history, to appropriate Dr Ambedkar's legacy. In this situation, his uncompromising analysis of the caste system, of chaturvarnya and sanatana dharma, of notions of pollution, of unalterable or rigid social hierarchy, and of the implications of the hegemony of the

shastras must be read, re-read, and made part of a national debate.

His major theoretical exposition of such questions is contained in a never delivered 1936 presidential address that stirred up a hornet's nest, the radical "Annihilation of Caste" to which the writer Arundhati Roy, in a long introductory essay⁴, has provided fresh meaning and context. Dr Ambedkar's outstanding intellectual contribution to re-imagining and building a new India free from the debilitating, indeed soul-destroying, system of caste as an institution of social oppression and discrimination incompatible with democracy must be ranked on a par with Babasaheb's signal and justly celebrated contribution to the making of India's Republican Constitution.

In "Annihilation of Caste," Dr Ambedkar emphasizes the anti-social, anti-progress, anti-national character of an unjust social order as well as its vital connection, through networks of force and ideology, with political power. The caste system, in this classic Ambedkarite analysis, militates against fraternity, "sanghatan and cooperation for a good cause," public charity, and broad-based virtue and morality.

When critics challenged him to specify his "ideal society" in lieu of a caste based order, he replied: "My ideal would be a society based on liberty, equality, and fraternity." He specified that his ideal society would be mobile. There would be "social endosmosis." There would be fraternity, which was only another name for democracy, and democracy was primarily a mode of associated living, of conjoining communicated experience and breeding an attitude of respect and reverence towards fellow human beings.

"Chaturvarnya must fail for the very reason for which Plato's Republic must fail," warned the oppressed intellectual as social rebel. He pointed out that "the lower classes of Hindus" were "completely disabled for direct action on account of a wretched system." He asserted: "There cannot be a more degrading system of social organization... It is the system which deadens, paralyses, and cripples the people from helpful activity." He attempted to follow through the implications of this system in the political sphere. To Dr Ambedkar, the real remedy was "to destroy the belief in the sanctity of the shastras" and their caste-borne tyranny.

It was no wonder that nearly eight decades ago Gandhiji famously declared that "Dr. Ambedkar is a challenge to Hinduism."⁵ He remains so today.

One battle in which social orthodoxy and opportunist politics allied to defeat social progress was the instructive fight over the Hindu Code Bill in the late 1940s and early 1950s. As one of the leading authors of the Constitution, Dr Ambedkar led the effort to institute a reasonably forward-looking and egalitarian Hindu Code law but it was sabotaged by orthodox elements. The Congress Party, despite Nehru's claim to rationality and progressivism, refused to support the Bill. The abandonment of this progressive legislative measure meant the betrayal of Dr Ambedkar's vision on such critical issues.

His contributions to constitutionalism and institution-building aside, he had a great deal to say about democracy as a real way of life and about citizens' rights,

about authoritarianism, about hero worship and the cult of the personality.

Make political democracy a social democracy; resolve the contradictions, else they will undermine democracy itself. A magisterial exposition of this thesis came in an intervention by Dr Ambedkar towards the end of the Constituent Assembly debates, on November 25, 1949⁶: "The third thing we must do is not to be content with mere political democracy... Political democracy cannot last unless there lies at the base of it social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality, and fraternity as the principles of life... They form a union of trinity in the sense that to divorce one from the other is to defeat the very purpose of democracy.

"Liberty cannot be divorced from equality, equality cannot be divorced from liberty. Nor can liberty and equality be divorced from fraternity. Without equality, liberty would produce the supremacy of the few over the many. Equality without liberty would kill individual initiative. Without fraternity, liberty would produce the supremacy of the few over the many..."

"We must begin by acknowledging the fact that there is complete absence of two things in Indian Society. One of these is equality. On the social plane, we have in India a society based on the principle of graded inequality... we have a society in which there are some who have immense wealth as against many who live in abject poverty. "On the 26th of January 1950, we are going to enter into a life of contradictions.

In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of one man, one vote and one vote, one value. In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one man, one value. How long shall we continue to live this life of contradictions? How long shall we continue to deny equality in our social and economic life? If we continue to deny it for long, we will do so only by putting our political democracy in peril...

“The second thing we are wanting in is recognition of the principle of fraternity. What does fraternity mean? Fraternity means a sense of common brotherhood of all Indians...It is the principle which gives unity and solidarity to social life...In India there are castes. The castes are anti-national. In the first place, because they bring about separation in social life. They are anti-national also because they generate jealousy and antipathy between caste and caste. But we must overcome all these difficulties if we wish to become a nation in reality...Without fraternity, equality and liberty will be no deeper than coats of paint.”

This, you will agree, is truth telling in the finest traditions of social science. It is also speaking truth to power – the power of a socio-economic and political system that upholds, and from time to time celebrates, caste.

Social analysis cannot be unchanging, stagnant. The radical analysis and ideas put forward by Dr Ambedkar in “Annihilation of Caste” and other speeches and writings on this central social question need to be developed by social scientists in

response to changes that have taken place in the economy, society, and politics in the six decades following his death and in light of the new data, insights, and studies that have become available.

In his Introduction to Dalit Households in Village Economics⁷, V.K. Ramachandran conceptualizes caste as “an institution of oppression and social discrimination,” specific to South Asia and born of Hinduism, which, among other things, is embedded in production relations and impedes the growth of the productive forces. Pointing out that “the status assigned to the Dalit people and the now-criminal practice of untouchability” is central to the caste system, he calls attention to “new scholarship and new attempts to understand the socio-economic conditions of life of Dalit people and households in India, particularly rural India, where oppression is sharpest.” Sukhadeo Thorat and many other scholars have contributed fresh insights on the massive practice of untouchability and atrocities against the Dalit people.

As Dr Ramachandran points out in his Introduction, category distinctions drawing from new social science scholarship are now being made between direct discrimination, differential impact discrimination, and cumulative discrimination and disadvantage. The conclusion that “there can be no end to poverty and deprivation in India without resolution of the agrarian question, and that there is no agrarian question in India to which the issues of caste, tribe, gender, and other forms of social exclusion and discrimination based on hierarchies of status are not intrinsic” is one that Dr Ambedkar would have approved

of. In a way, this brings us back to the Ambedkarite proposition that “political democracy cannot last unless there lies at the base of it social democracy,” which is a way of life that “recognizes liberty, equality, and fraternity as the principles of life.”

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Lavanam - a lovable man of conviction

Chandra Bhal Tripathi

My first meeting with Lavanam in 1971 was a bit dramatic. As Deputy Director, Backward Classes Welfare (Southern Zone), I had gone from Madras to attend a seminar on the problem of untouchability and the development of the Scheduled Castes organised by the Social Welfare Department of the Government of Andhra Pradesh at a college at Kavali near Nellore. (Kavali is famous for being the birthplace of the Father of Andhra Pradesh, Sri Potti Sriramulu.) During my speech I said, *inter alia*, that the people of Andhra Pradesh in general and the social workers in particular were lucky to have amidst them a torch-bearer and a great social reformer, Gora (spelt by Lavanam as GoRa in his excellent article reproduced in JANATA dated August 23, 2015). Later someone told me that the person sitting next to me was Lavanam, son of GoRa. I was thrilled, and that was the beginning of my friendship with Lavanam. I was shocked to read in JANATA of August 23, 2015 that Lavanam, the atheist and Gandhian and above all a great social activist had passed away on August 13, 2015.

Lavanam told me that we shared many a thing, starting with our year and month of birth, October 1930 - the year of the Salt Satyagraha which was the cause for his being named Lavanam (salt) by his unique atheist father. GoRa gave all his nine children non-religious names usually connected with some important event. For instance, one of the sons, younger than Lavanam was named Samaram as he was born in the year

the World War II started. He and one of the daughters are doctors working with the poor. Another brother of Lavanam, Dr Vijayam, who worked for some years in Delhi in one of the Gandhian institutions, perhaps the Gandhi Smarak Nidhi, was born in the year 1945 when the Allied Forces won the Second World War against the Axis powers of Germany, Japan and Italy. It is interesting that when the ninth child was born and her parents were not able to think of a suitable non-religious name they named her just Nau (Nine).

Our friendship grew and slowly I learnt and became greatly impressed by the conviction of and sacrifices made by the whole family. Mataji and all the nine children of this remarkable couple were active participants in the various movements launched by GoRa against popular religion, superstition, miracles, caste system, untouchability, ostentation, etc, and for socio-economic equity and justice, ecology and other lofty goals. Lavanam was a great pillar of strength to his father in all these movements. His elder sister was married to a Scheduled Caste school teacher in Krishna District and I made it a point to meet the couple and congratulate them during one of my tours in the State. Lavanam himself married Hemlathaji, daughter of the great revolutionary Telugu poet laureate, Gurram Joshua, who was a Dalit Christian. At Vijayawada I witnessed the staging of a play based on a poem written by Joshua.

If I remember correctly, sometime in 1972 GoRa returned from a

whirlwind tour of the West and I called on him in Madras. Lavanam was there and told me in detail about the lectures of his father at various universities and at meetings of intellectuals. A Scandinavian journal gave GoRa the title: The Atheist Saint from India. Five decades ago I visited and stayed at the Atheist Centre established by GoRa where the family and other inmates lived a commune life. The whole centre was the epitome of simple living and high thinking. The hut occupied by GoRa was a very simple structure erected with mud and bamboo with all the sides open in keeping with Mahatma Gandhi's ideal. Any one visiting the Sevagram hut of Bapu is bound to be overawed by its utter simplicity and openness and would find it difficult to believe that this hut near Wardha was the abode of the frail figure who shook the world with his unprecedented 'weapons' of truth, non-violence and satyagraha and who not only guided the freedom movement of India against the mighty British Empire but also inspired and continues to inspire millions and millions of people the world over including world celebrities like Martin Luther King Jr, Nelson Mandela and Dalai Lama. In a small measure a visitor to the Atheist Centre would develop a sense of wonder and admiration for the atheist saint who built his hut with his own hands and with the help of his family, with no doors and windows. There were no private moments for Gandhi and GoRa.

GoRa stayed at Sevagram Ashram with his family in 1945-46 and had

long discussions with Gandhiji. Lavanam told me that his father used to say that had Bapu lived a bit longer he would have converted Gandhiji to atheism. It is remarkable that the Navajivan Press, Ahmedabad, published a small book captioned *An Atheist with Gandhi*.

Lavanam was connected with the Sarvodaya movement in his younger days and in later years developed into the most popular and effective social activist of Andhra Pradesh. The Government of India, the State Government and the NGOs all respected his views and suggestions on social issues like untouchability, bonded labour, exploitation of Jogins (Dalit women attached to temples), etc. I too participated in some of these seminars.

On the passing away of GoRa in July 1975 I broadcast a talk in Hindi from AIR Station of Patna where I was working as Deputy Director, Backward Classes Welfare, Government of India. In July 1976 Lavanam invited me to attend the first death anniversary of GoRa. I took leave and went there. Those were the days of Emergency. People were afraid of stating anything against the Government. Being committed to the cause of the Scheduled Castes and Scheduled Tribes it became impossible for me to stomach the false news being repeatedly published in the press about the Scheduled Caste landless people in Bihar being described as Naxalites and eliminated by the high caste zamindars in collusion with the police in the so-called encounters. These were poor helpless people whose ambitions had been aroused by Indira Gandhi's pro-poor announcements like allotment of surplus land to the landless, payment of minimum wages (Rs 16 against the prevalent wage of Rs

2), abolition of bonded labour, etc. If a poor SC labourer demanded allotment of land or payment of minimum wages, he was declared a Naxalite and eliminated in an alleged encounter. One particular area in Shahabad District (now Bhojpur) had earned notoriety and in that district alone 105 Scheduled Caste and other poor landless labourers had been eliminated. I went to the district headquarters, Arah, and requested the local Superintendent of Police (I would refrain from mentioning his name but was shocked that after some years he was elevated to the rank of IG of Police) to please arrange my visit to any one spot of occurrence of the alleged encounter in which the so-called Naxalites were killed. He offered lame excuses and strongly advised me not to visit these places at that time as the situation there was very tense and dangerous. I could see through the game but was helpless. Later at a public meeting held under the auspices of the Bihar State Depressed Classes League (Bihar Dalit Varga Sangha) at Patna I openly condemned the killing of the poor landless people in some districts of Bihar and narrated my personal experience at the meeting. Within a few years of his service this young IPS officer was alleged to have amassed enough wealth to construct a double-storeyed house in a posh locality of Patna. In another public meeting organised by some SC/ST organisation I expressed similar views. One day the first DG of Police of Bihar, who privately agreed with me but being distantly related to me, advised me to be very careful otherwise the police might be ordered by the concerned authorities to detain me. I was prepared for that.

When I narrated the above current happenings in Bihar and my personal

experiences at the public meeting in commemoration of GoRa's death anniversary at the Atheist Centre in Vijayawada in July 1976, Lavanam congratulated me but an esteemed guest, a revolutionary poet from Warangal, Sri Kanoji Rao, told me after the meeting that he was pleasantly surprised that an officer serving in the Government of India had the courage to speak truth and state the plight of poor landless people at a public meeting during the Emergency! I told him that I derived such conviction and courage from personalities like Acharya Narendra Deva, Dr Lohia and GoRa. I salute the memory of my dear friend Lavanam.

(Continued from Page 2)

Those who are feeding the beef-related frenzy had better call off their campaigns. The beef debate is further polarizing the Hindu-Muslim equations. The right-wing groups talk as if only Muslims consumed beef and that Hindus did not. The beef lobby should put beef in cold storage for some time to allow tensions to fade away. Enough is enough.

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version of Ram story, which is that of Ramanand Sagar's serial. The classical essay of A. K. Ramanujan, 'One hundred Ramayanas', was forced out of the curricula in Delhi University. This brilliant essay narrates the beauty of the diverse telling of Ramayana. Ambedkar's 'Riddles of Hindusim' criticising Ram for banishment of Sita and punishing Shambuk, also met with a hostile reception.

How do we restore the complex cultural, religious, literary pluralism of India is something which the social movements need to ponder over urgently.

GST: underminng fiscal federalism

Arun Kumar

The introduction of GST (goods and services tax) in the country is billed as the biggest tax reform in India and a game-changer. It has been stalled in the Rajya Sabha by the main opposition party which had proposed it a decade ago. The ruling NDA has rejected the objections and may call a special session of Parliament to get the Bill passed. Unfortunately, many critical issues regarding the basic design of GST have not been discussed and remain unresolved. The public needs clarity about them.

GST has three important elements. First, combining taxes like excise, sales and services. It is said that 17 taxes will be replaced by one, leading to ease of business. Second, the indirect taxes will be calculated on value addition and not the value of the good or service. This would remove the cascading effect of tax on tax and profit on tax. Finally, not only would the cascading effect of each of the taxes (excise, sales, services and so on) be removed, but even that across these taxes would go. This would lead to a possible fall in prices, all else remaining the same. It is argued that this would lead to ease of doing business which could boost the growth of the economy.

Undoubtedly, there would be simplification in the tax regime faced by businesses but not as much as is being made out. There will be three taxes — CGST collected by the Centre, SGST collected by the states and an IGST on inter-state movements collected by the Centre.

Further, under pressure from the states, alcohol, tobacco and petro goods are likely to be left out of the purview of GST. So are electricity and real estate being left out of the GST net and will have separate taxes resulting in some cascading effect.

Further, since value addition is only a fraction of the value of a product, if the tax rate remains the same as earlier, the tax collection would fall. Thus, if the government is to collect the same amount of tax as in the earlier tax regime, it would have to raise the tax rate under VAT. This is called the revenue neutral rate (RNR) and could be pretty high. Further, tax will have to be collected at each stage of production and distribution. So, even if the tax rate is a common one, collection of the tax will still be complex.

Services did not have to pay sales tax but will now have to pay the SGST to the states so their prices will rise. For instance, telephone calls, insurance, transportation, restaurants, etc. will become dearer. A common tax rate will imply that all basic and essential goods prices will rise, and even if some final goods prices fall, the rate of inflation will go up.

If the rate of inflation rises, demand in the economy would fall and the rate of growth will decline contrary to the argument by proponents of GST. To avoid this, the government will have to give up the RNR and fix lower rates of tax. But then the collection of tax will fall compared to the present and

the states suffer. The deficit of the Centre and the states will then rise. This is the worry of the states. If the Centre tries to compensate them for the fall in revenue, as it is promising to do, the Centre's deficit will rise even more which will create further problems.

These macroeconomic issues have not been debated or resolved in the rush to implement GST. Another ignored aspect is the interest of the small-scale and unorganised sectors. The small-scale sector produces and sells locally, so it would hardly benefit from a unified market, etc. It is being exempted from the payment of GST and, therefore, would not be able to claim credit for any purchase from the organised sector and would be at a disadvantage. If it sells to the organised sector, it would not be able to provide the benefit of setoff and, therefore, it would have to cut prices or its sales would decline. A decline in the small and unorganised sector would reduce employment generation since it is the employment intensive sector.

Take the example of potato chips or envelope-making where the large scale has displaced the cottage sector. Or, look at any 'haat' selling cheaper versions of products sold in the malls or regular shops. They are visited by the poor, the lower and the middle class who go there to buy products supplied cheap by the small and cottage sectors. Such products will also get displaced.

VAT is a difficult tax to implement since it requires keeping account

of both the inputs (so as to claim setoff) and revenue from sales. The small-scale and cottage sectors do not keep detailed accounts and cannot calculate how much VAT to pay. That is the reason VAT requires computerisation which the small and cottage sector are not able to afford.

Due to such difficulties, VAT could not be introduced in the 1970s. The Indirect Tax Reform Committee in 1978 suggested MANVAT on manufacturing alone. This could not be implemented because of the existence of a very large unorganised sector in manufacturing. The long-term fiscal policy in 1986 suggested MODVAT that had to be introduced gradually, till CENVAT replaced it a decade later. Difficulties are being swept under the carpet. It is these difficulties that would also undermine the claims that compliance would improve under VAT and that the black economy would decline. GST, by introducing a common rate for all states, undermines fiscal federalism. Different states have different requirements. Needs of Maharashtra are different from those of Assam. The manufacturing states are worried about loss of revenue due to change of tax from source to destination and to accommodate them, the IGST has been proposed. Even though the states have arrived at a consensus and given up their powers, undermining federalism will have long-term effects which will not be visible immediately. The local bodies, the third tier of the federal structure, are entirely left out of the reckoning.

The real problems with the introduction of GST in India have not been addressed. The unorganised sector in India employs 93 per cent of the workforce. The small and tiny units producing and selling

locally would lose from a unified market which will benefit large-scale producers. This will aggravate under-employment, distress in the farm sector and adversely impact the poorer states. No wonder, GST is being strongly backed by large businesses — foreign and Indian. Just because VAT exists in more than a hundred nations is no reason that it would uniformly benefit all in India.

(Continued from Page 3)

New Delhi, the centre of the British rule, has the key files. I doubt when they are made public, the question would still nag the nation is whether all had been disclosed and whether some files that showed Nehru in a bad light had been destroyed. One thing which has been proved without any doubt is that the Nehru government was keeping surveillance on the Bose family even after his death in an air crash in 1945.

In fact, the air crash story and 1945 as the date have come to be doubted after the files have been made public. It has become all the more necessary for the Central government to throw open all the files and papers relating to Bose. The Narendra Modi government should have no compunction in doing so whatever the fallout.

One argument advanced for keeping the files secret is that the disclosures may have an adverse effect on relations with foreign countries. How it would be is not yet explained. The Soviet Union where Bose took shelter has got disintegrated. Moscow is now a far liberal place than it was then. The archives should have some papers to throw light on that period as well.

Finally, there are contradictions in the argument being made for GST. The tax-GDP ratio will rise if tax collection rises, but then prices will rise, demand would fall and the economy would slow down. Contrariwise, if the RNR is given up, the tax-GDP ratio will fall and states' resource position will deteriorate. The macroeconomic analysis shows that either way the government's argument is contradictory.

For some reasons, the Modi government is reluctant to let the nation know the entire story. Whatever his compulsions, he would ill-serve the democratic norms which demand that the people have the right to know. Surely, he doesn't want to be considered a person who acted as a censor and kept back from the people what they had the right to know.

Mamata's remark that what Nehru did was unfortunate would be echoed and may damage his image. But what he did was so un-Nehru like that he deserves to be criticized. Nehru's name is associated with free information which is essential for a free response in a democratic setup. In view of the disclosures, posterity is going to pass on a harsh judgment against India's icon and first Prime Minister.

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JP's "blunder"

This is with reference to the article 'RSS-BJP kinship' by Kuldip Nayar (*Janata* 20th September 2015). I was pained to read an experienced writer like Kuldip Nayar saying that JP committed 'blunder' in allowing the Bharatiya Jana Sangh to merge with the Janata Party though they had not cut off their relations with the RSS and this 'blunder' 'cost the nation dear and the Jana Sangh of yesterday has emerged as the BJP of today and has been able to secure an absolute majority in the Lok Sabha'.

Was not the formation and merger of the Congress(O), BJP, Socialist Party and the BLD, a historical necessity in 1977? Does Kuldip Nayar think that if the merger had not been effected and an atmosphere of unity against Indira Gandhi's Congress created, her Congress would have been still defeated and the Janata Government formed?

Would he have preferred the re-election of Indira Gandhi as the Prime Minister to the 'blunder' committed by Jayaprakash Narayan? Is trusting the words of the leaders of a political party and acting on that basis a 'blunder'? Has sincerity no place in politics?

Jayaprakash Narayan had written a letter on 13th April 1975 to the leaders of the four parties that finally constituted the Janata Party, that unless these parties provided an alternative to the Congress, he feared that the consequences would not be good. He said that the coalition Government of these parties at the Centre would be as disastrous as the coalition Governments of 1967. During negotiations to form the Janata Party, Asoka Mehta had suggested the formation of a federal party. While the Jana Sangh accepted the idea, it was Lok Dal and

the Socialist Party which rejected the proposal and insisted that the parties should 'merge' and form the new party. When these parties procrastinated on the suggestion, JP announced that he would form a new party but before that these parties will have to dissolve themselves. I am sure Kuldip Nayar is aware of these facts.

Jayaprakash Narayan had committed another 'blunder' earlier by trusting the words of Rafi Ahmed Kidwai for which he atoned by fasting. I am sure he would have atoned for this 'blunder' also by fasting had been alive for some more time. People who are sincere and honest like Jayaprakash Narayan are likely to commit such 'blunders'. But whose is the fault: of those who trust others or of those who betray the trust?

—Bapu Heddurshetti.

In a recent national survey carried out by the organization (Bharatiya Muslim Mahila Andolan) on Muslim women's views on reforming the Muslim Personal Law, 92.1 per cent women supported a total ban on unilateral divorce and 93 per cent wanted an arbitration process to be mandatory before divorce. Also, 91.7 per cent did not want their husbands to marry another woman before the first alliance is dissolved. So far, all these moves have been opposed by the All India Muslim Personal Law Board.

—*Dipti Nagpaul D'souza,*
The Sunday Express

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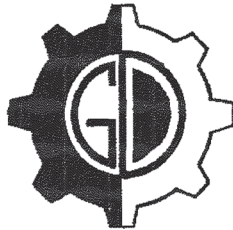
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**Who Will Lose
the Bihar Elections!**
D.K Giri

Do not play with fire
Rajindar Sachar

**Black lies spread by
the champions of merit**
Sankar Narayanan

**High health risks of
hazardous chemicals**
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An Angry Nation

S. Viswam

A series of developments during the last few weeks, (and a single case of non-development) have left Indians angry, bitter, and unsurprisingly, vengeful. While the developments can be described in detail since there are many facets to be taken note of, the case of non-development can be disposed of in a few words. It is that, belying expectations, the government of Narendra Modi and he himself, remained indifferent and impassive to these developments and in the process hurt both individual and national sentiments. The disappointment led to the surfacing of widespread anger bordering on rage resulting in a spate of protests from a large body of the country's intellectuals, ranging from writers to singers to dancers to journalists. The protest has taken the form of returning the prestigious awards bestowed on them by the various academies for the excellence of their work.

The reason for the protest was aptly described by an editorial in the Hindu as the State's failure to "protect the last man standing." The targets were many-fold, but principally against the willful creation of an atmosphere of fear and intimidation by the fanatics and zealots of the Hindu Saffron Right that do not hesitate to resort

to violence to demonstrate their intolerance towards those who refuse to conform and who challenge the concept of majoritarianism. The protest-agitation has resulted from the death due to lynching of a Muslim man (whose son was grievously injured in the attack on the father and the family) in a village in the Dadri district of Western Uttar Pradesh, near the national capital. Thee attack was carried out by a frenzied mob on the strength of a mere rumour that the family had stored calf-meat in their refrigerator after killing the animal. Long after the incident it was made known that the meat stored was mutton.

The trend of returning awards was initiated by a member of the Sahitya Akademi and has now extended to the Sangeet Natak Akademi. The writers have been joined by singers and dramatists, theatre personalities and many other intellectuals in other disciplines. One of the leading lights in the world of arts and crafts and music and theatre, Maya Krishna Rao, who returned her Sangeet Natak Akademi award earlier this week, is quoted in newspapers as saying: "in spite of the right of people to express their thoughts and ideas, and live the way they they would choose to live in

a free country.” The spirit behind the protest could not have been described better. Dissent and dissidence are the cornerstones of any democracy, and India has established a reputation for safeguarding, advancing and strengthening democratic processes and institutions. Its not only the Dadri incident that tended to tarnish that reputation.

Intolerance has manifested earlier too in the violent suppression of dissenting voices represented by rationalists and free thinkers. Hence, the protest was also against those who cannot abide by opposition. Without dissent and opposition, democracy would perish. Right Wing bigots murdered in cold blood Govind Pansare and Narendra Dabholkar, and subsequently the eminent Kannada litterateur M.M Kalburgi. There can be no greater and telling example of how intolerant people, parties and leaders can be than the prime, grim and shameful act of intolerance perpetrated by the Shiv Sena. It is goons blackened the face of author and columnist, and chairman of the Observer Research Foundation Sudheendra Kulkarni by smearing ink on it as a gesture of protest against one of his decisions. Kulkarni had organised a function to launch a book authored by former foreign minister of Pakistan, Mahmud Kasuri. The Sena action typified its political philosophy, the same one that threatened to disrupt a concert by Pakistani singer Ghulam Ali. The singer had to be offered recitals in other cities. The Sena has been over the years exercising its self-assumed veto powers to obstruct normal events through threats of violence.

The Shiv Sena is a partner in the BJP government in Maharashtra.

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Who Will Lose the Bihar Elections!

D.K Giri

Bihar elections are being regarded by many as a turning point in the current Indian politics. Presumably, the results will decide the fate of some leaders and define the next course of national politics. The prognoses are: if NDA loses, knives in the party will be out for Narendra Modi, the onward march of Hindutva will halt, after the drubbing in Delhi, a defeat in Bihar will put some sense into overenthusiastic BJP front organisations, BJP may switch from promise to performance and so on. If the so-called Grand Alliance loses, any hope of revival of Congress piggybacking on JD(U) will be dashed to dust; Nitish Kumar may have to find another job in the party, Lalu Yadva's politics will be consigned to history, and his attempts to project his sons and daughter, after the pathetic promotion of his illiterate wife as the Chief Minister of Bihar, will be foiled. A few are talking about what will happen to Bihar if either of the alliances wins- NDA or Grand Alliance. This is what I would like to focus on, not just on the impact, but the process itself.

The people of Bihar are now experiencing electoral politics in its worst form. Admittedly, the Bihar politics is caste-ridden, and one cannot talk politics without caste equations. More so, in electoral politics, the caste arithmetic is too important to ignore. On Bihar elections, it is said, “you do not cast your vote, you vote a caste”. Well, that is part of the story. Caste is an uncomfortable reality in Indian society and politics and in varying

degree, it affects most of the states in India. One recalls the acclaimed work of Rajni Kothari, “Caste in Indian Politics”. But Bihar has also been a harbinger of radical changes in Indian politics, Gandhiji's and JP's political crusades started in Bihar.

At any rate, in these elections, Bihar wrestles with many other issues besides caste. The question of development is the front-runner in this election. Nitish Kumar wrested power from LaluYadav on a development plank. Now Modi, the new “Messiah” of development is challenging Nitish Kumar in Bihar on the issue of development of undeveloped Bihar. Evidently, Bihar has lagged far behind the other states in the country in development. It contributes merely 1.5 per cent to the industrial development of the country. Lack of development has given rise to high rate of unemployment and migration. About 55 lakh people migrate out of Bihar every year in search of better opportunities. This is a huge number. This is also an indicator of bad state of affairs in Bihar on the development front. There are also complaints of rising crime. We knew about the caste wars, Maoist insurgencies, and political murders and so on. But the rise in petty crimes is alarming. The causal link of crime is again with the underdevelopment of the state.

However, reverting to elections, I would like to draw the attention of the thinking public to a deeply worrying trend in Indian politics.

This trend, though not new, is getting worse and may prove to be irredeemable for our democracy. I am referring to the unholy alliance building, defection and re-defection across political parties.

Absence of Sense of Public

It is said that democracy as a political system is easy to explain, but difficult to maintain. But, given several types of democracies, it is also not easy to define a genuine democracy. As per the universal understanding of democracy, it is based on: competitive multi-party systems, freedom of speech and assembly, independent judiciary, free media, regular elections and so on. India, in its political structures, has all these, so it is a democracy. But these elements of democracy are merely structural. Some call it procedural. The structures lack in substance, and are weak as institutions. So India is called a fragile, not a full democracy. We may take pride that we are better than many in Asia, Latin America, and Africa. But when we compare ourselves with the good ones, or with reference to the organising principles, we do not come anywhere near them. Why is it so? Indians are said to be good at thinking, poor in action. We have a modern constitution, many progressive and innovative policies, but we look too bad on the ground in implementation. Why there is a gap in theory and practice? Sadly, this gap is widening. Among many explanations for this, the least discussed is the absolute absence of “public life”. We do not relate to the “other”. We follow the leader. We do not bother about anyone else in the crowd. So this absence of public, or common good, is hurting our institutions. We, somehow, want to get to the Assemblies and the Parliament, by by-passing any

process, disregarding all principles. We may bribe, cheat, manipulate, and mislead others to win. It is the winning that matters. How we win is not important. How we treat others is immaterial in the game of winning.

Absence of Ethics

The other major deficit is the absence of ethics in our political behaviour; the sense of right or wrong. Again, in winning an election, everything goes, there is nothing wrong in any action. Let me illustrate this in the alliance formation by the parties, because that is the dominant trend now. In any democracy, the biggest institution is the political party, because as they secure a majority in the Parliament / Assembly, they form the government, and the government regulates or minds all other institutions. In our democracy, political party is the weakest institution. They do not have any organizing principle; sacrifice their ideology, if any, at the drop of a hat. I have repeatedly called it ‘old politics’ practiced since the ascent of Indira Gandhi to power, which Rajni Kothari decried as ‘congressism’ – marked by dynasty, feudalism, nepotism, corruption, covert communalism and casteism etc. As said earlier, our precepts and actions do not match. To illustrate, our Parliament passed the anti-defection law in 1985 through the 52nd Amendment, which meant a Member of the Assembly or the Parliament cannot defect from one party to the other. If (s)he does so, (s)he will lose his/her membership of the House. Only if one-third of Members decided to defect, they could do so. Subsequently, that was changed to two-thirds in 2003 through 91st Amendment. So far so good. Some sanity and stability was imposed on the MLAs and MPs by preventing them from defecting and

re-defecting etc. But watch the farce outside the Legislatures.

Alliance Farce

A close look at the alliances in Bihar will baffle any serious observer of democratic politics. The alliances beggar any ideational or ethical explanation. The NDA consists of BJP, Ramvilas Paswan’s Lok Jan Shakti party, Rashtriya Lok Samata party, and Hindustan Awam Morcha. Ramvilas Paswan has shuttled to and fro between Janata Parivar, UPA, and NDA. What ideas does he represent? He does not see any difference between Janata Parivar, UPA and NDA, and all of them accept him as he switches sides at will. Arun Shourie characterized Paswan as a politician ever-in-office. He would like to win from whichever alliance. Jitan Ram Manjhi of HAM, was, till the other day in JD(U), he was their Chief Minister too. He defects to NDA, is warmly admitted, as he has a “mahadalit” support base.

The Second Alliance, the so-called Grand Alliance is even crazier. The JD(U) and Samata Party (the latter merged into the former), were both created to counter Lalu Yadav’s autocratic, casteist and corrupt behaviour. Nitish Kumar and BJP together fought against Lalu. Nitish Kumar dissociates from BJP and joins Lalu Yadav. He was also a Union Minister in NDA (I) before he became the Bihar Chief Minister. Furthermore, both JD(U) and RJD were in Janata Party, later Janata Dal which was created by the veteran socialist leader Jayaprakash Narayan to fight Congress authoritarianism. Now, both RJD and JD(U) are in alliance with the Congress. In fact, RJD has joined hands with Congress before. In the UPA(II) Lalu Yadav was dumped by Congress.

Do not play with fire

Rajindar Sachar

The Third Alliance is Socialist Secular Morcha consisting of six parties – Samajwadi Party (SP), Nationalist Congress Party (NCP), Jana Adhikar Party of Pappu Yadav, Samras Samaj Party (SSP) of former Union Minister Nagamani, Nationalist People's Party (NPP) of P.A.Sangma and Samajwadi Janata Party (SJP) of former Union Minister Devendra Prasad Yadav. Of these parties, SP was part of Janata parivar, only recently the SP chief was declared to be the president of the new party which was to be created out of merger of 6 parties including RJD and JD(U). He walked away from this initiative and built a new alliance in Bihar. Of the other parties, Devendra Yadav was with RJD for a long time; Pappu Yadav has highly questionable antecedents and was close to Lalu Yadav and now in the Socialist Secular Morcha. The Left Front, which has been with Janata parivar, and UPA is going alone.

To conclude, the alliance formation in India is baffling as it ignores ethics, ideology, and loyalty. Indian politics consist of individuals, and the other two elements, the institutions and processes are missing. We look at the product, the result, the benefits, not at the process, the drill, the journey to get there. How can we expect our democracy to be healthy and responsible if our political parties are so indifferent to ethics and commitment to ideas? Whoever wins the elections, there will be a government, there will be some winners and the rest will lose. But the real loser will be the people of Bihar, who have been victims of caste politics for long, now fall prey to unscrupulous politics. They are the real losers in this election.

The recent Vedic Sanskrit conference held at University of Delhi shows a deliberate effort being made by BJP government to create a divisive strategy. No, I have nothing against Sanskrit. I myself had taken it in my intermediate class as one of the choice subjects. But to be frank, it was more because it was a scoring subject than out of any foolish boastful claim of the supremacy amongst the languages. Each language has a claim of its own and area and philosophy. Languages which are in daily use are the ones that need to be promoted – learning of classical languages like Sanskrit, Persian, Arabic (in India) can only be the specialties. In the day-to-day administration and education, Hindi, Urdu and State languages are the only practical alternatives.

But there are deliberate efforts to claim artificial superiority. The divisive remarks of Dina Nath Batra, the convener of RSS backed Shiksha Bachao Andolan Samiti, who is writing moral science text book for BJP Government in Haryana has the effrontery to declare that Ramayana and Mahabharat are history and should be taught in schools, but not Quran and Bible which he does not consider are history. Can anything be more provocative and a certain recipe for spreading communal tension ?

The Home Minister Raj Nath, having succeeded in creating an unseemly controversy over Nehru Library and the contrived resignation of its Director Mahesh Ranganathan, triumphantly entered Nehru Library, accompanied by other stalwarts of BJP and said that there should be full debate on all subjects and BJP leader Deen Dayal Upadhyaya's "Integral Humanism" be highlighted. The

suggestion is welcome, though the attitude is divisive. But then this debate should be open to all the views. In praising Upadhyaya, BJP liberally refers to his association with Dr. Lohia. If so, it is only fair that the President of Socialist Party (India), who is the follower of JP and Dr. Lohia, should be associated with it.

It appears also that Indian Council of Historical Research has decided on a project to map country's scientific achievement starting from Vedic times to 18th Century. To give authenticity to this project, amongst others, the inclusion of Romilla Thapar and Irfan Habib, the senior-most historians of India and some of the top intellectuals of the country like T. K. Oommen, Emeritus Professor of Sociology (J.N.U.) and former President of International Sociological Association, is a must, as it will lend credence to the study.

In the meanwhile, will the Ministry of Education look into the enormity of the slavish mentality impact of old British regime in continuing the old university syllabus? While the university may legitimately have course studies on Machiavelli, how is it that there is no course, no study of Chanakya, who, by all standards, was one of the greatest political strategists of his time?

Also caste system is the most talked about subject of national debate, and politics in our country. And yet Dr. Rammanohar Lohia, the socialist leader's treatise and writings on caste system, in its various dimensions, are not even a recommended study, while in fact on merit it should be a compulsory paper in the subject of sociology/politics.

The rabid communal behavior of BJP leadership is encouraging the local satraps to spread communal poison by viciously highlighting their demand for ban on beef. Provocative statements are being made to malign Muslims on this irrelevant topic of one's eating habits. An anti-Muslim atmosphere is being created. This is shown by the recent tragic happening in Dadri where BJP and RSS led mob attacked a Muslim residence and killed a Muslim on the allegation that he had beef in his house. This is nothing short of murder - in a democracy eating habits of the people cannot be determined by State machinery.

Is it not tragically farcical that a Muslim should be killed by false allegation of keeping a small piece of beef at home in Dadri in U.P., while ironically, among Indian states, Uttar Pradesh (U.P.) has emerged as the biggest exporter of buffalo meat? U.P. also has the highest number of abattoirs-cum-meat processing export units. The state has 317 registered slaughter-houses and in addition, 24 export-oriented units for buffalo meat. Of the total Indian beef exports, 67 per cent originates from this state.

The legal position has been settled by the Supreme Court in 1959. It has held; "A total ban [on cattle slaughter] was not permissible as under economic conditions keeping a useless bull or bullock may be a burden on the society and therefore not in the public interest".

Such a ban according to reliable estimate has the potential to pull down India's annual GDP growth rate by about 2 per cent. A study by Abusaleh Shariff (an economist who is currently working at the US-India Policy Institute, Washington DC) states that between April-November 2014, the sale of bovine meat and meat products was worth

\$3.3 billion compared to \$2.8 billion in the same period the previous year, registering a 16.7 per cent increase. It is useful to understand the above amounts in the context of India's annual trade deficit. For April 2014-March 2015, the deficit was estimated at \$137 billion, which was higher than the deficit of \$134 billion the previous financial year.

More sinister is the false propaganda by RSS and Vishwa Hindu Parishad goons against the Muslims saying that the monetary benefits of trade in beef is being almost exclusively enjoyed by Hindus. It may be noted that overwhelming export is of buffalo meat which is also named as beef.

A study by *ummid.com.*, has found that "Muslims are earning just a peanut as against the general perception about the trade, and it is actually the government and non-Muslims who are benefiting the most from about 4.5 billion US dollar animal slaughter business." Its further finding is, that "Except for direct consumption, where Muslims and non-Muslims both are at par in terms of taking beef, in rest of all associated business, including meat export, bone crushing and powder industry, leather industry, horn processing industry, blood processing, animal fat and soap industry, except for a few exceptions, each one is dominated entirely by non-Muslims".

Open questions addressed to the Prime Minister

You are doubtless aware that the German Government took an extraordinary step of securing the 1400 names in Liechtenstein Bank of illicit account holders majority of whom were probably Indians by rewarding an employee of the Bank. The German Government offered publicly to share the information with every friendly Government including India without cost or condition. Yet the previous government took no steps to secure the relevant information obviously because it wanted to shield those who controlled it. The German government was wanting to stop the customer confidentiality practices of Banks in notorious tax havens an object fully legitimised by the United Convention Against Corruption signed by India in 2005. Did you ever read the Supreme Court judgment obtained by me and my co-petitioners which rejected the untenable and antinational stand of the Congress government that they could get this information only under the DTAT with Germany as also the contention they made that the secrecy clause of the DTAT prevented disclosure of the identity of the criminals. It is a reasonable expectation of the people of India from your government which made removal of corruption and recovery of Black money stashed in tax havens abroad its main declared objective. You had declared often that you would not only recover this stolen wealth but put 15 Lacs Indian Rupees in the pocket of every poor family of India? How come you did nothing of the kind!!

Are you aware that Admiral Tahiliani President of the Indian Chapter of Transparency International repeatedly referred to the Indian government's failure to take the proper and easy course of getting the information by a simple approach to the German government to share the names publicly offered and promised by it?

Did you once ask your two leaders of opposition at that time, whom later you have included in your cabinet, to approach the German government or even its Ambassador in India to provide us this information ?

– Ram Jethmalani

Black lies spread by the champions of merit

Sankar Narayanan

“To stop talking of caste is to shut one’s eyes to the most important single reality of Indian situation. One does not end caste merely by wishing it away. A 5000 year long selection of abilities has been taking place. Certain castes have become especially gifted. Thus for instance the Marwari Bania is on top with regard to industry and finance and the Saraswat Brahmin in respect of intellectual pursuits. It is absurd to talk about competing with these castes unless others are given preferential opportunities and privileges. I must here make distinction between opportunities for employment and those for education. No one should be turned away from the portals of an educational institution because of his caste. Society would be perfectly justified in turning those away from its employment whom it has so far privileged. Let them earn their living elsewhere. Society is required alone to equip them with the necessary educational ability,” - expressed candidly, albeit brutally, by Dr. Rammanohar Lohia in his book “The Caste System”.

What was absurd for Dr. Lohia has become, once again, the pet theme of the upper castes after the coronation of Narendra Modi. “Caste-based Reservation’s time is over. Job quota should be only on economic criterion,” thunders RSS chief Mohan Bhagwat, duly Manish Tiwary of Congress endorsing the view. Classes carried this matter to foreign shores too.

NDTV anchor Barkha Dutt’s programme telecast from New York on 23. 9. 2015 at 9 PM (IST) in the

context of the agitation of the Patel community in Gujarat is a pointer. The programme consisted of two parts. (i) A discussion with a number of Patels at an apparently Patel-owned restaurant in New Jersey. (ii) An interview and discussion with the renowned economist Prof. Jagdish Bhagwati of the Columbia University telecast in between the discussion.

At the end of questions to a number of individuals and their answers, the anchor asked those who wanted a review of the Reservation policy, changing it from caste-based Reservation to income-based Reservation to lift their hands and keep them lifted until she completed counting. All hands went up and she announced this fact. Perhaps to make matters doubly sure, she asked those who did not want such review of the Reservation policy to lift their hands and again she announced that not a single hand went up. Trailers of the interview with Prof. Bhagwati were telecast from the previous day to whet the appetite of viewers including an assertion of the professor that Reservation policy of India is a “disaster”. He seemed to justify the agitation of the Patels on the basis of a rhetorical question: ‘If 90% of seats are reserved and a middle class family has to do with only 10% unreserved seats for its youth, what can such a family do?’

P. S. Krishnan, former Secretary to GoI, Ministry of Welfare [also Member, National Commission for SCs and STs, Special Commissioner for SCs and STs, Member-Secretary, National Commission for Backward Classes Member, Expert Committee

on Backward Classes etc], issued a detailed rebuttal in the media to each and every point discussed in the New Jersey talk show and Bhagwati’s ill-informed utterances. Hereunder is the correct information provided by the former secretary:

Media objectivity should have required Barkha to gather an assemblage of SCs, STs and Socially and Educationally Backward Classes (BCs) and put the same questions to them. If she had done so she would have got exactly the opposite result. Media objectivity should have also required her to mention the proportions of the population in India of the two sets of communities holding the two views.

A participant explained that earlier the condition of the BCs was bad. Therefore, caste-based Reservation was then necessary and Patels had accepted it. According to him, conditions have now changed and there is no need for Reservation for those castes. That well-meaning gentleman seems to have been cut off from the realities in Gujarat.

He does not seem to be aware that before Madhav Singh Solanki, the first CM of Gujarat from the BCs who came to power in 1980, none of the previous CMs (who were Brahmins/Banias/Patels) introduced Reservation for BCs. It was only Solanki who first introduced Reservation of a mere 10% for BCs in 1980. Immediately, some people of the upper castes, including prominently Patels, pounced upon the SCs who had nothing to do with the Reservation for BCs.

Apparently, it was not only dislike of Reservation for BCs that provoked them, but a deep-seated inherited hostility to the SCs who had traditionally been only farm-servants and other labourers at beck-and-call of the upper castes. The fact that through Reservation for SCs, introduced in 1943 by the initiative of Dr Ambedkar, some SC persons had begun to get educated, progress and occupy positions of dignity was too much for the upper castes to stomach.

Again in 1985, the State Government under Solanki announced increase in the BC Reservation quota to 28% as recommended by the Rane Commission, closer to the population of BCs. There was a widespread agitation against the Reservation by Patels and other upper caste students resulting in the withdrawal of the proposed increase. Later it was again introduced (27%) in 1994 in line with the Mandal Commission's recommendations and the GoI's order of 1990 thereon.

The gentleman who said things have changed does not seem to be aware of the continuing practices of "Untouchability" and caste-based discriminations against SCs, including social and economic boycott, in Gujarat as in most States and regions of India. He also does not seem to be aware that in all parameters of development, welfare and life the SCs and STs are at the bottom, the Socially Advanced Castes (SACs) such as Patels, Brahmins, Baniyas are at the top, and the BCs come in between, usually closer to the SCs and STs than to the SACs.

Barkha who comes off in TV programmes as well-informed in many matters must be aware of

these facts, but did not seem to find it necessary to take the trouble of informing them of these facts. Should the presentations and programmes relating to Social Justice including Reservation she anchors not free from instinctive birth-based biases?

Bhagwati, also a Gujarati, does not seem to be aware that in Gujarat the total percentage of Reservation is only 49% in posts in the services of the State as well as in seats in educational institutions. He does not seem to be aware that the Constitution of India as interpreted by the Supreme Court does not permit Reservation for social classes (SCs, STs and BCs) to exceed 50%. He also does not seem to be aware that except one State all other States abide by this limit.

Another fact he is not aware of is that the single State's case where total Reservation has gone up to 69% (not 90% even in that State) is still before the Supreme Court. All these facts must have been known to the generally well-informed Barkha. But she did not find it necessary to place the record straight so that Bhagwati's comments could be based on realities and not some non-existent 90% Reservation chimera.

Yet another important factor which a learned Professor and an experienced media anchor should have laid their hands on, before entering into a free-wheeling attack on the Reservation policy of India, which was initiated by wise Maharajas well before Independence in order to rectify the imbalance, in governance and administration, of the monopoly or near-monopoly of a few castes and exclusion of most of the castes accounting for the bulk of the population, was to find out correct facts about the extent of Reservation in education, especially

professional education, which is the main bone of contention.

Taking medical, dental, physiotherapy and engineering colleges, the number of seats to which Reservation applies, namely, Government colleges, Government-Aided colleges (only 75% seats in Government-Aided colleges, the rest being management quota), and Autonomous colleges, is 11531, while the number of seats to which Reservation does not apply, namely, Private and "self-financing" colleges, PPP colleges and management quota part of Government-Aided colleges is 63438. Out of the seats to which Reservation applies, only 49% is reserved for SCs, ST and BCs; this comes to 5650 seats, the remaining 5881 being unreserved seats. Adding this also, the total number of unreserved seats rises to 69319. The ratio is 7.5 % seats Reserved and 92.5% Unreserved seats.

The 90% mentioned by Bhagwati is correct; but it is the proportion of Unreserved seats. Is there any room, for complaint by Patels or other SACs? Was it not the duty of one of the most renowned Professors of Economics in the world and one of the senior-most Indian Anchors to have taken these figures into account before indulging in imaginary chimeras of 90% Reservation and nostrums based on such utterly wrong diagnosis?

Bhagwati vehemently characterized the Reservation policy of India as a "disaster". When Barkha drew him out further by specifically asking him whether this comment applied only to reservation for BCs and not Reservation for SCs and STs, he made it clear beyond doubt that his opposition was to Reservation for SCs and STs also. Both of

them seemed to be unaware that Reservation policy has prevented a disaster in India by giving part relief and hope for the deprived people of India who form the vast majority of the Indian population.

Bhagwati referred to the Reservation policy as Mandal-based policy. Perhaps, he is not aware that Reservation in India started long before Mandal, that its beginnings were in 1902 and that it had covered the whole of peninsular India well before Independence and its main protagonists were enlightened and socially responsive Maharajas, and that even at the Central level, Reservation for SCs began before Independence in 1943 by the efforts of Dr Ambedkar, who was also an illustrious alumnus of the same Columbia University where Bhagwati's interview took place.

Based on his diagnosis, which is totally off the mark, Bhagwati made the following suggestions:-(i) *Vastly increase the number of Unreserved seats.* It will be anti-Constitutional to create and increase seats and not provide Reservation in them. In fact, even in the existing Unreserved private educational sector of seats, SCs, STs and BCs are kept out by flouting a Constitutional Amendment that was passed with virtual unanimity in 2005 empowering the State (the Central and State Governments) to reserve, by law, seats in educational institutions including private institutions for SCs, STs and BCs. Since then the successive Governments at the Centre and most of the State Governments have been flouting this Constitutional amendment by not moving to get the required legislation passed. (2) *Move from Reservation to "giving handicaps" in terms of marks even up to 30%.*

Bhagwati did not seem to be aware and Barkha did not inform him that the Supreme Court has laid down that in the case of BCs, the handicap of marks for admission should not exceed 10%, i.e., to say no BC should be admitted to Reserved seats unless his/her qualifying marks (in the qualifying examination) is within 10% of the marks obtained by the last of the Unreserved candidate admitted. In the final examination, at the end of the course, there is no handicap for SCs, STs or BCs. The marks they have to get for passing or for a Class/Division is the same for all candidates of all social classes.

Reservation Not Cause of Vast Unemployment

The story is the same in the employment sector also, though Bhagwati did not specifically refer to this. The total number of posts in the public sector in Gujarat, namely, the State Government, quasi-Government and local bodies is 711000. Assuming an approximately 30-year cycle and, therefore, assuming approximately 3 percent of posts falling vacant annually, the total number of posts that may be filled in each year may be 21330, of which reserved seats (@49%) would be 10452. The total number of educated job seekers registered in employment exchanges in Gujarat is 905500. The reserved seats constitute only 1.15% of the total educated unemployed.

Reservation cannot be blamed for the problems of poor members of the SACs who certainly deserve sympathy and appropriate help but not Reservation. The Arjun Sengupta Committee's Report has shown that poverty is much more among SCs, STs, BCs and Muslims than among SAC Hindus. The vast unemployment problem cannot be solved by the Reservation policy

(Reservation policy was never intended to solve the unemployment problem but to counter inequality and imbalance in the composition of governance and administration and educational opportunities) or by tampering with the Reservation policy.

Anchors like Barkha and eminent scholars who comment on Reservation in a free-wheeling manner, taking a predictable position which is based on their birth, must familiarize themselves with the facts which the former secretary has provided them and realize that the purpose for which Reservation was started is yet unfulfilled and that purpose and the Constitutional mandate requires the adoption by all Governments of the full gamut of Social Justice measures (of which Reservation is only a part and not the whole) and implement them sincerely and enable the SC, ST and BC and every caste and tribe of them, to reach a level of Equality with SACs in all parameters and become capable of securing their due share of employment in and outside Government, seats in education at all levels in open competition, and really put an end to "Untouchability".

It is the duty of the SACs to fully cooperate with this and voluntarily abjure from imposing "Untouchability" on SCs, while seeking legitimate help for the really poor among them within the range of the Constitution. Periodic sniping at the Reservation and Social Justice policies and hampering or sabotaging their full implementation will hinder the growth and development of the nation and its economy which is our common goal and which is essential for effectively tackling widespread poverty, unemployment and underemployment.

*Letter to the Editor***Socialists said it much before Tharoor**

Shashi Tharoor's speech delivered in Oxford Union Society, on July 24 has been published in *Janata* dated September 13. In it he has talked about exploitation and ruin of India by British rule which is not a new fact. The only new point he has made is about reparations to be paid by Britain to our country. The way his speech is acclaimed shows the ignorance of young socialists for which we socialists of earlier generations are to be blamed. I would like to draw attention to three books written by our leaders.

First of all, I will refer to the chapter "Economics after Marx, in Lohia's book "Marx, Gandhi and Socialism". This chapter is based on notes written by him when he was in the think of underground Quit India movement. In these notes, he has put forward the proposition that imperialism is not the last stage of capitalism as propounded by Lenin, but capitalism and imperialism are twins. British capitalism could develop by ruining India and other colonies. Indian textiles industry could be destroyed by using political power which literally cut the thumbs of weavers and smashed their looms. British steel industry could prosper only when rail network was built in India.

All European countries exploited ruthlessly colonies in Africa and South East Asia and flourished. American capitalism developed by usurping land of Red Indians and exterminating them and by exploiting European immigrants. Lohia says that capitalism consists of an inner circle representing free capitalist structure with the dynamic of contradictions between capitalist profits and labour and the other outer circle representing colonial economy of the rest of the world with its dynamic between imperial exploitation and colonial labour. He has hinted that Asian countries with vast manpower and poor capitalist resources will have to evolve another pattern of development based on decentralised economy with small unit technology; otherwise we will be doomed to exploit and destroy millions of our countrymen as Stalin did. This point was further developed by him in his address to Panchmarhi Conference of the Socialist Party in 1952. If we read this chapter, we are astonished by his intelligence as he wrote this in very adverse circumstances.

Similarly, Asoka Mehta refers to Dadabhai Navroji's book "Poverty and un-British Rule in India" in his book "Democratic Socialism" (1951). Here, Dadabhai has argued

that under British rule life—"blood was being drained out of India and the economic consequences of British rule were disastrous for India.

Lastly in his "*Swatantrya Chalavalichi Vichardhara*" (1985), Madhu Limaye has shown that even after beginning of the Industrial Revolution, Indian cloth was popular in England and the terms of trade were in favour of India. Also India was much ahead in iron and steel manufacture as well as ship building. There was one ship built in India in Nelson's fleet But as pointed out by Justice M. G. Ronade, British rule destroyed Indian iron industry.

The trouble with socialists of my age and those who were born in 1950s is that we never spoke or wrote about our rich heritage. Of course, this is because 40 years ago, we acquiesced in destroying our movement by merging it in a party professing obscurantist and communal heritage, as decided by our leaders which culminated in that party's followers gaining respectability and power. Now we are helplessly watching how they are claiming our Socialist leaders as theirs by distorting their thoughts and teaching.

– *Bhalchandra Rajee*

(Continued from Page 2)

The partners share the Hindutva ideology. A government that cannot protect its citizens is not worth its name. In allowing its own cadres uncontrolled freedom to hold people

and cities to ransom through sheer bullying tactics, indulging in murder and mayhem, the BJP is not shining in glory. By failing to discipline its ideological partner in politics and government, it is failing in its duty as the ruling party at the Centre

to uphold the constitution that guarantees life and liberty to the citizens. Above all, Narendra Modi is failing to uphold his own promise to the nation that his government will carry out "Sab ka saath, sab ka vikas."

Dadri Beef Rumour Lynching: Observations after a visit to Bisara village on 3rd October, 2015

New Delhi, 05/10/2015

Team members: Bonojit Hussain (New Socialist Initiative), Deepti Sharma (Saheli), Kiran Shaheen (writer and activist), Naveen Chander (New Socialist Initiative), Sanjay Kumar (People's Alliance for Democracy and Secularism and New Socialist Initiative) and Sanjeev Kumar (Delhi Solidarity Group)

On the night of 28 September, in a heinous instance of hate crime, Mdohammad Akhlaq, a resident of Bisara village of Dadri in western Uttar Pradesh, was lynched to death and his son Danish brutally assaulted by a mob of villagers over a rumour that Mr. Akhlaq and his family had slaughtered a calf and consumed its meat. Just before the lynching, an announcement was made from the local temple to spread the rumour, within moments a mob constituted itself and attacked Mr. Akhlaq resulting in his lynching. Mr. Akhlaq's son Danish has been in hospital since that night and despite undergoing two brain surgeries his condition is still said to be critical.

We, a six member team of activists, went to Bisara village in Dadri on 03 October 2015, the day when there were news reports that a thousand women have been mobilized to prevent the media from entering the village. The women pelted stones at media personnel and OB vans because of the alleged 'disrepute' they were bringing to the village and for disrupting 'normal' life.

We arrived in the afternoon and encountered some media OB vans on the road leading up to the village. As we proceeded towards the village, the visibility of police presence

kept increasing. At one point we stopped to talk to the police about the situation in the village and we were told very clearly that the villagers were very angry about outsiders coming in and they can't really tell us what kind of reactions we might face from the villagers. The police strongly advised us not to go in to the village and also told us that if something were to happen then it would not be their responsibility.

We managed to proceed to the village after speaking on the phone to the village Pradhan, Sanjeev Rana, who sent someone to 'safely' escort us to his house, where we met him and some other men from the village. After that, we visited Mohammad Akhlaq's house and met his family. We also briefly attended a meeting of village elders called by the District Magistrate who upon figuring out that we are not from the village requested us to leave saying they are trying to resolve issues internally. In addition, there was some interaction with men who were around.

1. Some Facts about Bisara Village

Bisara is a large village in Western UP. It has an inter-college, a market and the presence of many industrial plants in the surrounding areas. A canal runs close to the village. The village appeared to have a thriving agricultural economy. However, we were told that a substantial number of men also work outside the village. The area has recently been re-categorized from rural to an urban zone. It now comes under Greater Noida urban administrative zone, due to which it is not going to have village panchayat elections again.

The numbers for the total population we got varied from

15000 to 18000 people. 300 were reported to be Muslim. Rajputs (who mainly use the Rana surname) are the dominant caste, owning most of the land. We were told that there are also over 100 Jatav families, and approximately similar numbers of Valmiki families. Muslims appear to be largely landless artisans.

Mohammad Akhlaq owned a shop in front of the village inter-college where he repaired iron implements. Three Muslim households live in the main part of the village, in a narrow lane behind village pradhan's house. Akhlaq's house is one of these. All other Muslim families live in another part of the village. The village apparently has an old mosque (approximately 70-80 years old) and an Idgah. It is possible that before 1947 it was home to a substantial number of Muslim Rajputs, who migrated out to Pakistan. We were told that the Muslims now living there are Saifis (a caste of Muslim ironsmiths or Lohars).

2. Narratives in the Village

(a) The three village youth we talked to outside the village near the canal told us in hushed voices that the meat in the Akhlaq's fridge indeed was beef ("Large hoofs, ears and white skin, it could only be cow!" was their refrain). They all said they had heard it from others who had seen these. They had little remorse over the murder.

These three village youth were Class XI/XII students in the village inter-college. We asked how and what happened. Their first reaction was that what happened was both "good and bad". Bad because somebody lost his life and good

because by slaughtering a cow Akhlaq betrayed the goodwill of the Hindus. The Mosque and the Idgah stands on Hindu land, despite the benevolence of the majority community what Akhlaq did can be captured by the saying “*jis thali main khaya, usi main chedkiya*”. These youths also strongly asserted that “Akhlaq’s family will get new house and compensation from the Government, what else do they want?”

(b) A man on a motorbike with milk cans argued vociferously against media induced disruption of ordinary life. His refrain was ‘our children are unable to go to school and college’ and ‘an internal matter of the village has been unnecessarily made into this big issue’. However, we did later see two 7-8 year old girls in uniform with big school bags, though perhaps they were coming from one of the private schools, or tuition. The village has a Sarawati Shishu Mandir school, with a large new board, close to the inter college on the main village road.

(c) The village pradhan and others emphasized on how the Hindus have always cared for Muslims in the village. The pradhan said that he had given Rs. 40,000/- from his own pocket for the renovation of village mosque because the Muslim community did not have the resources to renovate it by themselves. He said that other Rajputs of the village too had contributed. To further illustrate this goodwill amongst communities in the village, he narrated an incident of last year when the Rajputs from the village had sat on a dharna in Dadri, after a Muslim woman (from the village, but married outside) was killed in a road accident. Apparently, men from the village were still facing a court case because of that protest.

When asked about what according to him transpired on the night of the murder, the pradhan told us that he was in his farm house that night, which is two kilometres away from the village. He claims that he became aware in the incident only after the announcement from the village temple had been made and the mob had already proceeded towards Akhlaq’s house, and by the time he managed to reach the village Mr. Akhlaq was already dead. According to him, only young men were ‘involved’ and elders came to know about it after the murder.

(d) Relatives/family friends of Mr. Akhlaq thought he was targeted because theirs was a relatively well-off Muslim family. Mr. Akhlaq’s elder brother, in the meeting of village elders called by the DM, said that lumpenisation, everyday ruckus after drinking, and petty crimes were on rise in the village for some time. But villagers had not taken any action.

The DM in the meeting with village elders was trying to impress upon them to disclose the identity of the culprits. His refrain was those (young men) involved in the crime will tomorrow attack their own villagers and families. He had allowed the media in the village these past days because he did not want to create the impression that the administration was trying to hide something. From next day, only those with the clearance of the Commanding Officer (of the police), and whom Akhlaq’s family wanted to meet would be allowed in the village. On some of us standing on the side, he asked us to leave as this was an ‘internal’ meeting.

The estimates of how many constituted the mob varied. While the Pradhan said it was anywhere near 2000-2500 people, in the DM’s meeting two different estimates

emerged. One elderly Hindu man put the numbers at around 500 people, the DM himself referred to it as mob of somewhere between 500 to 1500 men.

(e) At a rather superficial level, most people we talked to said that killing of Akhlaq is sad. But there was no visible sense of remorse in the village. While they claimed it was an unfortunate event, in the same breath people pointed out that it had been turned into a big issue by the media that has brought shame and bad name to this supposedly 800 years old “peaceful” village.

(f) Leave aside any lack of remorse, the major reason people were agitated is that the “media has only been focusing on Akhlaq’s death and his family. It is not even mentioning the concerns of the “other side” (the Hindus), i.e., “Hindu youth being picked up randomly by the police”.

3. Our Observations

(a) The narrow lane leading to Mohammad Akhlaq’s house is barely four feet wide. It cannot accommodate more than twenty people at a time. It is unlikely that the mob which attacked could be a thousand strong. The heinous crime may actually be the handiwork of a much smaller number of people. In fact, the talk of a large mob may be a ruse to ‘normalize’ the crime, and show it somehow enjoying a popular support. By all indications it appears that while there were a large number of young men who were part of his mob, there was a small group of men who actually murdered Mr. Akhlaq. The claim of a very large mob is also often a ruse to prevent identification of individuals involved under the obfuscated identity of thousands of people.

(b) The houses are so cluttered and close to each other that it is

impossible for Akhlaq to have butchered a calf in his house without the neighbours noticing it. If he butchered it outside his house, then it is very surprising that while he could secretly kill the calf, but was foolish enough to be found with ears and hoofs, as said in the narrative of the village young men we talked to. There is now a clever shift in the dominant narrative. It has moved from butchering the cow to beef found in his house.

(c) A spontaneous mobs is not usually selective in their attack. In this case Akhlaq's brother's house is right next to his and was not even touched. In all likelihood the crime was not the result of a spontaneous mob fury. The crime was the result of a criminal conspiracy, known to a few people, who were very sure that the people at large will not oppose them. The immediate aim of the investigation should be to isolate these people, and give them speedy punishment.

Media has reported the existence of Hindutva organizations active in the area in the name of 'cow protection'. Their role in the crime should be investigated.

In fact, on our way out of the village, we noticed a Scorpio vehicle parked outside the village road on the arterial road, which had a flex banner on the rear windshield, which read "Hindu GauRaksha Dal" (Hindu Cow Protection Party).

(d) Mohammad Akhlaq's family is terrified and isolated. We met his elder brother, younger sister, wife of the older son and few other relatives. Apart from the elder brother, none of them live in the village and had arrived after hearing of the incident. They are worried about the son (Danish) who is in hospital battling injuries from the attack and also for their 82 year old mother who was injured.

We could not meet Mr. Akhlaq's wife or his mother but we briefly spoke to the other two women separately, but in the presence of a woman police constable. They expressed shock and horror about how this could have happened in a place where they have been living for generations. They also said that hardly any neighbour or people they knew for long have come to offer any help or condolence. They said they don't want to live in the village anymore and feel scared just by thinking about what will happen when the police presence will not be there.

According to them, the mob seemed large enough in number and many were known/familiar faces. Mr. Akhlaq's sister took us to the first floor of the house where the mob had 'found' him 'hiding'. The bricks that were used to support the double bed were used to attack him and his son. There were splashes of dried blood, broken rods, spilt over rice, a broken sewing machine, an overturned fridge and charpoy; all left intact the way it was. We were told that some people had come, most likely, to collect some evidence/samples. Mr. Akhlaq's sister told us '*un logon ne ussikiwi or maakii-zatpehaatdalne kishiki...*' (the mob tried to sexually attack Mr. Akhlaq's wife and mother). But circumstances and time did not allow us to talk to the women more about it.

(e) Back in the village, the pradhan again brought up the common narrative of peaceful co-existence. It was asserted that even during the partition or Babri Masjid demolition or during the Muzaffarnagar communal riots nothing apparently happened in this village. The strong emphasis on this "history" seems to be ploy to put a question mark to any suspicion/narrative of a planned attack that

might arise or have arisen. This emphasis is also a subtle way of putting the cause of the outrage/attack on the alleged slaughter of a cow i.e., Akhlaq's house wouldn't have been attacked if he had allegedly (or rumoured) slaughtered a cow.

4) Brief Analysis

(a) The presence of approximately 300 Muslims in a village of approximately 15000 people dominated by Rajputs, in-itself doesn't give much scope for Hindu communal mobilization. So a rumour of cow slaughter becomes the most feasible vehicle to mobilize a certain dominant agrarian caste on a Hindu plank against Muslims in general. This is a similar trend of mobilizing a dominant caste against Muslims that was also visible during the riots in Muzaffarnagar in 2013.

(b) This particular incident is also not something that can be seen in isolation just because it happened for the first time in this particular village. There has been a concerted campaign around ban on cow slaughter in India but more specifically in Uttar Pradesh. In a recent event one person (from Sangh Parivar) has been caught red-handed in Azamgarh while he was throwing cow meat in a temple. Similarly such patterns of events and rumours were witnessed in Muzaffarnagar, in Delhi's Bawana and Najafgarh area in 2014. So, the narrative of rather peaceful history might be true on the surface, but it does not suggest that this "*first of a kind incident*" of this scale could have happened just as an "accident" because of "hot-headedness of youth".

(c) Another fact, also common to other instances (also observed in the Muzaffarnagar fact-findings), was women of the villages coming out very aggressively against the police and media for their alleged

“sympathies to Muslim family and biases against the Hindus.” In the meeting with the DM about maintaining peace and identifying the culprits, there were no women present at all. Here it should also be noted that as quoted in *The Hindu*, the SP (Rural) Dadri confirmed that on Friday night Thakurs/Rajputs held two meetings to strategize how to deal with media and its “one sided coverage”.

Even while it is the work of a criminal conspiracy; the context of the crime is purely political in the ‘beef ban’ politicking of the BJP. Many BJP ministers, MPs and others have tried to deflect attention away from the enormity of the crime, by calling it as an ‘accident’ (Mahesh Sharma, Union Minister and BJP MP from NOIDA), or writing that ‘lynching on mere suspicion is bad’ (Tarun Vijay, spokesperson BJP), indicating that if the suspicion turns out to be true it would have been OK.

We demand:

Speedy arrest and bringing to book of all the men who participated in the murder of Mohammad Akhlaq.

That Chief Minister Akhilesh Yadav ensures the safety of Akhlaq’s family and also of other Muslim families in the village.

That the Union Government take serious action against Union Minister Mahesh Sharma and other BJP leaders for attempting to justify this heinous crime and communally inciting the villagers further.

A criminal investigation of the role of Hindutva organizations which have been operating in this area be instituted

That Prime Minister Modi break his shameful silence on this brutal incident.

A satire by Anand Mazgaonkar: ‘Indo-Pak Treaty of Reciprocity and Imitation’

We’re blessed with the bravest, boldest, busiest, best dressed and most articulate PM we’ve ever had. Oh, and he has the biggest chest of all. He very modestly confesses that it measures 56 inches, but truth be told, it has actually come to measure 156 inches. Not only that, we have a very ‘cultured’ Culture Minister. And together they’ve resolved to re-educate, re-orient the nation in some basics.

They sprinkle, distribute, shower or bombard – depending on the exigencies of situations – their pearls of wisdom lovingly and liberally. What we therefore know is that a killing by an ideologically charged, trained and organised lynch mob is an ‘accident’. It is not clear if the Culture Minister has expounded the current official definition of ‘accidents’, we can safely assume that the Ayodhya mosque demolition, (those who destroyed the great monuments in Palmyra, Syria should actually pay the VHP-RSS-Babri-demolition-Brigade royalty) 1984 Delhi riots, the 2002 Gujarat killings were all accidents. There must indeed be such a thing as an ‘organised accident’. If anyone has doubts or wants to quibble with that, a Commission may be appointed to look into the matter. There are lots of worthy people who haven’t got their due recognition under the present dispensation. Asarambapu, Sakshi Maharaj – and since the Commission ought to be multi-disciplinary – Lalit Modi, Ramalinga Raju (Satyam fame) are eminently qualified to ‘man’ that Commission. (It has to be emphasised that the Commission has to be ‘manned’ as

there should be no women. Since the Commission will be dealing with the issue of accidental rapes having women on it will create a conflict of interest)

Together they can come up with a comprehensive definition of accidents, accidental rapes, accidental scams, and of course, accidental accidents.

While the Commission can carry out its mandate within the remaining term of this Government a working definition until then, on behalf of Culture Minister, Mr. Mahesh Sharma can be, ‘an accident is a demolition, riot or killing without anyone having carried it out, or where sufficient or suspected grounds exist to blame the victim’.

This actually merits immediate incorporation in the Constitution. A footnote explaining this provision will, of course, explain that time is now at a standstill, nothing ever happens now, things happened only in the past. And all that happened is in the scriptures. So, test tube babies, plastic surgeries, airplanes, nuclear weapons were all there 5000 years ago. It might even be the case that some of those weapons launched then are acting now. Ah, that’s a cause-of-death they haven’t used yet but it is entirely possible that Mohammad Akhlaq was killed by a weapon hurled 5000 years ago.

A lot of people are creating a ruckus charging the 156-inch chested PM observing silence. Intellectuals are opportunistically blaming him, litterateurs are resigning from literary bodies, Sahitya Akademy

awards are being returned. What an unfair, mistimed hullabaloo! They don't spare the PM even while he is busy changing his clothes, dressing up appropriately for his various public events in Sydney, Dubai, Frankfurt, New York, Silicon Valley and assorted other Tourist shrines. The rantings of his Parivar have filled up his chest to 156 inches. And he speaks on every conceivable issue from sending birthday greetings to get-well-soon messages. He also speaks about domestic issues such as LPG cylinders and corruption in Sydney and New York just as he talks about dreams from Mars in Munger, Bodh Gaya and Sasaram. Don't these pretentious conscience-keepers have any idea about the wide range of issues he speaks on? They just ought to appreciate that it is beyond their grasp.

They all believed that – given the PM and his Parivar's Hindu-fundamentalist persuasion – India's relations with Islamic States would plummet. That is clearly not the case. The Indian PM gives his Pakistani counterpart a bear hug first, then slams the door in his face and then is back to hugging, kissing and slamming. Now, that only happens between nervous, new lovers. In our PM's rule our friendship with Pakistan, Saudi Arabia and others continues to scale new peaks all the time. Lynch mobs dispense summary justice at the slightest suspicion of disrespect to Koran or the Prophet in some of these places. We now do the same here. Which other PM could have steered our relations towards deeper friendship?

India and Pakistan might soon consider signing a Treaty of Reciprocity and Imitation. Actually, signing multilateral treaties – along

(Continued on Page 15)

High health risks of hazardous chemicals

Bharat Dogra

The number of chemicals in commercial use has been increasing at a very fast pace. Over 80000 chemicals are registered for commercial use in the USA, and over 100000 in the European Union. However knowledge about the safety of these chemicals has lagged far behind the fast expansion of their use.

According to a widely discussed research paper titled "Developmental neurotoxicity of industrial chemicals" by Prof. P. Grandjean and Prof. P. J. Landrigan "Neurodevelopmental disorders such as autism, attention deficit disorder, mental retardation, and cerebral palsy are common, costly and can cause lifelong disability. Their causes are mostly unknown. A few industrial chemicals (eg. lead, methylmercury, polychlorinated biphenyls (PCBs), arsenic, and toluene) are recognized causes of neurodevelopmental disorders and subclinical brain dysfunction. Exposure to these chemicals during early fetal development can cause brain injury at doses much lower than those affecting adult brain function. Recognition of these risks has led to evidence-based programmes of prevention, such as elimination of lead additives in petrol. Although these prevention campaigns are highly successful, most were initiated only after substantial delays. Another 200 chemicals are known to cause clinical neurotoxic effects in adults."

This paper further says, "The combined evidence suggests that

neurodevelopmental disorders caused by industrial chemicals have created a silent pandemic in modern society. Although these chemicals might have caused impaired brain development in millions of children worldwide, the profound effects of such a pandemic are not apparent from available health statistics. Additionally, only a few chemical causes have been recognized, so the full effects of our industrial activities could be substantially greater than recognized at present.The few substances proved to be toxic to human neurodevelopment should therefore be viewed as the tip of a very large iceberg."

The National Institute for Occupational Safety and Health in the USA estimated that some ten million workers in this country are exposed to 11 high-volume carcinogens. Five to tenfold increase in cancer rates have been demonstrated in some occupations. According to estimates by WHO as many as 25 million agricultural workers in developing countries may be affected by occupational pesticide poisoning in a year. Polychlorinated biphenyls (PCB) which were later linked to cancers and birth defects had been earlier used not only in insecticide but even in kiss-proof lipstick.

A significant recent study has investigated the possibilities of cancer caused by commonly used chemicals. The subject of this study is obviously important as this has implications for millions of people

across the world. This significance is also reflected in the fact that 174 scientists from 28 countries (including India) were involved in the study.

50 of the 85 chemicals studied were found to have a low dose effect on cancer causing features. 13 had a threshold dose beyond which they started having cancer generating effects. In this study not just commonly used pesticides, insecticides, fungicides, but even additives to plastic, P.V.C and polycarbonate products (such as food containers and water bottles) and biocides used in hand washes and cosmetics were identified as having potential to cause cancer. Other commonly used items in daily life identified for such risks in this study include stain repellants used in fabrics and carpets, flame retardants used in paints, certain construction material and material used in aircraft as well as some commonly used drugs (such as phenobarbital and aceta-minophen) and triclosan (used in toothpaste).

The London Food Commission found that out of the 426 basic ingredients used in pesticides in the UK, 164 had been implicated in causing cancer, reproductive effects ranging from impotence to birth defects, genetic mutations or irritant reactions.

Keeping in view these high risks, more information about toxicity and hazards of various chemicals is badly needed. However Russell Train, former chief of the Environmental Protection Agency, USA said, "We have no way of systematically screening the chemicals that go into production, we have no way of knowing precisely which chemicals go into production every year. In

other words, we not only don't know whether what's going on out there is dangerous-we don't even know what's going on out there. We have, however, learned one thing: it's what we don't know that can really hurt us, even kill us."

Dr. Vyvyan Howard, former development toxicopathologist at the University of Liverpool, U.K, says in a paper published in *The Ecologist*, "Recent research has shown that the synergistic effect among chemicals used in different combinations is much more dramatic than was previously thought. Yet we continue to test chemicals for their possible carcinogenic or mutagenic potential in isolation from each other. We have in our bodies today what is estimated to be between 300 and 500 chemicals that simply would not have been there 50 years ago, because at that time they did not exist or were present in the environment at undetectable levels. Trying to work out the toxicology of such a complex mixture presents many problems and renders the classical approach (of examining chemicals one at a time) quite useless."

According to the research paper by P. Grandjean and P. J. Landrigan quoted above, "Testing of new chemicals before allowing them to be marketed is a highly efficient means to prevent toxicity, but has been required only in recent years. Of the thousands of chemicals used in commerce, fewer than half have been subjected to even token laboratory testing for toxicity testing. Nearly 3000 of these substances are produced in quantities of almost 500,000 kg every year, but for nearly half these high-volume chemicals no basic toxicity data are publicly available,

and 80% have no information about developmental or paediatric toxicity. Although new chemicals must be tested more thoroughly, access to these data can be restricted, because they could be claimed to constitute confidential business information. Absence of information about the neurotoxic potential of most industrial chemicals is therefore the main impediment to prevention of developmental disorders induced by neurotoxic pollutants. Accelerated testing of chemicals already in commerce is therefore essential. In the USA, a legal mandate to require testing was established in the Toxic Substances Control Act, but is largely unenforced."

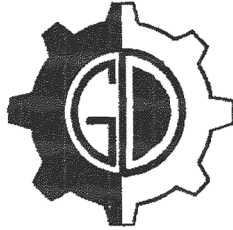
Clearly while the health risks from chemical pollution are alarming, the lack of adequate information is also alarming. This knowledge gap must be filled up, while at the same time many-sided efforts to reduce chemical pollution should be made.

(Continued from Page 14)

the lines of the WTO agreement – with Pakistan, Saudi Arabia, Syria, IS and forming the WFO (World Fundamentalists' Organisation) might be a good efficient way of doing things.

And he's the bravest, boldest PM. Any other fickle-minded PM would have been flustered into expressing regret, ordering inquiries, cracking-the-whip etc., in the face of targeted killings, inciting of violence and lynch-mob justice. Thank God for a cool-headed PM, and for the fact that no Minister has thus far claimed that the Dadri mob actually conducted an in-camera trial and held hearings before heading out to lynch Mohammad Akhlaq.

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Irom Sharmila appeared in the Delhi Court on 6th AND 7TH October for the trial of the 2006 Jantar Mantar Case where Delhi Police lodged a case against her in section 309 of attempt to suicide. During the hearing, she reiterated her truth that she is not committing suicide. She is not taking life; instead she is appealing to protect the right to life. In the hearing, she also reiterated the undemocratic and draconian effects of AFSPA and appealed for its repeal. SSSC volunteers met her during her court appearance.

SSSC considers these hearings as a way of suppression of voices of human rights. Everybody knows that fast of Irom Sharmila is for a public cause, yet lodging her in jail with the reason of attempt to suicide, is a judicial failure and disrespect of human rights of world's largest democracy. As Irom Sharmila also said in her statement, that at a time when India is advocating to ensure its permanent seat in UN, continuing with laws like AFSPA is extreme contradiction. Ravi Nitesh, Convener of Save Sharmila Solidarity Campaign told that If India is really serious to be known at global level with powers to take part in policy making and advisory for global issues through UN, it must have first and primary requirement of respecting human rights. SSSC supports Irom Sharmila in all her endeavor and struggle.

A 2013 paper in Nature describes India's waste production as the fastest growing in the world and set to peak a century into the future. In the small town I studied, there is no proper waste management mechanism — waste is too costly to control, engulfs all open spaces and is beginning to lead to a public health catastrophe....Over the last quarter-century while the volume of waste has increased by a factor of 8-10 times and shifted decisively towards being non-biodegradable, the labour force engaged in sanitation work has shrunk by 60 per cent....Most work involving waste products is hard, dangerous and oppressive. A 2014 Human Rights Watch report stated that 90 per cent of India's sanitation workers die before they reach retirement age.

- Barbara
Harriss-White, The Hindu

Go-rakshaks

If you love cows and care for them, you have three choices:

Choice A: Build goshalas or cow shelters where the animals can be taken care of. But this is an expensive proposition. There is heavy investment and no returns whatsoever, despite all the talk of the great medicinal value of cow urine and cow dung.

Choice B: Ban beef, stop farmers from selling cows and bulls to butchers, outlaw the culling of cattle, punish cow smugglers, declare all slaughter houses illegal, lynch people who eat beef, and justify all this using complex arguments. This results in a large number of cows (which can no longer give milk) and bulls or oxen (that are too weak to be draught animals), being abandoned to simply wander the streets eating garbage and plastic or just starving to death since Choice A is unavailable. It also destroys industries and creates widespread unemployment.

Choice C: Build local slaughterhouses near farms so that commercially unviable cattle can be humanely culled nearby, without their having to endure great suffering while being transported in horrible conditions to distant slaughterhouses. This controversial suggestion was made by none other than N.S. Ramaswamy, founder-director of the Indian Institute of Management, Bangalore, and noted animal rights activist.

Guess which is the preferred option of the rising multitude of go-raksha vigilantes? Not A, as it is too expensive and tedious, and involves too much work. Not C, because we are conditioned to

believe that violence can do no good. So it is Option B, which has the advantage in that it gives people power. It allows them to terrorise and dominate Muslims and liberals. It gives them global attention and makes them the focus of a controversy-hungry media. It is this rather than cow protection that the go-rakshaks really seek.

There is no love for cows in the go-raksha brigade — an idea systematically and meticulously unravelled in the essay ‘Why is the Cow a Political Animal?’ by Sopan Joshi, a Research Fellow at the Gandhi Peace Foundation, published in Yahoo! in May this year. It is all about power, a yearning to dominate. So, all the talk about the economic reasons for saving cows, and the importance of cow milk, cow urine and cow dung are just a rationalisation for that one single goal: to dominate and reclaim masculinity, following the perceived emasculation by the Muslims, the British and now the liberals.

Devdutt Pattanaik, The Hindu

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Whither Core Values?

S. Viswam

Consistent with the adoption by India of the Westminster system of parliamentary democracy, the head of the Indian state has always functioned as the topmost constitutional authority with well-defined powers, duties and responsibilities but largely as a ceremonial head. India has had the good fortune of having had highly respected and esteemed personalities as the holders of that high office. Rajendra Prasad, Sarvapelli Radhakrishnan, Dr. Zakir Hussein, Giani Zail Singh, R. Venkataraman et al. Each of them was an outstanding leader of great merit and unquestioned intellectual, moral and political authority. Each of them have discharged their responsibilities and endeared themselves not only to the Executive but also the general public. Indeed, the Indian President is both seen and heard and listened to with enormous respect and regarded as a father figure who guides and steers the citizens on the right path. This position the presidents enjoy by virtue of their moral and political weight.

In President Pranab Mukherjee India has found all the high watermarks that justify the elevation of a politician to the highest political and civil office in the country. Pranabda has risen from the ranks and has held

a variety of high offices of big responsibility, both in the ruling side and in the opposition and was elected Rashtrapati by virtue of his vast and varied experience spanning some five or six decades, distinguishing himself in every office he held. An indication of how much his advice and guidance were sought after during his tenure both as an administrator and political leader is available from the fact when he demitted office to walk across from the South Block to the Rashtrapati Bhavan, he was heading some 35 or 37 committees and advisory panels.

Thanks to his career in politics Pranabda has always kept his finger on the nation's pulse. This makes him speak out on certain developments which he thinks need a corrective. Predictably he reacted promptly to the series of events in which he perceived a wrong being done to a member of the minority community. He might not have anticipated that he would be obliged to speak again and again. When a Muslim was murdered, his house in a village in Dadri district vandalised, and his son seriously injured following an unsubstantiated rumour that the family ate beef and stored beef in the refrigerator, there was a spontaneous eruption of protest in the country. As a gesture of protest over the right-wing action,

Kerala's Road Widening and Vizhinjam Projects

B. Vivekanandan

and over the silence of the Sahitya Akademi, a state-funded institution, to condemn anti-minority violence, a large number of writers and creative people returned the prestigious awards given to them in recognition of their work. The President intervened with a comment on the development without specifying the organisation involved but stressing the importance of what he called "core values of our civilisation" namely fidelity to tolerance, plurality and diversity.

The second time the President spoke on the same theme was while participating in a cultural event in Birbhum in West Bengal. He chose to return to the theme for a third time while speaking in his own village while on a visit to it for the celebrations of Durga Puja. Each time he spoke, he emphasised the importance of social, cultural and political tolerance in a pluralistic society. Without tolerance he said it would be impossible to preserve the core values of our civilisation. According to a newspaper report, the President himself commented on the stress on tolerance in his speeches. He said that while on his recent tour of West Asia, he was asked his views on the "chemistry" of India and this had set him thinking.

Soon after the Dadri episode, there was a clamour for a condemnatory reaction from the prime minister. Instead of making a strong statement, Mr. Modi pointed to the President's comment and highlighted its relevance. The fact remains however that this is the first time that the head of the state has had to react thrice in rapid succession to a phenomenon that threatened to take deep roots, namely all kinds of intolerance, but particularly religious and flowing from it communal intolerance.

(Continued on Page 5)

Like Mona Liza's enigmatic smile, for the common man in Kerala, the term 'development' is an enigma. For the decision makers of Kerala, that is a convenient situation which helps them to hoodwink the people and make them victims of even the most regressive projects which are promoted by the government, on extraneous considerations, for the benefit of vested interests in India and abroad. To get an anti-people project through, they use their power, influence and financial clout to suppress facts from the public, and lull them in fanciful expectations, and present such projects as 'development' projects, without explaining for whose 'development' they are launched and pursued. Corrupt administrations under the cloak of secrecy, manipulate to make even the most regressive anti-people project, a fait accompli. The nexus between the corrupt political head, the corrupt administrative head and a corrupting vested interest, is generally, found succeeding in keeping vital provisions of major project agreements from the gaze of the public eye, to ward off timely public intervention as a corrective force.

In Kerala, two such disastrous, anti-people, projects are being vigorously pursued by the state government, with no benefit at all either to the state or to the people. They are the Vizhinjam Container Trans-shipment Terminal Project and the Road Widening Projects. Their clear beneficiaries are a few global automobile and shipping

companies of Europe and America, and a new rich Indian businessman, who is a close benefactor of the present Indian Prime Minister. For the people of Kerala, these projects present only sorrow and suffering.

The Vizhinjam Project

The Vizhinjam International Container Trans-shipment Terminal Port is one such project. In order to hoodwink the coastal people of Vizhinjam and Trivandrum, the government has presented it as Kerala's 'dream' project, an adjective which is being prefixed now-a-days to sell any project easily among the people.

This container trans-shipment port at Vizhinjam is expected to function as a transit hub, where the containers brought by big mother ships, generally from abroad, get transferred to smaller vessels or big lorries, with the help of big cranes, and send them to their next destination and vice versa. The two clear beneficiaries of this project are: 1) the big global shipping companies, which are expected to gain big profits; and 2) Gautam Adani, the contractor who would be operating this port, designated as a "Special Economic Zone", for the next 40 or 80 years, in full freedom, unfettered by various state laws, including the labour laws.

A notable factor is that in the last tender for the Vizhinjam Project, the lone bidder was Gautam Adani, the blue-eyed boy of the BJP Prime

Minister Narendra Modi. But, before the project was awarded to him Adani could 'persuade' the Congress Chief Minister of Kerala OommenChandy and his shipping Minister K. Babu, to incorporate whatever changes Adani wanted in the Agreement. As a result, it has become a total sell out to Adani.

Government's Investment

For the Vizhinjam Project, the Kerala Government would be investing Rs. 5,071 crores loan money, for 40 years, in the Vizhinjam Special Economic Zone, which would be a de facto private fief of Gautam Adani. After 40 years, with an interest rate of 10 percent, Kerala's liability for this present investment of Rs 5071 crores loan money, would be Rs. 2,29,000 crores. From this initial investment, Kerala Government would be getting practically little, but a paltry 1 percent of profit after 15 years upwards. This is what the Kerala Congress Chief Minister, Oommen Chand and Shipping Minister, K. Babu, are contributing for the further 'development' of Gautam Adani during the next 40 years in the Vizhinjam Special Economic Zone. All initial expenditure for the project would be made from the government's money.

Adani's Investment

Against this government's spending, Gautam Adani would be investing only Rs. 2,461 crores. In the Agreement, Oommen Chandy and the Shipping Minister Babu have given to Adani the right to raise this amount from Bank loans, after pledging Kerala Government's land in the Vizhinjam Special Economic Zone. And, he would be investing this money to raise his real estate – like residential complexes, shopping complex, commercial buildings,

medium level hotels, luxury hotels, etc., – which he would be building in the 105 acres plot given to him by Oommen Chandy in the SEZ, exclusively for the purpose. These real estate establishments in the Vizhinjam Special Economic Zone will give Adani immediate profits. What does this mean for Adani? Without investing anything from his pocket, the Vizhinjam Special Economic Zone would be at Adani's disposal for the next 40 to 80 years for making huge profit.

The approach the Kerala Government has adopted towards the Gautam Adani group in the matter has come under severe criticism that, according to K. Mohan Das, former Secretary of Shipping, Government of India, this is unprecedented that a government, after making such a huge investment in the project, has handed over its operations to a private company for making profits. He criticized the lack of transparency with which the Agreement was signed without protecting the state's interest. He said categorically that this project would bring no benefit either for the government or for the people. It can only add to the debt burden of the people of Kerala. Also he criticized that the project would not create jobs proportionate to the investment which the State is making. Rs. 5071 crore investment for the creation of 600 jobs is not a sensible decision. Mohan Das was speaking at a recent panel discussion on the subject at the C. Achutha Menon Foundation, in Trivandrum.

The Negative Impact

For the people living in and around the Vizhinjam Port, the Vizhinjam project promises only sorrow and suffering. It may be noted that in order to entice the local

population to support this project, the Oommen Chandy Government has rolled out a highly inflated assessment report that this project would generate 10,000 'good' jobs for the local people. This was obviously a bluff. Now, a recent estimate has said that this project would need only about 600 skilled employees, and that the rest of the work will be done by big cranes, with carrying capacities varying from 10 to 140 tones, for loading and unloading huge containers from big ships to small vessels and lorries, and vice versa, in the port. Clearly, the proposed Vizhinjam project and the ship lanes connected to it, will irreparably deprive the daily source of livelihood of thousands of families of fishermen, living in the coast from Valiyathura (Trivandrum) to Poovar. The proposed reclamation work would adversely affect the marine biology and the livelihood of ordinary fishermen. Similarly, due to this project, at least 20,000 families will be losing their homes.

Destruction of Homes and Shops

Similarly, as part of this port 'development', the roads connecting Vizhinjam with national highways and the Tuticorin Port – like Vizhinjam-Pallichal Road and Vizhinjam-Kattakkada Road – are slated to be widened from the present 7 to 8 metre wide 2-lane roads to 45 metre 4-lane roads. This would result in the demolition of all heavily built existing structures – thousands of homes and shops – on both sides of these thickly populated roads, with all accompanying hardships to its victims in the foreseeable future.

In addition, a new railway line from Vizhinjam to Nemom through the fertile Venganoor paddy fields is also being planned, which would

destroy several Kilometers of paddy fields there.

The main question is: for whose benefit, the local people should suffer these hardships? For Adani? Moreover, is it all worth it? The answer is a clear 'No'.

Sreedharan's 'No'

Taking all aspects into account, a famous expert, E. Sreedharan, known for his highest integrity, has categorically told the people of Kerala that the Vizhinjam project would not bring any benefit to the Kerala State.

It may be recalled that the last Prime Minister, Dr. Manmohan Singh, had a dream of producing a few Ambanis in India. He has achieved it after transforming Indian democracy into a kleptocracy. India's natural resources, like petroleum deposits, coal and minerals, became the fodder for it. Now Narendra Modi has a dream of making his benefactor, Gautam Adani, the richest man in India. Should Kerala's Congress Chief Minister Oommen Chandy also act as an instrument to realise that dream of Modi at the expense of the interest of Kerala State and its people? This is a question Oommen Chandy has to answer.

Therefore, if we look at it from various angles, the Vizhinjam Container Trans-shipment Project is not a worthy project for the Kerala Government to pursue. The government should not be allowed to destabilise the normal life of a large number of families in the name of this project, which would be fulfilling only the profit motive of Gautam Adani. The compensatory measures, which Mr. Oommen Chandy offers to the

potential victims of this project lack credibility and have no practical value. Meaningful and sustainable rehabilitation of such large numbers of fishermen is just not possible. What fishermen need is not government's charity, but preservation of their freedom and opportunity to earn their livelihood from their sea everyday.

The Solution

Therefore, the only satisfactory solution is that Vizhinjam should be left alone as it is today, without causing any hindrance for fishermen, residing in the coast from Poovar to Valiyathura, to earn their natural livelihood. Therefore, Kerala Government should immediately give up this project, as it is not beneficial either to the state or to its people living in the locality and neighbourhood.

The Road Widening Project

The road widening project in Kerala, and India too, is a typical example of how, in the prevailing right-wing globalization-liberalization scheme, national policies of developing countries are being commanded from remote controls, masterminded by the vested interests of developed countries, abroad to promote their global business interests. Often these policies are carried out with the help of local leaders, vulnerable to varied allurements. Under such influences, the local leaders are found misleading the local population that their disastrous collaborative actions are for people's 'development'. If no such willing prey is available to do their jobs, these vested interests apply carrot and stick method on national and local leaderships by exploiting their vulnerabilities.

Kreisky's Revelation

Pertinently, some years ago, Dr. Bruno Kreisky, former Social Democratic Chancellor of Austria and a world statesman, and a recipient of the Jawaharlal Nehru Award, told me, during a conversation between him and me, in Vienna, about the existence of a nexus between the World Bank and the giant automobile companies of Europe and the United States, and about the motives behind their financial support for widening of existing motorable roads in the developing countries of Asia, Africa and Latin America, with the loans provided to them for the purpose by the World Bank. As car consumption in the developed countries of the West has reached a saturation point, these car companies have identified the third world countries of Asia, Africa and Latin America as their big car markets in future. Therefore, Kreisky told me that the big automobile manufacturers of Europe and America are liberally using the World Bank's lending power to promote their car and lorry sales in the developing countries of Asia, Africa and Latin America. It is true that the World Bank is granting loans liberally to the developing countries to widen their existing motorable roads in a big way, which is considered to be a pre-requisite for a massive expansion of car and lorry sales of big car manufacturers of Europe and America.

It is to promote the business interests of these European and American car companies that in Kerala the Oommen Chandy Government is also lending its hand and spend the World Bank loans lavishly to widen the existing motorable roads in the State.

Special Feature of Roads

A special feature of roads in Kerala is that both sides of these 7 or 8 meter 2-lane roads are lined with unbroken arrays of lakhs and lakhs of homes and small shops. A uniform widening of these roads from the present 7 or 8 meters, to the World Bank (or automobile Corporates) stipulated 45 or 60 meters, means a total demolition of all these existing homes and shops, uniformly, on both sides of all these roads, and destabilization of people's lives everywhere in the state. This Tughlakian approach that is being followed in Kerala is inhuman and sadistic, which is causing enormous agony for all roadside residents and shop keepers.

Homes are being destroyed

In Kerala 3½ lakhs homes are being destroyed in the process to promote the car sales of European and American car companies. If this unbridled destruction is allowed to take place, it is impossible also to find in the State the new building material – sand, stones, cement, steel rods, - etc., in such a massive proportion, besides the needed skilled labour to rebuild the destroyed structures afresh in new locations. It is creating enormous environmental problems also.

Kerala's Chief Minister and other ministers mislead the public by saying that this road widening is for people's 'development'. This is patently untrue. This road widening is for the further development of car manufacturers of Europe and the United States. No responsible elected government would want their electorate to undergo such a wasteful exercise and unnecessary hardship to promote the car sales of automobile manufacturers of the West. Therefore,

the OommenChandy government should immediately discontinue this anti-people programme of widening roads in Kerala, with loans obtained, in the name of the people of Kerala, from the World Bank, for the prosperity of the car companies of the West.

The Chief Minister must remember that Kerala is not situated in a desert of West Asia. It is a thickly populated fertile state, where the scarcity of land is a fact of life. In such a state, what is needed is not a 45 or 60 metres wide, 4-lane or 6-lane roads after demolishing all existing structures on both sides of the present roads but a well maintained 8 metre wide 2-lane roads for people's travel and transportation, while preserving the existing structures on their both sides intact.

(Continued from Page 2)

One wishes that along with the president, Prime Minister Modi and his senior government and party colleagues would also campaign for sanity and amity. Since the Prime Minister is a self-proclaimed RSS pracharak, and since the rightwing fanatics are bent on "Talibanising" the political situation and vitiating the atmosphere, the nation expects him to condemn all manifestations of majoritarianism. It must be recorded in fairness that finance minister Jaitley's call for a civilised debate on issues will be well-received in the country, as was the party president Amit Shah's admonition to the three BJP men to desist from inflammatory anti-minority statements. The partymen would need to exercise maximum restraint. Overall, the responsibility for campaigning against anti-minority violence rests on the ruling dispensation which is obliged to uphold the constitution.

Pertinently, in another recent act to instantly promote the car sales of these Western Companies, the BJP Government of Narendra Modi has banned all 15 year old cars from plying in New Delhi. With one stroke Modi has phenomenally expanded the car sales of all big automobile manufacturers. It raises a fundamental question: For whose benefit our state and national governments are belabouring?

Therefore, Kerala Government should stop from proceeding any further with these two projects – the Vizhinjam Container Transshipment Terminal project and the Road Widening project. Loading the people of Kerala with more debt on their shoulders, for the benefit of Western car and shipping companies is a crime which people will not forgive.

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Indian Judiciary – Dreads Dictatorship but Devalues Democracy

Bapu Heddurshetti

Supreme Court of India has once again taken on the Parliament. Howsoever a sober interpretation one would like to give it, the confrontation is for a fact. On two earlier occasions the Supreme Court had taken on the Parliament. First time, it interpreted the word ‘compensation’ used in the constitution dealing with the acquisition of property by the State. Supreme Court had said that the word means ‘the market value’ of the property and then there was a tug of war between the two. Second time, it took away the power of the Parliament to amend Part III of the Constitution which enshrines the fundamental rights of the citizens so as to take away or abridge those rights. Both the judgements were rendered while protecting the right to property.

When and how did the present confrontation start? It started way back in 1973 when Mrs. Indira Gandhi, the then Prime Minister, superceded three senior judges of the Supreme Court to appoint A.N.Ray as the Chief Justice of India. She once again threatened the judiciary by ordering a mass transfer of High Court Judges. She still again superceded another senior Judge, Justice H.R.Khanna to appoint a Judge junior to him as the Chief Justice of India. Supreme Court was alarmed by these developments but still went on its knees at a time when it should have stood as a solid rock against the authoritarian rule for protecting the democracy in the country.

But when Mrs. Indira Gandhi came back to power, she continued her onslaught on the judiciary. What triggered the confrontation was that on March 18, 1981, the then Union Law Minister, P. Shivshankar, wrote a letter to all the Chief Ministers that “one third of the Judges of High Court, should be from outside the State in which the High Court is situated” and to achieve the same the Chief Ministers were directed to “obtain from all additional Judges working in the High Courts, their consent to be appointed as permanent Judges in any other High Court in the country”. It was when the letter was challenged that the Supreme Court seized the opportunity and started wresting the power to appoint and transfer the Judges, from the executive and the vest the same in itself. This is known as the First Judges Case. Thereafter in the Second and Third Judges Cases, the judiciary succeeded in completely wresting the power of appointing judges to the higher judiciary from the executive and vesting it in itself by interpreting the provisions of the Constitution amounting to rewriting the Constitution itself, “*with all the interpretative tools at its command-termed by many as an unacceptable feat of judicial activism*” as a retired judge of the Supreme Court, Ruma Pal puts it.

The Supreme Court literally amended the Constitution by its interpretation and interpolated in the Constitution what is now called the ‘*Collegium System*’ for

appointing and transferring the judges of the higher judiciary. One is reminded of what NathPai had said in Parliament while moving his constitution amendment bill aimed at restoring to the Parliament its power to amend the fundamental rights: “The Supreme Court has introduced an amendment of the Constitution. The Constitution, after the judgement in Golak Nath’s case, is a different Constitution”. Read the first, second and third Judges Cases in the place of Golak Nath’s case and his observation is still relevant. Thus one authoritarian regime started the process of judiciary defying the executive and usurp the power to amend the Constitution.

Now another authoritarian regime has prompted the judiciary to defy democracy itself and deny the power of amending the Constitution to the democratic forums. Read what Khehar J observed in his judgement: After referring to the statement of L.K.Advani that, “I do not think anything has been done that gives me the assurance that civil liberties will not be suspended or destroyed again. “Not at all”, says Justice. Khehar “The present N.D.A. Government was sworn in, on 26.5.2014. One believes that thereafter thirteen Governors of different States and one Lieutenant Governor of a Union Territory tendered their resignations in no time. Each one of them, would be eligible to be nominated as an “eminent person” under Article 124A(1)(d). As a matter of fact, its predecessor – the U.P.A. Government, had done

just that in 2004. Considerations cannot be varied, with a change in Government. Demonstrably, that is exactly what has happened (repeatedly?), in the matter of non-judicial appointments. In conclusion, it is difficult to hold, in view of the factual position expressed above, that the wisdom of appointment of Judges can be shared with the political-executive”.

Then comes the *coup de grace*. Remember what the Supreme Court had said in the Golak Nath’s case. “But having regard to the past history of our country, it (Supreme Court) could not implicitly believe the representatives of the people, for, uncontrolled and unrestricted power might lead to an authoritarian state”. After the surrender by the Supreme Court to the authoritarian regime in 1975 and after, the people exercising their democratic franchise, restored democracy in India in 1977 and thereby the ‘independence of judiciary’ and forty eight years thereafter, still the Supreme Court, defying the unanimous decision of the Lok Sabha and the Rajya Sabha and the concurrence of 20 State Legislatures, says, “An important issue, that will need determination, before the organic structure of the Constitution is altered, in the manner contemplated by the impugned constitutional amendment, would be, whether the civil society, has been able to maneuver its leaders, towards national interest? And whether, the strength of the civil society is of a magnitude, as would be a deterrent for any overreach, by any of the pillars of governance? At the present juncture, it seems difficult to repose faith and confidence in the civil society, to play any effective role in that direction. For the simple reason, that it is not yet sufficiently motivated,

nor adequately determined, to be in a position to act as a directional deterrent, for the political-executive establishment. It is therefore, that the higher judiciary, which is the savior of the fundamental rights of the citizens of this country, by virtue of the constitutional responsibility assigned to it under Articles 32 and 226, must continue to act as the protector of the civil society.”

So, our Supreme Court does not trust the Parliament, the State Legislatures as also the Civil Society that is the ‘people’. But it lost the battle on ‘compensation’ against the executive, it lost the battle on ‘the amendment of fundamental rights’ against the Parliament. Will it win the battle against the ‘people’? It trusts only itself to protect the people of this country. Perhaps as it did during the emergency!

CJI voting statistic, system needs to be fine-tuned

Rajindar Sachar

The much-awaited Judgment of the Supreme Court held today that the Constitution (Ninety-ninth Amendment) Act, 2014, and the National Judicial Appointments Commission Act, 2014, are unconstitutional and void and the consequence is that the collegium system existing prior to the Constitution (Ninety-ninth Amendment) Act, 2014, is declared to be operative.

The court found fault with the composition of the National Judicial Appointments Commission. The reason given was that if the inclusion of any of the members of the NJAC is held to be unconstitutional, Article 124A will be rendered nugatory in its entirety. The court’s reasoning was that the membership of the Chief Justice of India, Chairperson *ex officio*, and (a) and (b) of Article 124A (1) do not provide an adequate representation to the judicial component in the NJAC and are insufficient to preserve the primacy of the judiciary in the matters of selection and appointment of judges to the higher judiciary.

Similarly, clause (c) of Article 124A (1) was held *ultra vires* the provisions of the Constitution because of the inclusion of the Union Minister in charge of Law and Justice as an *ex officio* member of the NJAC. It also held that the inclusion of two “eminent persons” as members of the NJAC is *ultra vires* the provisions of the Constitution.

I must say that the judiciary itself has a lot of explanation to do for previous bad appointments. The self-exculpatory effort at bad appointment is hard to sustain in view of the information given in 1959 by the Home Minister that since 1950, as many as 211 judges were appointed to the High Courts and all appointments except one “were made on the advice, with the consent and concurrence of the Chief Justice of India.” And out of the 211, as many as 196 proposals which were accepted by the government had the support of all persons who were connected with this matter.

It is conceded in the judgment that no one can claim the collegium system to be perfect. The court has, however, held that the constitutional amendment alters the basic structure of the Constitution of India. The court found objection to the situation where the decision of the Chief Justice of India is, in one sense, made to depend upon the opinion of two members of the NJAC, who may in a given case be the two eminent persons nominated to the NJAC in terms of Article 124A(1) (d) of the Constitution. These two eminent persons can actually stymie a recommendation of the NJAC for the appointment of a judge by exercising a veto conferred on each member of the NJAC by the second proviso to sub-section (2) of Section 5 of the NJAC Act, and without assigning any reason. In other words, the two “eminent persons” (or any two members of the NJAC) can stall the appointment of judges without reason. That this may not necessarily happen with any great frequency is not relevant – that such a situation can occur is disturbing. As a result of this provision, the responsibility of making an appointment of a judge effectively passes over, in part, from the President and the Chief Justice of India to the members of the NJAC with a veto being conferred on any two unspecified members without any specific justification. To make matters worse, the President cannot even seek the views of anybody (other judges or lawyers or civil society) which was permissible prior to the 99th Constitution Amendment Act and a part of Article 124(2) of the Constitution prior to its amendment.

The role of the Chief Justice is reduced to a very low position because the suitability of a person

for appointment as a judge even if is acceptable to a majority of the members of the NJAC can be thumbed down by two of its other members in terms of Section 5 of the NJAC Act. These two persons might be the Law Minister (representing the President) and an eminent person or two eminent persons, neither of whom represent or purport to represent the President, the other pre-eminent constitutional authority in the appointment process under Article 124(2) of the Constitution prior to its amendment.

The opinion of the Chief Justice of India had ‘graded weight’ or the ‘greatest weight’ prior to the 99th Constitution Amendment Act. But now with the passage of the 99th Constitution Amendment Act and the NJAC Act the Chief Justice of India is reduced to a mere voting statistic. Designating the Chief Justice of India as the Chairperson of the NJAC is certainly not a solace or a solution to downsizing the head of the judiciary.

The court also found valid the apprehension expressed by some learned counsel appearing for the petitioners that since no guidelines have been laid down for the nomination of the two eminent persons, there is a possibility that persons who are not really eminent may be nominated to the NJAC or that their appointment could be politically motivated.

But notwithstanding this I do not subscribe to the view that the judiciary is a holy cow and an exclusive club for which only lawyers and judges are competent to take a decision. The fear that the presence of a few lay persons would interfere with the independence of the judiciary is misplaced. As

an annual report of the Judicial Commission of New South Wales (Ireland) has said caustically, “Judicial independence is not some kind of industrial benefit generously extended to judges and magistrates; it is a fundamental principle of our society’s constitutional arrangements.”

The court has finally directed that the result of the declaration is that the collegium system postulated by the second judges case and the third judges case gets revived. But it has also held that the procedure for appointment of judges as laid down in these decisions read with the (revised) Memorandum of Procedure definitely needs fine-tuning. It has now fixed this matter on 3rd November, 2015, to consider the introduction of appropriate measures, if any, for an improved working of the collegium system.

I may instantly give two suggestions which may be considered -- one of the most serious self-inflicted wounds by the judiciary, is of appointing the Chief Justice of a High Court from outside his parent court. The second one is that full publicity be given to the Bar Associations about those who are considered for an appointment. Objections, if any, may be invited from the public and the Bar. It should be necessary for the Chief Justices of the respective of High Courts and the Chief Justice of India to invite comments and relevant information, if any, from the Bar Association concerned.

I hope Parliament and the state legislatures will show balance and not start an anti-judiciary crusade. This decision should be taken as a normal feature and a constitutionally permissible one.

Restoring collegium not the best option

P.P. Rao

It was a historic opportunity to improve the quality of judicial appointments and ensure transparency and accountability in selections which ought to have been availed fully. Such opportunities come rarely. Instead of striking down the Constitution amendment and the NJAC Act the court could have moulded the same through judicial craftsmanship to provide for a better method of selection than the collegium system. In the first judges case (SP Gupta vs. UOI) the Supreme Court conceded the final say in the matter of selection of High Court and Supreme Court judges to the Executive. Initially the Prime Ministers were men of vision.

The Executive implicitly abided by the recommendations made by successive Chief Justices of India and the appointments made were excellent. Nobody doubted the competency or integrity of the judges appointed prior to the supersession of the three senior judges in 1973. When short-sighted Prime Ministers and Law Ministers came to power, the independence of the judiciary suffered irreparable damage. Supersession of three senior judges and the appointment of the fourth judge as the Chief Justice of India following the judgment in the famous Keshavananda Bharati case denuding Parliament of its power to amend the basic structure of the Constitution was a blunder and an open challenge to the judiciary.

Independence of the judiciary is a basic feature of the Constitution and needs to be safeguarded jealously.

Unless the judges are fearlessly independent and upright, justice cannot be even-handed. The first judges case in 1981 created a suffocating situation as the judiciary could not play an effective role in the selection of judges. After 1973 the relations between the judiciary on one side and the executive and legislature on the other were far from cordial.

The Indian Bar is always vigilant and vocal. It is the lawyers who fight for justice for citizens and non-citizens alike in courts. They became restless. Hence the second judges case, Supreme Court Advocates On Record Association vs. UOI (1993), for reconsideration of the decision in S.P.Gupta's case. Leading lawyers of the country persuaded a nine-member Bench to overrule the decision in the first judges case and secured primacy to the recommendations made by the CJI in consultation with his senior judges for the appointment of suitable candidates as judges. The court declared that the recommendations so made shall be binding on the executive.

The role of the executive was limited to seeking reconsideration of the recommendations by the collegium of judges in the light of the material in its possession which the collegium was bound to consider. The collegium was free to revise or reiterate its recommendations. Not only the Bar, but even the judges who declared the law had entertained the pious hope that the collegium would always choose

the best candidates and secure their appointment speedily, but experience has belied the expectation. Initially, the collegium performed well but later on when short-sighted persons who could not rise above narrow considerations became members, the recommendations lacked quality. The executive became helpless to stall undesirable appointments with the result independence of the judiciary suffered a setback.

There have been instances where a candidate rejected by one collegium on account of doubts regarding integrity was picked up by the next collegium. Such appointments tend to shake the confidence of the public and the Bar in the judiciary. The collegium headed by Chief Justice KG Balakrishnan was bent upon pushing through the elevation of Justice P.D. Dinakaran, the then Chief Justice of Karnataka High Court, to the Supreme Court, brushing aside the resolution of the Bar Association of India headed by Fali S. Nariman of which eminent senior advocates were vice-presidents. The resolution suggested that the recommendation should be kept in abeyance till Justice Dinakaran was exonerated of the charges of corruption. He eventually resigned after receiving the show cause notice from the Judges Inquiry Committee. A judge of the Calcutta High Court, Justice Soumitra Sen, averted impeachment by Parliament by tendering his resignation at the last minute. A few High Court judges who are the products of the collegium system are facing criminal prosecution on charges of corruption. Favouritism

and nepotism on the part of the collegium of the Supreme Court and the High Courts have been noticed in some cases. More deserving candidates were held back and less deserving were elevated to the Supreme Court. Therefore, restoring the collegium is not the best option.

The country needs a better system than the collegium and the NJAC. The National Commission to Review the working of the Constitution of India chaired by the most highly reputed former Chief Justice of India, Chief Justice M.N. Venkatachaliah, recommended a five-member Judicial Appointments Commission consisting of the Chief Justice of India as the Chairperson, two senior-most judges, the Law Minister and one eminent person as members.

The Supreme Court instead of striking down the 99th Constitution amendment and the NJAC Act, 2014, could have moulded the same into a commission as proposed by

the Chief Justice Venkatachaliah Commission by scissoring off objectionable portions in the Act like the veto given to any two members of the commission to derail the recommendations made by the NJAC and converting the 'two eminent persons' into one 'eminent person' by applying the rule of severability which permits such a surgical operation. The Bench could have clarified that the 'eminent person' shall be one who is well equipped to select suitable candidates for superior judiciary.

The latest judgment is not bad to the extent it has struck down the impugned Constitution amendment and the Act as upholding them would have been a disaster. The decision of the court to hear separately on the measures to improve the collegium system is a silver lining in a dark cloud. The collegium system has been tried for two decades and it has proved to be opaque, unsafe and unaccountable. On several occasions, members of the collegium

were perceived to be guided by personal factors and indulging in give and take, compromising on the quality of selection.

The importance given to seniority of High Court judges in the matter of elevation to the Supreme Court has not improved the quality of appointments in many cases. In the ultimate analysis the quality of appointments made reflects the quality and caliber of the selectors. Keeping the executive out of the selection process is not at all desirable. The government is a coordinate wing of the State and is the appointing authority. It is necessary to co-opt the Law Minister as a member of the collegium without a right to vote so that with his inputs the recommendations made would go through smoothly. The greatest relief today is the stalemate created due to the pendency of the case has ended. Let us wait and see what happens after the hearing on November 3, 2015.

People Supreme – make them so

Nath Pai

(When the Supreme Court took away the power of the Parliament to amend the fundamental rights enshrined in Part III of the Constitution by its judgement in Golak Nath case, Nath Pai, a Member of Parliament belonging to the PSP, moved a private member's Constitution Amendment Bill in the Lok Sabha, seeking to restore to Parliament – and thereby to the people – the right to amend the Constitution (including the fundamental) rights. He was outraged that the Supreme Court had delivered this judgement while protecting the property rights. What outrage he would have felt at the Supreme Court brushing aside the opinion of the unanimous Lok Sabha, unanimous Rajya Sabha and of 20 State Legislative Assemblies in its judgement declaring the creation of the National Judicial Appointments Commission and the Constitution (99th) Amendment Act, unconstitutional, is the guess of anybody who would read his speech in Parliament which he made in support of his bill, an edited version of which was published in Janata dated 8th December 1968 and reproduced here. – Babu Heddurshetti).

Chief Justice Hidayatulla, speaking in Delhi, has put this debate in the proper perspective, as a true great liberal should on any debate on a major issue, thus: "I must think that this is amongst the most important

subjects on which Parliament has engaged itself after the Constitution was accepted by the Constituent Assembly". With modesty becoming a Chief Justice who holds a strong view, he says: "I hold a certain view;

the others hold certain other views; I do not know who is right; I shall try to persuade others to my point of view." It is in this spirit that I shall try to make any appeal to my colleagues in this House.

Imported Baby

Let us proceed step by step. In the first place, I will just briefly refer to the essential points made in the judgement, by the majority led by Chief Justice Subba Rao. It says: "The power of Parliament to amend the Constitution is derived from Article 245, 246 and 248 of the Constitution and not from Article 368 thereof, which only deals with procedure. Amendment is a legislative process". The Chief Justice says, these are the conclusions to which we are led, after discussing the pros and cons and submissions made on both sides. Then he pronounces: "Amendment is law within the meaning of Article 13 of the Constitution and, therefore, it if takes away or abridges the right conferred by Part III thereof, it is void."

Then he proceeds: On the application of the doctrine of prospective overruling as explained by us here". This is a totally new doctrine imported into India and, like precious imported goods getting damaged because they have to be brought in very difficult conditions, this doctrine, as it has been imported and implanted on the Indian judicial system, has got seriously mutilated and damaged so that the American judges who first formulated it – if they come and have a look at their baby – will not be able to recognize it. This judgement says: "We declare that Parliament will have no power from the date of this decision, that is, the 27th February 1967, to amend any of the provisions of Part III of the Constitution, so as to take away or abridge the fundamental rights enshrined therein".

The most revealing sentence in this whole judgement which is the hub and the crux of the thinking and the philosophy, the attitude and approach of the majority of the Supreme Court in this case is given

in these gems of words:

"But having regard to the past history of our country, it (Supreme Court) could not implicitly believe ..the representatives of the people, for uncontrolled and unrestricted power might lead to an authoritarian state".

The interpretation is not mine only, but the interpretation of so eminent a judge who subsequently became the Chief Justice of India, Justice Wanchoo. This kind of casting of doubt on the wisdom of the people of India to send representatives, who will be subverting the Constitution, is not the legitimate function of the judiciary.

I have got my right, with all my respect for the judiciary, to express my greater faith in the wisdom of my people; I respect the judiciary, but I respect my people; they are dumb and they are illiterate, I know, but through their dumbness came the freedom of this country and not through the scholarship of a bunch of a few individuals and scholars. So, if there is a free Constitution which was given to us by those dumb millions, then ultimately my commitment is to uphold the judgement of my people because it has its roots in the dumb millions. I make no apologies for saying this.

Acharya Kripalani has asked me, "Can you interpret the law?" We are not free to interpret. Interpretation is absolutely the field of the Supreme Court. Legislation is our field. What I am submitting is this that under the garb of judicial review courts have shown a tendency where they have taken upon themselves a function patently reserved for the legislature. This is not a new tendency. Please forgive me for saying this. A very wise old man, Francis Bacon, has warned the judges. He has said it

shall not be the function of the judges to try to make law while interpreting the law. Parliament should not take over the function of the judiciary nor should the judiciary take over the function of the legislature. This is a very well established principle.

Protect whom?

Why do we disagree from this judgement? First, it betrays a fear of the democratic decisions of the people. What the judges sincerely and honestly are trying to do is to protect the people. From whom? From themselves?

Secondly, the judgement is based on an erroneous view that imposition of restrictions on the right to property was evidence of the dangers of a drift towards a totalitarian regime.

The case in which the Supreme Court delivered so important a judgement banning Parliament from exercising its inherent right was not a case in which fundamental rights were alleged to have been assailed but one in which some Zamindars alleged that unlimited property rights were in jeopardy. It is an extraordinary thing that on the three occasions – in Sankari Prasad's case, in Sajjan Singh's case and in Golak Nath's case – the matter was agitated in the Supreme Court not because any fundamental right, like the freedom of speech or worship or the right to organization was in danger but because the right to property was in danger. I would have understood if this ban had come while delivering a judgement when any citizen had sought the help of the Supreme Court or the High Court to uphold his right. It was not in response to such a call from a citizen; it was a call to protect the property rights of zamindars in response to which this important judgement has been delivered. And this is of the greatest importance in considering the whole philosophy that goes behind this.

Committed to Democracy

Some basic questions arise here. Some critics point out that if this Bill is passed, the floodgates of a totalitarian regime will have been opened. A totalitarian regime is not prevented from coming here because there is a Supreme Court; but because my countrymen are committed to democracy. We remain a democracy, not because of the charity of a party, not because of the charity or interpretation of a court.

Justice Holmes, who was for 50 years in the Supreme Court of the US and who is among the greatest judges of all times and of all countries, has opined: "The Constitution of a free country is not what a few judges say it is, but what the people want it to be." This is the basic meaning of a Constitution. Ultimately, a Constitution has to be the repository of the will, wishes, dreams and aspirations of a people. To the extent that it is, it remains; to the extent it needs to be amended, the people must come forth through their representatives to amend it.

We are charged with wanting to subvert the fundamental rights of the citizen enshrined in the Constitution. There arises a very relevant question here. The power of Parliament to amend fundamental rights was taken away, according to the Supreme Court judgement on February 27, 1967. It means this nation, this Parliament, had the power to take away fundamental rights. Did it ever do it? Did it ever happen? The only restriction put on fundamental rights was with regard to property rights. There is Article 15. Of course, there were two other amendments in which the so-called equality was slightly modified in order to protect those who are the weakest sections of our community, the backward classes and the scheduled castes.

Freedom of Speech

Article 19 was amended to modify the unlimited right to freedom of speech. I was always claiming the unlimited right of freedom of speech, but here the restriction was put – a limited restriction – in the interest of the security and integrity of the country, to prevent the vivisection, disintegration, fragmentation and secession of any part of the territory of India.

By and large, this executive might have tried to curtail civil liberties, but if it has not succeeded, why has it not? In this context, I would like to quote from Justice Holmes in his famous treatise on the role of the Supreme Court and people in upholding the spirit of a free country. This brilliant scholar has this to say: "A society so riven that a spirit of moderation is gone, no court can save. A society where the spirit flourishes, no court need save. In a society which evades its responsibility by thrusting upon the nurture (that is, the defense) of that spirit, that spirit in the end, will perish." The spirit of moderation, the spirit of liberty is something which the people themselves will have to uphold.

Before I come to the so-called danger, I would like to quote some well-known authorities. We are not among the first democracies of the world. There have been before very inspiring examples of people with their very shining examples of faith in, and commitment to, the democratic way of life. One such man was Jefferson. He says: "Governments are republican only in the proportion they embody the will of the people and exercise it." Then he says: "It is an axiom in my mind that our liberty can never be safe but in the hands of the people themselves". And finally "I know of no safe depository of the ultimate power and security of our liberty but the people themselves."

Part of Life

Here is a clash of philosophy and ideology. The Supreme Court is worried that we may have irresponsible representatives whom it is not prepared to trust. I shall always take the risk of trusting the people of India. Sometimes they will make mistakes, sometimes they muddle, but eventually, as we have seen, the finest guarantee against dictatorship is to give the people the right, make them have a stake in freedom.

If freedom is only to be found in the shelves of libraries or in forgotten documents, there is nobody to defend it. It is to the extent that that freedom becomes part of the life of the people, to the extent that they experience it, feel it, partake in it, participate in it, that they come forth to defend it. This is the only guarantee of defending freedom.

After dealing with this charge of fundamental freedoms being in jeopardy, I would like to deal with two very important aspects raised by the Supreme Court. The Court's contention is that Article 13(2) bars Parliament from passing any law which in any way abrogates, abridges, takes away the fundamental freedoms in Clause (3). Two points are very important in this connection.

First, is the law contemplated by Article 13(2) the same as amendment to the Constitution contemplated by Article 368? Three Chief Justices of the Supreme Court have held that it is not. Article 13(2) acts as a bar to an ordinary law made by Parliament or any legislature, and there are innumerable cases in this country. Take, for example, the case of A.K.Gopalan Vs The State of Madras and Chief Justice Kania's famous remarks. He says, Article 13(2) is there only for abundant

caution and even if it had not been there the Supreme Court and the people also would have fought any piece of legislation which would have curtailed fundamental freedoms. There is a distinction between the law of the land and the Constitutional Law of the country.

Classic Difference

Dicey, in his treatise on the law of the land, has elaborated that constituent law and legislative law are two totally different things. It is when Parliament is exercising its constituent powers that it can amend the Constitution, but if a normal law of Parliament tries to take away the fundamental freedoms, the Supreme Court will be justified in striking it down, and I will, of course, uphold them, and I will uphold even the striking down of this bill if the Supreme Court is so pleased. But let us remember this classical difference which has existed from the beginning of law. Here I will read an extract: "There is a clear separation between constituent law and the rest of the law and that must never be forgotten. An amendment of the Constitution is a constitutional law and is in exercise of Constitution making powers. It is not an ordinary law in the exercise of ordinary legislative power and is clearly different from the power to amend the Constitution".

Justice Wanchoo, in the same case, quoting from the **Law of the Constitution** by Ivor Jennings says: "Written Constitution is thus the fundamental law of the country, it is an express embodiment of the doctrine of the reign of law. All public authorities, legislative, administrative and judicial, take their powers directly or indirectly from it. Whatever the nature of the written Constitution, it is clear that there is a fundamental distinction between constituent law and the rest of the law. There is a clear separation, therefore, between the

constituent law and the rest of the law".

This matter was discussed by the Supreme Court not once but twice, once by the unanimous judgement and then by the preponderance of the judicial opinion and it has held that Parliament has the competence to amend Part III of the Constitution and that Article 13(2) is not a bar to that power.

Patanjali's verdict

I will quote what the judges had to say in Sankari Prasad case. So eminent a judge as Chief Justice Patanjali Shashtri, who will always be inspiring future students of jurisprudence and law in this country and who took a leading part in drafting this judgement, had to say: "No doubt our Constitution makers, following the American model, have incorporated certain fundamental rights in Part III and made them immune from interference by laws made by the State. We found it, however, difficult in the absence of a clear indication to the contrary to support that they also intended those rights to be immune from constitutional amendment. The terms of Article 368 are perfectly general and empower Parliament to amend the Constitution without any exception whatever. We are of the opinion that in the context of Article 13, law must be taken to mean rules and regulations made in exercise of ordinary legislative power and not amendment to the Constitution made in the exercise of constituent power with the result that Article 13 does not affect amendments made under Article 368".

Not a skeleton

The Indian Constitution is a detailed Constitution, not a skeleton one like the US Constitution. The American one is just a four page document. Our Constitution has tried to provide not for every contingency

but tried to make it as detailed and specific as possible. Now if it was the intention of the Constitution to exclude Part III of the Constitution from the purview of Article 368, why did they fail to do this? It is a question which nobody is able to answer. The inference is very clear. This absence of any kind of bar in Article 368 preventing Parliament from bringing an amendment to Part III is there.

It will now be argued 'why do you want to disturb this'? In the first place, these fundamental freedoms are precious. Are they the only freedoms we are entitled to? What about the other freedoms? The right to vote – Article 326 gives this right. This is not in Part III of the Constitution. It is a most precious freedom that we have got. Can it ever be destroyed? Article 41 confers on the people the right to work. There is a right to education. There is a right to adequate means of livelihood. If the critics are prepared to incorporate all these rights in the Constitution, then this will not be appealable, but we have never seen any tendency to oppose these rights. The right to speech is, of course, as important as any other, and if it is denied, we will fight. But let us see the fun of the whole thing. These are the directive principles which I have quoted.

Now, what is this power of amendment? Is it something new? Was it implicit? Was it wanted by the makers of the Constitution? Dr. Ambedkar, speaking in the Constituent Assembly, has this to say about this issue. "The Assembly has not only refrained from putting a seal of finality and infallibility upon the Constitution by denying to the people the right to amend the Constitution as in Canada or by making the amendment of the Constitution subject to the fulfilment of extraordinary terms and conditions

as in America or in Australia, but has provided a most facile procedure for amending the Constitution.”

The Constitution-maker has said that we have deliberately provided for a most facile procedure, and why did he say that? I think Burke was a very conservative political thinker. He said, a Constitution which does not provide for its amendment, does not provide for its preservation. Dr. Ambedkar, therefore, is in the same line of thinkers when he observed: “I challenge any of the critics of the Constitution to prove that any Constituent Assembly anywhere in the world has, in the circumstances in which this country finds itself, provided such a facile procedure for the amendment of the Constitution”.

Thomas Paine, who has come to be the symbol of freedom of all people, said in his **Rights of Man**: “There never did, there never will and there never can, exist a Parliament, or any description of man, or any generation of men, in any country, possessed of the right or the power of binding and controlling posterity to, ‘end of time’, or of commanding forever how the world shall be governed or

who shall govern it; and, therefore, all such clauses, acts are declarations by which the makers of them attempt to do what they have neither the right nor the power to do, nor take power to execute, or in themselves null and void”.

Not a Third Chamber

Philips Frankfurter, who was a conservative judge, and a colleague of Justice Holmes and Professor Laski, says: “The Constitution owes its continuity to a continuous process of revivifying changes. The Constitution cannot make itself, somebody made it, not at once, but at several times. It is alterable; and by that draweth nearer perfection; and without suiting itself to differing times and circumstances, it could not live.”

A Constitution which cannot be amended cannot live. Why did this American judge give this warning? After the depression, the Americans were confronted with a very dangerous situation. The President tried to bring legislation which the Supreme Court again and again struck down. It was in this context that the then President of the US had to say that the Supreme

Court cannot be allowed to be a third chamber which will be arrogating to itself the power of making laws.

Lost Sovereignty

My amendment does not try to abrogate any fundamental freedom. The Supreme Court has introduced an amendment of the Constitution. The Constitution, after the judgement in Golak Nath’s case, is a different Constitution. What I am trying to do by my amendment is to restore to the people of India the Constitution, the Sovereignty, which belonged to them before the Supreme Court took it away by a slender majority of six to five, because to the extent that we create this balance between our people, their representatives in Parliament and the Supreme Court do we create the necessary sanction for the smooth functioning of the democratic set-up of this country?

I don’t want an artificial conflict with the Supreme Court. I am one who is committed to upholding authority. But the source of all authority is the people, and it is their right that has been infringed. Let us restore to the people of India the sovereignty which has been tampered by the judicial process.

Mangal Turbine - Model Example of Farmer - Innovator’s Contribution to Decentralised Rural Energy System

By making it possible to lift water without diesel and electricity this device makes a big saving in farmer’s costs as well as in GHG emissions

Bharat Dogra

Is your village located near a river, stream or canal? Do you lift water from these sources for irrigation or other purposes? Do you use costly diesel or electricity for this purpose?

If this is the situation, then Mangal Turbine can help you to lift water without using diesel or electricity.

Mangal Singh, a farmer-cum-rural scientist of Lalitpur district (Uttar Pradesh) has gained widespread fame for his invention Mangal Turbine which has been admired by several highly placed scientists as well as development officials. Over the years the value of his work went on increasing due to the ability of Mangal Turbine to reduce greenhouse gas emissions in a big

way. After getting the patent for this, he has worked tirelessly for several years in very difficult conditions to take his innovation to many remote areas, often spending his own meagre finances in these efforts.

During his youth in his native Bundelkhand region, Mangal Singh noticed how farmers had difficulties in purchasing pumping sets and

diesel (or accessing electricity) to run them when they had to lift water from rivers and streams to irrigate their fields (or for other purposes). Thus was born the idea of a fuel-less water lifting device (which in times of climate change has great value also for reducing fossil fuel consumption).

What exactly is Mangal Turbine (MT) or more precisely, what is 'fuel-less Mangal Water Wheel Turbine Pump-cum-P.T.O. Machine (patent no. 177190, dated 13-11-97)

This technology is described by Mangal Singh in the following words, "The water wheel turbine machine consists of a water wheel which is firmly mounted on a steel shaft and supports on two bearing blocks fixed on foundation supports. The shaft is coupled with a suitable gearbox through universal couplings for stepping up speed of rotation. Output shaft of the gear box is coupled on one end with a centrifugal pump for lifting water and the other end is mounted with a suitable pulley for deriving power for operating any machine. Design of the water wheel turbine is simple. It is available in different size to meet the varying requirements. Operation of water Wheel Turbine Pump-cum-P.T.O. Machine is very easy as anyone can operate the machine by opening the wooden or steel gate valve, the machine is stopped by stopping the flow of water through the gate."

Thus apart from lifting water the Mangal turbine can also be used for several additional tasks. In the words of Mangal Singh, "This is used for pumping water from the rivulets and water streams on which it is installed. The machine can be used for several rural works such as operating *atta chakki*, sugarcane crushing, threshing and winnowing, oil expelling, chaff cutting, etc. The machine provides a clean alternative (non-conventional) source of energy in remote rural areas for increasing

agricultural productivity, income and employment". By linking it to a generator, this machine can also provide electricity.

Several highly placed officials who examined MT carefully confirmed its great value and utility.

At least two former Secretaries of the Rural Development Ministry (B.K. Sinha and S.R. Sankaran) were known to be admirers of Mangal Singh's efforts. B.K. Sinha has spoken widely about the great usefulness of M.T. Others who have admired and appreciated the M.T., include the Alternate Hydro Energy Centre, IIT Roorkee, The Energy Research Institute (TERI) New Delhi, Dr. Punjab Singh, former Director, IARI Delhi, Senior bureaucrats like Shri Kalika Prasad, the then Commissioner, Jhansi, Mrs. Sarla Gopalan, former Advisor Planning Commission New Delhi and Dr. R.S. Tolia former Director, State Institute of Rural Development, Delhi and MC CAPART, Central Zone Lucknow.

A report titled 'Problems and Potential of Bundelkhand with Special Reference to Water Resource Base' was prepared in 1998 by the Centre for Rural Development and Technology (CRDT) IIT Delhi and Vigyan Shikshan Kendra (VSK). This report examined MT carefully and recommended it for its great utility. This report said, "Most significant aspect is that the entire system designed by Mangal Singh is easily fabricated in the village itself, using available material and local workmanship. Besides, it requires minimal maintenance compared to other types, expertise for maintenance is available in the village itself."

"Thus, Mangal turbine would prove a boon for fulfilling the energy need of irrigation, agro processing etc. in the rural sector wherever

low water head exists in the rivers/ Nallahs.

"This turbine is a fine example of common people's inventiveness, and should be encouraged by all means for people's benefit.

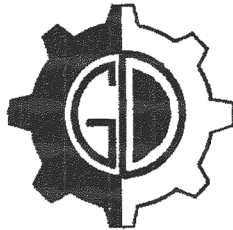
Dr. B.P. Maithani, former Director in the National Institute of Rural Development, says about MT, that "it is undoubtedly unparalleled in its simplicity and utility. Its cost benefit cannot be restricted to the extent of area irrigated and increase in production and income on account of that. Its benefits are multiple and multi-dimensional.

The value of Mangal Singh's work has increased further in recent times as the need to curb fossil fuel consumption and the related greenhouse gas emissions, has increased.

It has been estimated that if one unit of Mangal Turbine runs for 11 hours in a day, then it saves 44 litres of diesel in a day (on the basis of use of 4 litre diesel per hour by 25 HP diesel pump). Again assuming irrigation by MT on 190 days in a year, a single unit of MT can save 8360 litres (44x190) in a typical year. Over a lifetime of 15 years one unit of MT can potentially save 125400 litres (8360x15). In terms of greenhouse gas emissions (using assumption made in US Environment Protection Agency fact sheet) this works out to 335 tonnes. This estimate by Dr. Jai Shankar Singh is made on the basis of the assumption that one unit of MT will lift water from a stream which is equivalent to 25 HP diesel pump set and irrigate a command area of 50 ha.

Reduction in diesel consumption and related GHG emissions can further increase significantly to the extent that the M.T., is used also (in addition to water lifting) for processing of various farm produce and other work.

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The African connection

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Tethered to old positions
KuldipNayar

Gender equality should guide the process of reforming family laws and not national integration
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Earthquake-Pro-active and Protective Role of Citizens can Save Precious Lives
Bharat Dogra

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Thanks to India’s active involvement in the now-defunct non-aligned movement, upfront from inception to fade-out, New Delhi has acquired enviable experience and expertise in hosting/organizing big international summits and conferences. This expertise has been put to good use in India, and New Delhi with its modern and hi-tech infrastructure, provides the ideal setting for large-scale participation. Last week, the capital hosted an international conference whose outcome will undoubtedly bring the people of the India and Africa closer and help promote just the kind of atmosphere that will be conducive to multi-lateral and bilateral mutual co-operation of the people of the region, represented the renewal of the spirit of partnership that the first summit held at the same venue in 2011 so successfully fostered. Secondly, the summit was noteworthy since it was attended by all the 54 Members of the African Union, represented at some level, presidential and head of state to ministerial and head of government. Every institution, country and a large number in the highest capacity was present when Prime Minister Narendra Modi declared the summit open for business on the morning of

Thursday, October 29.

Like in 2011, the buzzword at the conference was Co-operation with a Capital C. The focus was on how best to expand the scope of the co-operation and enhance its quality. On the table for negotiations and interaction were two documents. The first was on the quality of political partnership between India and other African nations. The second was on providing the framework for co-operation in developmental partnership.

The run-up to the conference began a couple of days earlier when the foreign ministers gathered together to frame the summit agenda. Indeed, the foreign ministers set the tone and temper of the summit and their deliberations set the tone, as it were, for the summit exchanges. The Indian Prime Minister Narendra Modi held bilateral meetings with more than 20 top politicians from the African continent a day prior to the summit. They included leaders like the Zimbabwean President Robert Gabriel Mugambe, South African President Jacob J Suma, Swaziland King Mswati III, Nigerian President Muhammadu Buhari and Ghanian

President John Dramani Mahama. Bilateral meetings with some heads of states and governments were held by External Affairs Minister Sushma Swaraj.

Some of the important themes that featured in the exchanges were on membership of the UN Security Council for India and African representatives. Sushma Swaraj addressed the foreign ministers, conference and articulated the sentiments of both India and African nations. She made such a strong case, the main arguments of which are given in detail in the following sentences: 1. India and Africa deserve a place in the global high table through reforms in the UN System and membership in the policy-making, decision-taking Security Council. 2. How can the two nations be excluded from their rightful place? How can we expect legitimacy from a governance structure that excludes the entire African continent and a country that represents one-sixth of the humanity? Indians and Africans constitute 2.5 billion people. The SC must represent present-day realities and not the 1945 situation when the UN system came into being. There can no longer be discrimination: pockets of prosperity cannot exist in areas of under-development and insecurity. She also sought Africa's co-operation in India's efforts to bring about a just and equitable climate change agreement at the forthcoming session in Paris and settling other contentious issues in the World Trade Organisation.

On the eve of the summit it was announced in New Delhi that in the last seven years a total of 40,000

(Continued on Page 3)

Tethered to old positions

KuldipNayar

How soon has Geeta, a deaf and dumb girl, disappeared from newspaper columns and television networks is not surprising. It only shows the depth of hostility between India and Pakistan. Islamabad did make a gesture by returning her. India should have reciprocated more positively and tangibly. Instead, the response was tepid. The media in both the countries dropped the topic quickly as if it was something which should be shunned.

In any other country, such a step would have been analyzed and re-analyzed to highlight the positive side. Even limited rapprochement between America and Cuba would have been exploited as an opportunity to settle their problems. But the crust of hostility between India and Pakistan could not be broken despite Geeta's return after more than a decade.

A new chapter of friendship should have begun in relations. But there was nothing like that even remotely. The problem is essentially with a large section of people in India who still recall the "vivisection of Bharat Mata".

Pakistan is a reality. It came into being some 70 years ago because the Muslims wanted a country of their own. They felt that they would be overwhelmed by the preponderant majority of Hindus. But the community did not realize the warning sounded out by the eminent leader Maulana Abul Kalam

Azad that after the establishment of Muslims state, Hindus would get more consolidated. His wish that there should not be any partition is different from the attitude of disdain and derision that prevails in greater parts of India.

I recall the speech by Prime Minister Atal Behari Vajpayee at Lahore, the city to which he had led a bus, that Pakistan was an entity by itself and required no outside recognition. His words had come as a soothing balm for the Pakistanis who still feel that India has not accepted it. I was present at that civic reception. His words appealed to the Pakistanis so much that one of them, a friend, requested me to tell Prime Minister Nawaz Sharif not to make any speech because he could not match the heights which Vajpayee had touched.

Geeta's return is an opportunity for both India and Pakistan to pick up the thread the two had left in Ufa (Russia). The two had agreed that they would tackle terrorism jointly. India's insistence that it would discuss only terrorism is following the agreement in letter, not in spirit.

The cause of terrorism, according to Pakistan, is the absence of solution on the Kashmir problem. Islamabad made the mistake at that time of demanding the specific mention of Kashmir. It should have agreed to discuss terrorism and brought in Kashmir on the plea that terrorism could not be stopped until Kashmir is discussed.

It was childish on the part of both Prime Ministers when they were avoiding each other while staying at the same hotel in New York where they had gone to attend the UN General Assembly session. Both delegations must be making sure that they would not meet. There came a chance when they ran into each other. But they could not help but raise their hands in recognition at the time since they were within a whispering distance. At least they showed a modicum of maturity then.

Former Prime Minister Vajpayee would often say that you could change your friends but not your neighbours. Even when his party, the BharatiyaJanata Party (BJP), vehemently opposed to having any truck with Pakistan, he took the initiative to break the ice. He arranged for a meeting at Agra between him and General Musharraf. Vajpayee wanted the two countries to contain hostility. It is another matter that he could not make any headway. It is said that the present foreign minister SushmaSwaraj had raised some objections to the formula which the foreign secretaries of both countries had devised after sitting for the entire night.

The current situation is becoming curiouser and curiouser. Both countries do not talk to each other and still avow that they want good relations. I am sure that the talks must be taking place through the back channel. But there is nothing to show that things are improving. The ceasefire violations have increased and there are no let ups in acquiring arms. Prime Minister Nawaz Sharif has accused India at New York of buying more weapons and defended his country if it were to do so.

Establishments on both sides should realize that they are denying

their people schools, healthcare centres and panchayat ghars by diverting money from development to defence. Even purchasing a bomb ware would increase their economic backwardness and it in no way help the betterment of the common man.

If the Geeta episode can reverse the trend it would be a miracle. Otherwise, both sides would continue to wallow in poverty. The choice is not between do and die but sustenance and survival. The two countries continue to be in their traditional animosity. It depends on Prime Ministers NarendraModi and Nawaz Sharif to break the vicious circle of enmity and arms. The prospects are very little and not rosy.

(Continued from Page 2)

scholarships have been provided by India to Africa. Since the second summit in 2011, the figure stands at 24,000. In the last decade a total of nine billion US dollars worth in concessional credit had been approved for 140 projects. India-Africa trade volume stood at US\$ 72 billion in 2014-15. Ms. Swaraj pointed out that there was a growing scourge of terrorism because of growing linkages across the globe of terrorist groups. This made it imperative that India and African nations enter into co-operative intelligence exercises and training programmes. She pleaded for support of First and Second World nations for the Comprehensive Convention against International terrorism. The menace of non-state actors and cross-border terror had acquired a new dimension, and the scale of the challenge is huge and undermines peace and security. The world must face the challenge in unison and full confidence. Email : viswam80@rediffmail.com

But the Geeta incident has created an atmosphere of goodwill. But this has been spoilt by some irresponsible remarks. One Pakistani dignitary said that India should return the prisoners languishing in Indian jails. Another remarked that persons like Geeta living in India should be given back to Pakistan.

But what they do not realize is that Geeta was not a prisoner and her return is to her own country. In the melee or argument, some 15 years have been lost. Both countries have already consumed 70 years in their futile stand. It is time they realised that the peoples have borne the brunt of this enmity on two sides and continue to suffer backwardness. They deserve a better deal.

Correction

In my article on Kerala projects, which appeared in Janata of 25 October 2015, there is an error in page 5, col.3, para 1, which refers to "the BJP Government of NarendraModi" and "Modi". The correct reference, instead, is: "The National Green Tribunal". The error is regretted.

B. Vivekanandan.

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Manohar Somayya

Gender equality should guide the process of reforming family laws and not national integration

Irfan Engineer

Supreme Court of India has yet again asked the Union Government to file affidavit and state whether it intended to bring Uniform Civil Code (UCC for brevity). In the Shah Bano Judgment (Shah Bano v. Mohammad Ahmed Khan, 1985) the Supreme Court observed “*It is a matter of regret that Article 44 of the Constitution has remained a dead letter*”. In Sarla Mudgal v. Union of India (1995), similar observations were made. Though the Supreme Court takes on the role of a reformer assuming lack of courage in the political class, it is only the legislature that can bring in the UCC. The repeated observations of the Supreme Court are on the strength of the Article 44 of the Constitution which states “*The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India*”.

Article 44 is included in Part IV of the Constitution which is about Directive Principles of State Policy. Provisions of Part IV are merely guiding principles and cannot be enforced by courts. The Supreme Court has ignored other provisions of Part IV which include, that the state shall strive to secure a social order in which justice – social, economic and political – shall inform all the institutions of national life; that the state shall strive to minimize inequalities in income; that operation of economic system does not result in the concentration of wealth and means of production to the common detriment; etc. These guiding principles are

far more important today as the Government of the day is ignoring these provisions. One wishes that the Supreme Court had made the Government to file affidavit and asked what laws and policies did the state want to bring in to give effect to objectives of justice and equality in Part IV of the Constitution.

The Supreme Court wants to do away, in one stroke, the practices of centuries. Till the passage of *The Muslim Personal Law (Shariat) Application Act, 1937*, (hereinafter, “The Shariat Act” for brevity), Muslims in India were governed by diverse customary and religious laws. From the Sultanate period onwards, Shari’a Law was applied only to noble Muslims. However converts from amongst artisan castes continued to be governed by their customary practices e.g. Meo from Rajasthan, Pranam Panthis and Pir Panthis in Gujarat, Sat Panthis in MP, Khojas, Bohras and Cutchi Memons. Kazi Mughis-ud-Din of Biyana was offended by the changes in Shari’a made by Allauddin Khalji, the first ruler to establish Sultanate. Khalji replied, “*I am an ignorant man and I am ruling this country in its best interests. I am sure, looking at my ignorance and good intentions, the Almighty will forgive me, when he finds that I have not acted according to Shari’a*”.

In NWFP, Hindu customary law in succession and other matters were in vogue till 1939 when Central Legislature abrogated application of Hindu Laws to Muslims of NWFP

and applied Shari’a Law to them. Till 1937, in United Provinces, Central Provinces and Bombay, Muslims to a large extent were governed by Hindu Law in matters of succession. *Marumakkathayam* Law applied not only to Hindus but also to Muslims in the North Malabar. *Marumakkathayam* Law is matrilineal practice.

Customary practices were too varied to comprehend for the colonial state and therefore more reliance was placed on scriptures. Manusmriti was translated in 1776. Charles Hamilton under directions of Hastings translated the *Hedaya* (The Guide) from Arabic into English in 1791 but was abandoned halfway. However, after the 1857 rebellion, the Crown declared, that all those in authority under it would “*...abstain from all interference with the religious belief or worship of any of our subjects*”. Thus the Colonial state unified the criminal laws, taxation and commercial law, but by and large refrained from interfering in family laws unless thought politically expedient.

Women leaders of nationalist movement demanded comprehensive code regulating marriage, divorce and inheritance. Kamaladevi Chattopadhyay, Sarojini Naidu, Muthulaxmi Reddy, Begum Shah Nawaz of All Indian Women’s Conference supported uniform code during their convention in 1933. With Government of India Act, 1935, Hindu and Muslims leaders pressed for law reforms

to elevate the position of women. While introducing the Bill – Hindu Women’s Right to Property Act, 1937, Dr. G.V. Deshmukh said that it was necessary to set right the Colonial interpretation of “limited estate” and “reversion” to widows. MHM Abdullah, who introduced “The Application of Shariat Act, 1937” said, “[t]he bill aims at securing uniformity of laws among Muslims in all their social and personal relations...It also recognizes and does justice to the claims of women for inheriting family property who under customary law are debarred from succeeding to the same”

The debate in the Constituent Assembly

It is in this background that Article 35 of the draft Constitution (now included as Article 44) was debated. Mohammad Ismail Sahib and Naziruddin Ahmad wanted to amend Article 35 and include that no one would be compelled to give up their personal laws. They argued that right to adhere to one’s personal law was part of their right to religion and way of life. Citizens could not be compelled to give up their personal laws in order to augment harmony (Constituent Assembly, 2003, p. 540). Ahmad argued that Art. 35 was in conflict with Art. 19 of the draft Constitution (now Art. 25) which gave citizens right to, profess, practice and propagate their religion. Ahmad wanted the interference by state in matters of religion to be a gradual and slow. Hindus too were opposed to UCC. K.M. Munshi, an ardent supporter of UCC, said, “*I know there are many among Hindus who do not like a UCC... they feel that personal laws of inheritance, succession etc. are really a part of their religion. If that were so, you can never give, for instance, equality to women.*” Munshi was in favour

of UCC on the grounds of gender equality and for unity of the nation. He said, “*Whether we are going to consolidate and unify our personal laws in such a way that the way of life of the whole country may, in course of time, be unified and secular? We want to divorce religion from personal law, from what may be called social relations or from the rights of parties as regards inheritance or succession.*” (p. 547). But then Pocker Sahib Bahadur (p. 545) and Hussain Imam (p. 546) asked which Hindu law would become the basis of UCC given the diverse traditions within Hinduism and differences in educational levels in the country.

Dr. B R Ambedkar said, “*It (Article 35) does not say that after the Code is framed the State shall enforce it upon all citizens merely because they are citizens.*” The future Parliament, Ambedkar opined, could bring in family laws that were applicable to those who voluntarily chose to be bound by it (p. 551). The Special Marriage Act, 1954 is such a voluntary code. Art. 35 was approved by the Constituent Assembly without any amendments that protected the citizens from being compelled to give up their personal laws.

BJP and the UCC

While the debates on inclusion of Art. 35 of the Draft Constitution showed that the idea was to provide for gradual extrication of family laws from religion and march towards the goal of gender justice, the Hindu nationalists advocated UCC in order to use it as a weapon to scare the minorities of impending majoritarian hegemony and to invoke their opposition. This could then be useful to demonstrate the separatist mentality of the minorities. The BJP has been demanding UCC to

promote national integration. Union Law Minister DV SadanandGowda e.g., said that UCC was necessary for national integration (Express News Service, 2015). This is notwithstanding the fact that BJP’s Election Manifesto 2014 promises UCC on the ground of gender justice “*drawing upon the best traditions and harmonizing them with the modern times*”.

However the moot question is, given the mind boggling diversity of traditions within all the religious communities, how painful will be the negotiations to draft such a uniform code? And, will the UCC be in consonance with the diversity? Which of the diverse traditions will form the basis of the UCC?

Regional Diversity

The Dravidian Southern regions follow various practices which are more gender-just compared to the North in matters of inheritance of property. There was custom of handing over a piece of land to the daughter at the time of her marriage within Madras Presidency and the income from it was for her exclusive use and devolved on her female heir. Women could remarry if her husband’s whereabouts were not known for a long time; and if the first husband returned, the woman could choose to live with either. Matrilineal practices were prevalent in Nayars, Nambudiris and Malabar Muslims. According to *Sambandham* practice, women continued to live in their natal house after marriage and children belonged to their caste and *tarawad*. *Sambandham* marriages were loose matrimonial alliances which could be easily terminated with consent of both parties. *Tarawad* and *tavazi* were female headed joint family systems with lines of descendants through females. These traditions

were brought to an end with the Hindu Succession Act, 1956. In Lakshadweep Islands inhabited by 99% Muslim population people followed the matrilineal system of *marumakkathayam*. Muslims in Kerala have retained their *marumukkatayam* system and *appilla tarawad*.

Mithakshara Joint family system was abolished in Kerala. Kerala abolished Malabar joint families of matrilineal type governed by *Marumukkatayam*, *Aliyasantana*, *Nambudiri* and other matrilineal laws but they are operative in Karnataka, TN and AP. The Christian Succession Acts of Travancore and Cochin are in vogue in Kerala with their practice of Joint family systems.

Portuguese Civil Law is still applicable in Goa (Portuguese Decrees on Marriage and Divorce, 1910 and Decree on Canonical Marriages, 1946 in Goa Daman and Diu and Dadra and Nagar Haveli). However the Gentile Hindu Usages Decree, 1880 allows application of some customs. Thus different family laws are applicable to Goan Hindus than in other parts. The Law for Goan Christians and Muslims as well is different from those applicable to their fellow members in the rest of the country. The Shariat Act and the Special Marriages Act do not apply in Goa.

Hindus, Christians and Muslims in Puducherry are divided into two groups – *Renoncants* and others. *Renoncants* are still governed by French Civil Code and to others, other Indian laws are applicable.

The Hindu Marriage Act 1955 was re-enacted by J&K Assembly. J&K has its own Hindu Succession Act, without repealing the Buddhist

Succession Act, 1943. Till recently, Muslim Laws were applicable but local customs prevailed in matters of inheritance. The Muslim Personal Law (Shariat) Application Act, 1937 was made applicable only recently in J & K.

Tribal customary law is protected by legislation in Meghalaya, Mizoram, Nagaland, and Sikkim. The Khasi, Jaintia and Garo tribes continue matrilineal inheritance even after their conversion to Christianity.

Mitakshara school of Hindu law has four regional variations: Varanasi, Mithilia, Dravida and Maharashtra which govern the succession.

Diversity within communities

The Hindu Family laws have been extensively amended by the three southern states in India – TN, AP and Kerala. Agricultural land is excluded from the operation of the Shariat Act. The Shariat Act was made applicable to these three Southern states only till 1963.

Marriage among lower castes is less sacramental and more contractual (with consent of adults marrying) without the rituals of *saptapadi* and *kanyadan*. The practice of bride price prevails amongst the lower castes (*Kanyashulka*).

Christian Tribals all over the country have been exempted from the Indian Succession Act. The four Hindu legislations are also inapplicable to the Scheduled Tribes

Specific Hindu, Buddhist, Jain and Sikh customs running counter to general statutory provisions enjoy full legal protection under the law, including those customs (i) violating statutory rules to sapinda relationship and prohibited degrees

in marriage; (ii) customary marriage rites replacing *saptapadi*; (iii) Customary divorce and (iv) adopting major and married children.

Amongst Muslims, customs and usage relating to wills, legacies and adoption enjoy statutory protection even under the Shariat Act. Sunni Bohras and Khojas are governed by Hindu customs and usages.

One is afraid that the UCC could be a threat to this rich diversity. The legislations enacted to regulate Hindu Personal Laws have threatened the local customs and traditions, particularly those that were more pro-women. The journey towards “uniformity” is informed by Brahminical traditions and *smriti* texts ignoring the vast body of traditions of the OBCs, SCs and STs. The Hindu community is sought to be unified around *smriti* texts.

The Muslim Personal Law is also applicable in all diversity evident from the above discussion. That is why the Muslim Personal Law Board dithers from codifying their law and one is afraid that the Wahabi-Hanafifiqh would dictate codification, not because it is in the best interest of the community, but because they are better organized and networked to influence the process.

What we need is a “Uniform” civil code and not “Common” civil code. Dr. Ambedkar said in the Constituent Assembly, that the UCC need not be enforced on unwilling citizens. We should march towards a uniform regime of gender-just family laws but drawing from the diverse traditions and allowing space for diversity. Gender equality alone should be guiding this process and the same could be achieved through gradual reforms of existing family laws.

Lock Up the Girls?

Kalpna Sharma

Two weeks ago, a woman who lives in the slum near my house came to see me. She looked deeply disturbed. She has a nine-year-old granddaughter who goes to school early morning and returns in the afternoon. Most days she eats lunch and falls into a deep sleep. That day, while her mother was washing clothes, this little girl fell asleep as usual. By chance, her mother heard something and went up to the loft to check. There she found her neighbour's 14-year-old son pulling down his pants and hovering over the child, whose undergarments had already been removed. The mother screamed. The boy ran. And the little girl woke up not knowing what had happened.

What should she do, wondered her grandmother. Report this to the police? Others in the slum who had done that got no relief, she said. When she confronted the boy's mother, she was met with denial. Should the girl's father beat up the boy and teach him a lesson? But these were her neighbours. They had lived side by side for decades.

How would she be able to "protect" her granddaughter from this young man, or other sexual predators? As both she and the girl's mother work as domestic help in other people's houses, the little girl is often on her own. How will they now make sure that she is never left alone? And for how long can they do this?

There are no easy or glib answers to these questions, and few words

of reassurance to offer. This woman lives in the midst of a grim reality; they have no private or safe spaces, and all women, young and old, are vulnerable to molestation and assault. And it is not just strangers but the known faces in their midst who are the predators.

The news from Delhi about the brutal rape of two girls aged two and five by men known to them and their families reminded me of this conversation. Such rapes are not new. In Delhi alone, 199 children under 12 were raped last year. Of these, 71 were under six. Nationwide, there were 2,000 rapes of children under 12 in 2014, of which 547 were younger than six. These horrific statistics do not tell the full story. Yet, it is evident that more child rapes are being reported now than before, as people become aware of the special law for sexual assault on minors: Protection of Children from Sexual Offences Act (2012) or POCSO. The law is an important first step. But it is just that.

Somehow our politicians fail to understand this. So after news of the rapes came out, Delhi Chief Minister Arvind Kejriwal predictably began slamming the Centre for not handing over the police to the State. And the Bharatiya Janata Party (BJP) took potshots at Mr. Kejriwal for not keeping women safe in his State. In this political ping-pong, neither side even acknowledged that what we are seeing is a much deeper problem, one that requires contemplation and action, and not

empty rhetoric.

Do Mr. Kejriwal or the BJP really believe that better policing can stop this? How many policemen will we need to stop the rapes of children? And if you treat 14 year olds who rape minors as adults, and punish them accordingly, as Mr. Kejriwal has suggested, will it make a difference? Or will families continue to cover up the crime?

Women's safety, or the lack of it, is only one part of a larger problem. We must ask why we are becoming a society that is not just intolerant but also one where impunity reigns supreme. Everyone believes they can get away with a crime, major or minor. From the policeman who pockets money when someone violates a traffic rule to drunken drivers to child molesters, people think they can get away with it. And often they do. Only the very poor, or those belonging to a minority, get caught. For instance, the woman I spoke to admitted that every time there was a "*lafda*" (trouble) in her slum, the police would routinely round up all the young Muslim men.

Given this ugly reality, what is the solution? Should we keep our girls locked up for their own good? Should we police their every action? Will that make them feel confident and safe or will it merely make them feel hounded and caged?

Mr. Kejriwal and his counterparts in other political parties need to be reminded that children, like those

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Are these the promised good days?

Sandeep Pandey

One of the election promises of Narendra Modi was to roll back the price-rise. But exact opposite is happening in reality. For instance, within past four months the cost of 'arhardaal' has doubled from Rs 100 to Rs 200 per kg. Daily wagers are struggling to make both ends meet and earn enough to bear the cost of *daal*, primary source of protein, in daily diet of their family.

Former PM Manmohan Singh, while releasing a report in January 2012, had said that it is a matter of national shame that half of our children are malnourished. Another national shame for India according to Richard Horton, the editor-in-chief of 'The Lancet' a medical journal, is about 6 lakh deaths of children under five every year due to unsatisfactory mother and child care. It is more than double the combined number of people who died in atomic bombing of Hiroshima and Nagasaki by the US in 1945. Horton describes health as an issue of national security for India. With inability to feed protein-rich *daal*, there is a big risk of these malnourished children slipping into a condition of hunger. A poor person can't even have roti with onion as cost of onion has doubled from Rs 30-35 per kg to Rs 60 per kg during the past 4 months. Likewise cost of most vegetables has doubled over the last one year. It appears as if government has hit upon a simple solution to ending poverty – eliminate the poor! Health care is simply not on Modi's agenda. And it appears now that, neither are the prices of essential

food commodities.

Despite the fact as to how the steep price-rise is making life difficult for a majority of our people, this issue has not become a political one. Not even in Bihar elections where majority of population survives in a daily struggle against poverty. To divert people's attention from this serious issue, events like the Dadri killing take place so that common people remain engaged in debates around cow meat. Incidentally, meat is less expensive than *daal* now. The Hindutva brigade is not even questioning that, with prices of items, which are integral part of Indian vegetarian diet almost doubled, how are vegetarians expected to survive? The Hindutva activists have been known for raising only those issues on which ordinary people's sentiments can be exploited, completely ignoring real issues which impact the lives of the poor.

The plight of farmers is unbearable. Farmers are not even getting minimum support prices for their crops due to complete takeover of procurement by middle-men and associated corruption. To make matters worse, vagaries of the nature, due to which farmers' crops were destroyed, have made it difficult for the farmers to feed their families as well as repay the loans which they took for carrying out agricultural activities. Government has failed to provide adequate compensation to all the farmers who faced loss of crop

yield or to families of those who committed suicide. It appears that Insurance companies have no role to play. They are not in the picture at all. The pertinent question is, what do these companies insure farmers against? This is a strange paradox that on one hand farmers are failing to get their fair dues for crop, and on another hand, prices of their farm produce are shooting up astronomically for common consumers! It is an open secret that business community is a strong support base for the BJP. Hence the middle-men have benefitted immensely since the arrival of *achche din* at the cost of the farmers, the agricultural labourers and consumers.

This is now confirmed as the Finance Minister ArunJaitley and Consumer Affairs Ministry revealed that roughly 75,000 tons of pulses were seized from hoarders in Maharashtra, Karnataka, Bihar, Chhattisgarh, Telangana, Madhya Pradesh, Rajasthan, Haryana, Andhra Pradesh, Tamil Nadu and Himachal Pradesh, in descending order of quantity recovered. Maharashtra alone was responsible for hoarding of over 45,000 tons. It is interesting to observe that bulk of the hoarding is in BJP or NDA ruled states. This clearly implies that traders in BJP or NDA ruled states felt safe to hoard as they thought they would be able to get away with it. Considering that the government has so far imported 5,000 tons of pulses, the amount recovered from within the country,

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What is the RSS?

Madhu Limaye

The article reproduced here was penned by the late veteran socialist leader, soon after the split in the Janata Party, was originally published in the Hindi weekly Ravivar in 1979. This was later translated by Javed Anand. Though dated, many of the issues raised in the article are very much relevant even today.

- Sankara Narayanan

I entered political life in 1937. I was quite young then but as I had passed my matriculation examination at a relatively early age, I also entered college quite early. Quite active in Pune in those days were the RSS and the Savarkarites (followers of Vinayak Damodar Savarkar) on the one hand and nationalist, socialist and leftist political organisations on the other. On May 1, 1937 we took out a march to observe May Day. The marchers were attacked by the RSS and Savarkarites when, among others, the well-known revolutionary Senapati Bapat and our socialist leader, SM Joshi, were injured. We have had serious differences with these Hindutva organisations ever since.

Our first difference with the RSS was over the issue of nationalism. We believed that every citizen had equal rights in the Indian nation. But the RSS and the Savarkarites came up with their notion of Hindu Rashtra. Mohammad Ali Jinnah too was a victim of a similar world view. He believed that India was made up of two nations, the Muslim nation and the Hindu nation. Savarkar too said the same thing.

The other major difference between us was that we dreamt of the birth of a democratic republic while the RSS claimed that democracy was a western concept that was

not appropriate for India. In those days members of the RSS were full of praise for Adolf Hitler. Guruji (Madhav Sadashiv Golwalkar) was not only the *sarsanghchalak* (head) of the RSS; he was its ideological guru as well.

There is amazing similarity between the thoughts of Guruji and the Nazis. One of Guruji's books, *We or Our Nationhood Defined*, ran into several editions, its fourth edition having been published in 1947. At one point in the book, Guruji says, "The non-Hindu people in Hindustan must adopt the Hindu culture and language, must learn to respect and hold in reverence Hindu religion, must entertain no ideas but those of the glorification of the Hindu race and culture i.e. they must not only give up their attitude of intolerance and ungratefulness towards this land and its age-old traditions but must also cultivate the positive attitude of love and devotion instead – in a word, they must cease to be foreigners, or may stay in the country wholly subordinated to the Hindu nation, claiming nothing, deserving no privileges, far less any preferential treatment – not even citizen's rights."

In other words, Guruji wanted to see millions of Indians treated as non-citizens. He wanted all their citizenship rights taken away. Incidentally, these ideas of his

were not newly formulated. From the time we were in college (in the mid-1930s), members of the RSS were inclined to follow Hitlerian ideals. In their view, Muslims and Christians in India deserved to be treated the same way that Hitler treated Jews in Germany.

The extent of Guruji's sympathies for the views of the Nazi Party is evident from the following passage from *We or Our Nationhood Defined*: "To keep up the purity of the race and its culture, Germany shocked the world by her purging the country of the Semitic races – the Jews. Race pride at its highest has been manifested here. Germany has also shown how well-nigh impossible it is for races and cultures having differences going to the root, to be assimilated into one united whole, a good lesson for us in Hindustan to learn and profit by" (*We or Our Nationhood Defined*, 1947, p. 42).

You might say that this is an old book, of a time when India was in the throes of the struggle for independence. But then there is his second book, *Bunch of Thoughts*. I cite below an example from this "popular publication" which was brought out in November 1966. In this book, while discussing India's internal security problem, Guruji identifies three internal dangers. One is Muslims, the second Christians and the third

Communists. In Guruji's view, every Indian Muslim, every Christian and every Communist is a danger to the nation's security. Such is his ideology.

Our second major difference with Guruji and the RSS has to do with the caste question. They are supporters of the caste system while a socialist like me is its greatest enemy. I consider myself to be the biggest enemy of brahminism and the caste system. I am of the firm view that there can be no economic and social equality in India until the caste system and the inequalities based on it are demolished.

But Guruji says, "Another unique feature of our society was the *varnavyavastha* (caste system, the former occupation-based classification of society) which is today vilified as *jatipratha* (a rigid caste system)." He adds, "Society was conceived of in the image of an all-powerful god, of four aspects, who was to be worshipped by different people in their own ways as determined by their different capabilities. The Brahmin was considered great because he was the purveyor of knowledge. The Kshatriya was considered equally great because he destroyed the enemies. The Vaishya was no less important than others because through agriculture and commerce he fulfilled a social need. The Sudra too was important for he served society through his workmanship." Here it is very shrewdly being asserted that through his workmanship the Sudra is fulfilling an important social need. But Chanakya's *Arthashastra*, from which Guruji takes his inspiration, clearly states that it is the religious duty of the Sudras to serve the Brahmins, the Kshatriyas and the Vaishyas. In a clever subterfuge,

Guruji replaces service of the upper castes with "service of society".

The fourth issue on which we differ is that of language. We are in favour of promoting the languages of the people. All regional languages, after all, are indigenous. But what does Guruji have to say on this? Guruji says that for now Hindi should be made the common language for all while the ultimate objective should be to make Sanskrit the national language. He says in his *Bunch of Thoughts*, "For convenience, Hindi should be given primacy as our link language until such time as Sanskrit is adopted as our national language." Thus Hindi is merely for convenience, the ultimate link language is to be Sanskrit.

We have had differences over this right from the start. Like Mahatma Gandhi and Lokmanya Tilak, we too have always been in favour of the regional languages. We do not wish to impose Hindi on anyone. We would like to see Tamil as the prevalent language in Tamil Nadu, Telugu in Andhra Pradesh, Marathi in Maharashtra and Bengali in West Bengal. If the non-Hindi speaking states wish to adopt English, it should be up to them. We have no differences with them on this. But Sanskrit is the language of a handful of people, the language of a particular caste. Making Sanskrit the national language means the supremacy of a handful of people over others, something we definitely do not want.

Fifth, the national movement for independence had accepted the idea of a federal state. In a confederation, the centre would definitely have certain powers on specific matters but all others would be a subject matter for the states. But following

partition, in a bid to strengthen the centre, the Constitution stipulated a concurrent list. As per this list, several subjects were made concurrent, subjects over which both the centre and the states have equal jurisdiction. What was originally meant to be under the domain of different states was included in the concurrent list only to strengthen the centre. Thus the federal state came into existence.

But the RSS and its chief ideologue, Guru Golwalkar, have been consistently opposed to this basic constitutional provision. These people ridicule the very concept of 'a union of states' and maintain that this Constitution, which envisages a confederation of states, should be abolished. Guruji says in his *Bunch of Thoughts*, "The Constitution must be reviewed and the idea of a unitary state should be written into the new Constitution." Guruji wants a unitary or, in other words, a centralised state. He says that this system of states should be done away with. What he wants is one nation, one state, one legislature and one executive. In other words, he wants to abolish state legislatures and state ministries. That means they wish to see the rule of the stick. If they were to capture power, they would doubtless bring into existence a centralised state.

Another issue was the tricolour, the flag chosen by the national movement. Hundreds of Indians sacrificed their lives, thousands bore the brunt of lathis for the honour and glory of our chosen national flag. But surprisingly, the RSS has never accepted the tricolour as the national flag. It always swore by the saffron flag, asserting that the saffron flag has been the flag of Hindu Rashtra since time immemorial.

Just as Guruji rejected the concept of a federal state, similarly, he had no faith in a democratic system. He was of the firm view that democracy is a concept imported from the West and the system of parliamentary democracy did not jell with Indian thought and Indian civilisation. As for socialism, that for him was a totally alien idea. He repeatedly said that all isms, including socialism and democracy, were alien ideas which should be rejected, that Indian society should be founded on Indian culture. Speaking for ourselves, we believe in parliamentary democracy, in socialism, and we aspire to establish socialism consistent with Gandhian principles in India through peaceful means.

While we were engaged in a struggle against the Congress party's autocratic rule, our leader, Dr Rammanohar Lohia, was of the opinion that we should join hands with all opposition forces to save the nation and dislodge from power the Congress party which was responsible for our humiliation at the hands of the Chinese. I had lengthy discussions with Doctorsaheb on the issue. This debate went on for two years. I kept insisting throughout that we cannot have any alliance with the RSS and the Jan Sangh. Ultimately, Doctorsaheb asked me, "Do you accept my leadership or not?" I replied, "Yes, I do." He said it wasn't necessary for us to agree on every issue or for him to have to convince me on every issue. Let there be an issue or two on which we disagreed. And since he was only thinking of a political alliance to defeat a major enemy, I should cooperate with him, let his idea be given a "trial". Perhaps he would be proven right, he said, perhaps I would. I remained convinced

however that a clash between the RSS and the Lohiaite ideologies was inevitable.

It is a fact that we formed an alliance with these people (RSS and Jan Sangh) when Indira Gandhi imposed the emergency, increasingly resorted to dictatorial methods, started promoting Sanjay Gandhi and the Maruti scandal surfaced. Lok Nayak Jayaprakashji believed that if the opposition did not unite under the banner of a single party it would be impossible to defeat Mrs Gandhi and dictatorship. Choudhary Charan Singh was also of the view that we should come together and form a united party. While we were in jail, we were all asked to give our opinions on the need to form such a party and contest elections. I recall sending a message that in my view we must contest elections. Millions of people would participate in elections. Elections are a dynamic process. As the electoral tempo builds up, the shackles of emergency are bound to snap and people are bound to exercise their democratic right. Therefore, I stressed, we must participate in elections.

Since Lok Nayak Jayaprakash Narayan and other leaders were of the view that without coming together under the banner of one party we could not succeed, we (socialists) too gave it our consent. But I would like to stress that the understanding that was arrived at was between political parties – the Jan Sangh, the Socialist Party, the Congress (O), the Bharatiya Loktantrik Dal (BLD) and some dissident Congress factions. We did not come to any arrangement with the RSS, nor did we accept any of its demands. What is more, through a letter by Manubhai Patel that was circulated among all of

us in jail we learnt that on July 7, 1976 Choudhary Charan Singh had raised the issue of a possible clash of interests because of dual membership when members of the RSS also became members of the new party. In response, the then acting general secretary of the Jan Sangh, Om Prakash Tyagi had said that the proposed party should feel free to formulate whatever membership criteria it wanted. He even said that since the RSS, having faced many constraints had been dissolved anyway, the question of RSS membership did not arise.

Later, when the constitution of the proposed Janata Party was being drawn up, the subcommittee appointed to draft the constitution proposed that members of any organisation whose aims, policies and programmes were in conflict with the aims, policies and programmes of the Janata Party should not be given membership to the new party. Given the self-evident meaning of such a membership criterion, there was no question of anyone opposing it. However, it is significant that the sole opposition to this came from Sunder Singh Bhandari (Jan Sangh). At a meeting convened in December 1976 to thrash out issues, reference was made to a letter written by Atal Bihari Vajpayee on behalf of the Jan Sangh and the RSS, stating that a section of leaders of the proposed party had agreed that the RSS issue could not be raised in connection with membership of the Janata Party. But several leaders told me that no such assurances were given because the RSS was nowhere in the picture at the time when the idea of a merger of opposition political parties was mooted. I want to clarify that I was in prison at the time and even if there was some secret understanding, I had no part in it.

I can categorically assert that the election manifesto of the Janata Party did not in any way reflect the concerns of the RSS. In fact, each point in the manifesto was clearly spelt out. Is it not a fact that the manifesto of the Janata Party spoke of a socialist society based on secular, democratic and Gandhian principles and in which there was no mention of Hindu Rashtra? The manifesto also assured the minorities equal citizenship rights and vowed to safeguard their rights. In contrast, Guruji wanted to deny equal citizenship rights to the minorities and wanted them to be subservient subjects in a Hindu Rashtra. The Janata Party was committed to decentralisation while Guruji was a hardcore proponent of centralisation. He wanted to abolish separate states, abolish state legislatures and ministries while the Janata Party emphasised the need for greater decentralisation. In other words, the Janata Party had no desire to snatch away the autonomy of states. The manifesto spoke of socialism, social justice and equality. Did the manifesto state that it upholds the caste system? Did it maintain that the Sudras' duty was to devote their life in the service of others? On the contrary, the manifesto not only promised that the backward castes would have full opportunity to progress, it pledged special policies for them: 25-33 per cent reservation for them in government jobs.

Yes, it is true that members of the RSS did not genuinely accept the provisions of the party's election manifesto. It was my contention and I had once even complained in writing to Kushabhau Thakre that during discussions you people (RSS, Jan Sangh) very readily agree on matters that you at heart

totally disagree with. That is why your motives are suspect. I wrote this letter to him a long time ago and I have always had doubts about the RSS. I have had these doubts since Doctorsaheb's time (Dr Rammanohar Lohia died in 1967). But despite this, the fact remains that to fight dictatorship we entered into a political alliance with them.

Since it was LokNayak Jayaprakashji's desire that all parties should merge for a united opposition to dictatorship and since the party manifesto did not make any compromises, I consented to our coming together. At the same time, I would like to say that from the beginning I was very clear in my mind that to emerge as a unified and a credible body the Janata Party would have to do two things. One, the RSS would have to change its ideology and accept the ideal of a secular democratic state. Two, the various organisations that are part of the sanghparivar, such as the Bharatiya Mazdoor Sangh and the Vidyarthi Parishad, would have to dissolve themselves and merge with the secular-minded trade unions and student wings of the Janata Party. I was very clear about this from the beginning and as the Janata Party had given me the responsibility to manage the affairs of its trade unions and student wings, it was my consistent attempt throughout to ensure that the Vidyarthi Parishad and the Bharatiya Mazdoor Sangh ended their separate existence.

But these people started insisting on their autonomy. In fact, these organisations always function on the dictates of Nagpur (RSS headquarters), they believe in the one leader principle. Take, for example, Guruji himself. Guruji maintained that they create a mind-

set which is totally disciplined and where people accept whatever they tell them. This organisation operates on a single principle: one leader. They do not believe in democracy, they have no faith in discussions and debate. They have no economic policy. For example, in his *Bunch of Thoughts*, Guruji expressed unhappiness over the abolition of the zamindari system in India. Guruji was deeply saddened, deeply disturbed by the abolition of the zamindari system. But he felt no compassion for the poor.

I told members of the RSS that you must abandon your ideal of organising Hindus alone and find a place for people of all religions within your organisation, that you must merge your different class-based organisations with those of the Janata Party. They responded by saying that this could not be done so soon, that there were very many difficulties involved but they did want to change, bit by bit. They continued to give such evasive replies.

From their behaviour I concluded that they had no intention of changing. Especially after the assembly elections of June 1977, when they managed to gain power in four states and one union territory, after which they began to think that with this newly acquired clout they had no need to change. Now that they had already captured four states, they would gradually also gain control of other states and finally even the centre. The leaders of other political parties in the Janata Party were older leaders who would not live long; and they would ensure that no younger (non-RSS, non-Jan Sangh) leader emerged at the top.

As is evident from the pages of the *Organiser* and *Panchjanya* (RSS mouthpieces in English and Hindi), they have not spared a single Janata Party leader who is not from their *parivar*. I, of course, was their special favourite, the target of special attention. They probably devoted more column space to abusing me than they did even for Indira Gandhi.

For a protracted period I persisted in dialogue with these people. I recall an occasion when Balasaheb Deoras (later RSS *sarsanghchhalak*) visited me at my residence in Mumbai. Subsequently, I met him once again after the 1971 polls. I also had discussions with Madhavrao Mule once before the emergency. On the fourth occasion, I met Balasaheb Deoras and Madhavrao Mule together in May 1977. So no one can claim that I made no attempt to talk to them. But I finally reached the conclusion that they have closed minds in which no new idea can germinate.

On the contrary, the RSS specialises in casting young minds in a particular mould from a very young age. The first thing they do is ‘freeze’ the minds of children and of youth, making them impervious. After this they are rendered incapable of responding to other ideas.

Still, I tried. On one occasion I convened a meeting of all trade union leaders. The representatives of all constituents of the Janata Party attended but the Bharatiya Mazdoor Sangh boycotted the meeting. Not just that, they hurled abuses at me for no apparent reason. Similar efforts were made with the Vidyarthi Parishad and the Yuva Morcha but despite all attempts at a merger, they held aloof. This is only because

of the RSS’ desire to function as a “super party”.

Their aim is not only to enter into every aspect of people’s life but also to control it. In an article written for *The Indian Express* around that time, George Fernandes used the example of Dattopant Thengdi to make the same point. Thengdi responded by saying that the RSS intended to have all of society under its sway, it would leave no aspect of a person’s life untouched, it would establish its hegemony in every department of life. Thengdi, of course, was saying nothing new. Similar views have been repeatedly asserted by Guruji in his *We or Our Nationhood Defined*, as also in *Bunch of Thoughts*. No totalitarian organisation allows any space for freedom, its tentacles reach everywhere: art, music, economy, culture. This is the essence of any fascist organisation.

The fact is that the RSS wanted to capture the Janata Party and through it to take control of the state apparatus. For this they simultaneously dangled the carrot of the prime minister’s chair before several Janata Party leaders. On the one hand, they went on assuring Morarji Desai to the end that he was their choice for prime minister. Every now and then they would promise Choudhary Charan Singh that they would support his claim to be prime minister. Concurrently, they kept giving similar assurances to Chandra Shekhar, Jagjivan Ram and George Fernandes. Not once did they dare to make me a similar offer. When I once jokingly mentioned this to Vajpayee, he quipped, “Why you, Nanaji (Deshmukh) has never made me such a promise either. They want neither you nor me as prime minister.” Anyway, they never made any such suggestion to me, knowing

only too well that I would not deny others their due nor would I allow others to deny mine. Perhaps they think, you can’t fool this man so what’s the point of promising him anything – it will only make him even more cautious.

What these people (the RSS) do on the odd occasion is however of little importance. Has the RSS ever said that they have abandoned Guruji’s way of thinking? Only Atalji says that we should all accept the principles of composite nationalism, democracy, socialism, social justice, etc., because we cannot move forward without them in today’s world. But Atalji is the only one who says this. I do not trust the other *sanghis*. These people pleaded for pardon while in prison, Balasaheb Deoras congratulated Indira Gandhi when the Supreme Court ruled in her favour in the Raj Narain case. So I have no faith in the utterances of these people. I am of the firm belief that I could only have trusted these people (erstwhile Jan Sangh leaders in the Janata Party) if they had ousted RSS leaders from the party, expelled them from the working committee, placed restrictions on RSS activities and, in particular, expelled people like Nanaji Deshmukh, Sunder Singh Bhandari and company from the party.”

(A few friends may argue what was taught by Golwalkar need not be relevant and binding on the Digital India’s RSS and BJP. They are mistaken. None in the RSS or BJP (I repeat, none) will dare to disagree with or disown Golwalkar. If anyone does so, he will be thrown out of the organisation. Golwalkar continues to be the Pujaniya Sri Guruji for the RSS as well as BJP. - Sankara Narayanan)

Earthquake-Pro-active and Protective Role of Citizens can Save Precious Lives

Bharat Dogra

The recent earthquake has again drawn attention to the need for ensuring that people are well-aware of the various precautions that are needed for minimising loss of life at the time of such a disaster. The very simple act of immediately covering the head with pillows or cushions and seeking shelter under a sturdy table or a corner of the room can sometimes save a life.

If people are well prepared and are sure of what exactly they are supposed to do in such an emergency, they will not waste precious time thinking what to do. Time is of greatest importance in such a situation. Even the delay of a few seconds can prove to be very costly. So it is best to be well prepared.

Generally it is believed, and very rightly so, that open spaces outside buildings are much safer at the time of earthquakes compared to the inner space of most buildings. However in some congested places open spaces are not available very near to the residential or office places. So we have to think of safety at all levels.

If someone is inside a building, then the nearest safe place can be a shelter under a strong table or bed. Such pieces of furniture should be identified so that these can be quickly approached. It may be safer to keep head down, and if we can grab a pillow, helmet, hat or turban, this will be an additional help.

If such a equipment is not

available, it may be relatively safer to sit in a corner of the room or near a stair. It may be better again to wear a helmet or head dress, if possible or at least use a pillow cover and cover face with hands. Proximity to windows with glass panes is to be avoided, as also proximity to tall furniture such as load carrying almirah.

Citizens should plan ahead for a safe open space in front of their homes which is free from any high tension wire. This will also help to create a safe playing place for children and relaxing place for adults in normal times. Attention should also be given to retrofitting to the extent possible so that buildings can cope better with quakes.

A kit should be kept handy including two torches, two whistles as well as essential medicines required by any family member. Biscuits, water bottles and helmets/headgear should be easily accessible.

Even if these are not required in normal day to day life, torches and helmets should be kept in home for safety purposes. Smaller helmets can be kept separately for children. Similarly some equipment or instruments for clearing rubble such as jacks and spades should be available in the housing society or panchayat office. This will come in handy for any rescue work before any outside rescue team can reach with their specialized equipment. If those buried under the rubble have a small whistle, this can come in

handy to draw attention of rescuers. When coming out of high rise buildings, lift should be avoided and stairs used.

At the community level efforts should be made for mutual help and to obtain expert consultancy for retrofitting where needed. Such help should also be extended to weaker sections and slum dwellers living nearby and they should be involved in efforts aimed at safety for all. Together communities should decide about safe open place and provide help to each other.

Similarly community pressure should be exerted to ensure that school buildings are safe. If these are not safe, new buildings should be constructed and/ or adequate retrofitting should be taken up with expert advice. It should be ensured that adequate open space is available in schools.

Such public pressure should also be exerted to ensure the safety of local hospital buildings and availability of adequate open and safe places near them.

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*Letter to the Editor***Awards do not mean writers are great**

With reference to the brave announcement of Nayantara Sehgal (P.4-5), Janata, October 11, 2015 issue of your esteemed journal as to why she was returning her Sahitya Akademi Award, I want to say that the writer was invited by my college in 1980s to inaugurate a poetry reading session in our college. I went to her residence at her Hanuman Road flat, New Delhi where she was living with her friend. She said she would reply after a few days. There were no mobiles and I did not have her phone number also. I went again to her place. She was annoyed. She didn't come. Sahitya Akademi Awards were given after wining

and dining at Ashoka Hotel. I am an eye-witness to it. 'AZADI' by Chaman Nahal, was given this award in place of Nissim Ezekiel, the well known poet of Mumbai. Prof. V. Y. Katak of Baroda University, who was on the panel of experts to select the azad-winning writings, said the Award was given to Nahal under the pressure of a Professor of JNU, who was also on the panel to decide the winners. He had been invited by Nahal to Ashoka Hotel, New Delhi in my presence. These Awards do not mean writers are great.

Nayantara should have returned the Award much earlier when Sikhs were massacred in 1984 or when

many events of violence like the Mumbai bombing of 1993 or the attack on Taj Mahal took place. She was not given the Award by the BJP government. She and her likes are only politicizing the stray incidents which have been taking place – may be on instigation of Congress. The fact is that she and her likes cannot digest victory of the long suffering Hindus of this country. Pundits were not allowed to stay in their own homeland Kashmir. She does not talk of any atrocity on Hindus. Pseudo-seculars are only harming the cause of secularism in India. It has become a hideout of all kinds of anti-national and anti-people motley crowd with dubious achievements.

A. L. Rawal,
3/26, FF, East Patel Nagar,
New Delhi - 110008

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little girls in Delhi, are raped not by strangers, but by people they know. The problem lies inside our houses and neighbourhoods, within our families. No amount of policing or laws can penetrate these hidden spaces where crimes are committed.

The change must begin with the way boys are brought up. Their sense of entitlement, an integral part of the patriarchal system, needs to end. And they have to be brainwashed, if necessary, to accept that women and men have equal rights.

There are no short cuts to ending this violence.

Courtesy: The Hindu

(Continued from Page 8)

and possibly there is more to be seized, is ten times the quantity which is expected to lower the prices. Hence, if the government was strict with traders to begin with such a situation would never have arisen in the first place.

Although the government is trying to control the prices, for example, by selling *arhardaal* at Rs. 120 per kg from 500 outlets of *Kendriya Bhandar* and *Safal* in Delhi, it seldom happens that once the prices rise they do not return to their value prior to the crisis. So, the trader community stands to gain from this situation over all. Narendra Modi has certainly duped the common people with his slogan of *achhe din*.

**Acharya Javadekar
A Satyagrahi Socialist**



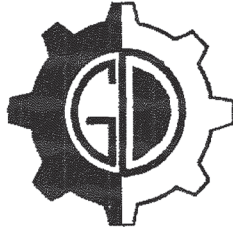
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KuldipNayar

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Bapu Heddurshetti

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Kathmandu connection

S. Viswam

Generalisations concerning international developments are risky since relations between any two countries are seldom devoid of ups and downs. This is particularly true of bilateral relations governing any two countries that are linked either by geography or history. As some wise men have said, one can change or re-write history but you cannot undo geography. The former prime minister Atal Behari Vajpayee put it more relevantly when he said: You can change friends but not neighbours.

India, fortunately, is blessed with a number of neighbours not all of whom are always friendly towards it but most of whom have a healthy and positive attitude towards maintaining, apart from cordiality, mutual respect and goodwill. This necessitates the evolution and maintenance by New Delhi of a goodneighbourly policy that factors the neighbour's sensitivities into a durable relationship targeting mutual benefit and cooperation. Only such countries that are close neighbours know how important for the peace of mind of the citizenry of the two countries is stress-free bilateral relations.

India-Pakistan relations provide a classic example of the kind of

problems that neighbours distrustful of each other can face. It is not only a blessing that the two neighbours manage to live in peace and genuine goodwill for each other without a no-war pact. Ever since partition, the two neighbours, geographically so close but emotionally so distant, have always faced a "touch and go" near-crisis situation. We used the word blessing advisedly since any objective student of the two countries will often conclude that a war is imminent between them at any given point. However, it is to the credit of the people of India and Pakistan that they manage to avoid a war even while living in what seems to be a perennially hostile environment. A wag may say that both countries know that war is futile since both are now nuclear-power nations, but then there is always the danger of cold war belligerence exploding into hot war confrontation.

The South East Asian region offers us a fine example of how neighbours live in peace and use peace to better the lives of their peoples. The ASEAN (Association of South East Asian Nations) is now many years into its functioning as an extremely potent and viable instrument of multi-lateral economic,

Between the Lines

Massacre at Delhi

KuldipNayar

social and political cooperation. India enjoys an Observer Status in the ASEAN. The subcontinent has also institutionalized its cooperative urges into a regional organization of economic cooperation titled SAARC, the South Asian Association of Regional Cooperation. The SAARC is yet to attain its full potential, and is striving to find that key that will open the doors to that objective. The reason oft cited for the SAARC's slow start and progress is that India and Pakistan have taken their animosity right into the SAARC domain and this hinders rapid cooperation. However, the fact remains that SAARC is an agent of development and economic progress that can serve the people of the member countries by acting as the co-ordinator of the multi-lateral endeavours.

Just as institutionalized arrangements have to depend for their efficacy on mutual trust and confidence among the partners, so have the countries they represent have to have mutual trust and confidence. India and Nepal, best of friends in normal times, are currently facing a delicate situation fraught with dangerous consequences, if not brought under control soon. The bilateral relations have been strengthened in recent years following in particular by the highly successful visits of Prime Minister Narendra Modi. India mounted special efforts to reach timely relief and rehabilitation to quake-ridden Nepal. It is unfortunate that the neighbours have squandered away a part of that precious goodwill. They must now set about earnestly to mend fences and restore cordiality.

After the proclamation of the new constitution Nepal has been gripped

(Continued on Page 3)

I was on my way to Peshawar from Lahore to meet Khan Abdul Wali Khan, son of Khan Abdul Ghaffar Khan, the Frontier Gandhi. My friend and I stopped at Abottabad, halfway, to have a cup of tea. The radio continuously blared that Prime Minister Indira Gandhi had been assassinated by her Sikh security guards.

It was a BBC broadcast. The All India Radio announcement came four hours later. There was no question of our proceeding further. But it was too late to catch the flight back to Delhi from Lahore. I had no permission to cross the border on foot.

It was late in the afternoon the following day that I landed at Palam. The airport wore a forlorn look. The two Sikh officers at the immigration counter stood aloof. I could not make out what had happened. A Hindu immigration officer explained that many Sikhs had been killed in the city. (The official figure of casualties was put at 3,000 in Delhi alone.) Hordes of fanatics had been hurled upon the Sikhs to kill them.

I could not imagine how it was possible when the Hindus and Sikhs were so close to each other socially and religion-wise for ages and when the government was in good control. But it had turned out that the government itself was a party to the killings.

The then Prime Minister, Rajiv Gandhi, had reportedly said that his mother had been murdered and

nothing had happened. And after the massacre of Sikhs, he had lamented that when a big tree is felled, the earth is bound to shake. He had no qualms of sorrow.

Rajiv Gandhi intentionally delayed the deployment of the army. I discovered subsequently to my horror that he had stopped even the flag march by the army because he wanted to "punish" the Sikhs. But the police had also been told to overlook the incidents.

After the Nanavati Commission had reconstructed the events in a White Paper, I asked him why he had not named the people responsible for looking and killing the Sikhs, he said it was "so obvious." He did not want to elaborate further.

Indeed, it was not a secret and Justice Nanavati was quite right in not spelling out. His reticence was in order. Even though he had come to the conclusion that Rajiv Gandhi was behind it he, as a judge, could not hold the then Prime Minister guilty without a proper inquiry.

Congress president Sonia Gandhi should have publicly apologized for what had happened to the Sikhs at the hands of her family, headed by Rajiv Gandhi. But Sonia preferred to go to President Pranab Mukherjee to complain about the rise of intolerance. There was nothing wrong in doing so because it is for anybody to see intolerance has increased in the last one and a half years.

There is no doubt that the level of tolerance has come down after the advent of the Narendra Modi government. But it is also true that the liberal elements do not speak out. Their silence is ominous and it is unexplainable why the media should be a mute spectator. The early November is one occasion when the atrocities against the Sikh community should have been recalled and condemned at the joint meeting of the two communities. But even the liberal Hindus did not take the initiative.

The contamination of bureaucracy is obvious. There is tolerance towards minorities but not acceptance. When I was India's High Commissioner at London, I found how the officials behaved. At the High Commission I saw the mission's main gate was kept closed. The security men told me that this was being done to keep the Sikh terrorists away.

The security opened the aperture in the door to see if the visitor was Sikh or non-Sikh. If he were a Sikh, he was told to come through the back door and was thoroughly frisked. I was horrified because the assumption was that the Sikhs were terrorists. I immediately ordered throwing open the gate and the Sikhs were allowed through the main door.

I also found that there was a list of 100 odd Sikhs who were declared by the Home Ministry "undesirable." A Sikh rang me up from Lancashire to request me to issue a visa to his son who was just 12 years old. I asked him why did not follow routine procedure. He said that Sikhs were not being issued visas. I took up the case of this boy and found that his father was listed as undesirable.

Going deep into the case, I found that the father had raised a slogan

"Khalistan zindabad" outside the India House, the mission's office. I found it strange that the sins of father should visit on the son and also felt amused that the father had been blacklisted because he had raised the slogan.

I told the visa officials that if we were to deny visa to the boy, he would definitely become a Khalistani. If he were to go to India, he would see that there were no discriminations against the Sikhs. After visiting India, the boy and his family became the most enthusiastic exponent of the message that he was proud to be an Indian. He had gone all over and found that there was no discrimination against the Sikhs. A fringe element was against the minorities but it had no supporters.

(Continued from Page 2)

by political turmoil. Ironically, this turmoil has claimed Indo-Nepalese ties as its casualty! The constitution has left the Madhesi sections of the population restive. They fear that thanks to the new constitution they and some other sections will find lesser representation in legislatures and other elected bodies. They have been protesting for the last three months and have blockaded Birgunj through which a large quantity of goods and daily necessities enter Nepal. The blockade has adversely affected bilateral ties. Kathmandu has gone to the extent of taking the issue of the blockade to the UN accusing India of supporting the blockade. Last week, an Indian youth was killed in police firing on the demonstrators demanding the restoration of truck movement in Birgunj across from the Indian town of Raxaul in North Bihar. India has protested against the loss of life and demanded that Nepal begin a dialogue with India on ending the

One argument of mine which went home was that the country should be differentiated from the government. The government belongs to a political party or a combination of parties which could be thrown out in elections. But the country belongs to all the people and any harm done to it would affect all the communities, whether they are in the government or in the opposition.

India, as a country, has survived for ages because it has the spirit of accommodation and sense of tolerance. Those who are trying to defeat this idea are really harming the country. Fortunately, the people have awakened to the intolerance which some elements are spreading. This is a positive sign.

crisis. India is willing to offer its good offices in the restoration of peace, while urging that Kathmandu deal with the Madhesi grievances. New Delhi must strive hard to convince Kathmandu not to muddy the situation further before leveling serious charges against New Delhi. India aims for immediate peace and restoration of mutual trust and confidence.

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The delicate task of the collegium

Rajindar Sachar

The Supreme Court having upheld collegium system over the Executive attempt to take over the matter of appointments of Supreme Court and High Court Judges, is now to wrestle with the question of developing a credible mechanism for the same.

This is all the more necessary because of the self-serving statements of the sovereignty vesting in the Parliament (by both B.J.P. and the Congress-led opposition) are muddying the situation. It is the settled law that wherever there is a written Constitution the supreme law is the law of the Constitution and for even Parliament to accept that its powers are limited by the written Constitution is not in any manner to derogate from its sovereignty but only to accept that its sovereignty like the sovereignty of the executive and the judiciary is limited by the written Constitution. The U.S. Supreme Court declared in *Marbury v. Maddison* that the Constitution was the fundamental and paramount law of the nation and “it is for the court to say what the law is”. This was emphasized by Justice Patanjali Shastri as far back as in 1951, when he upbraided the Executive thus; “that we think it right to point out, what is sometimes overlooked, that our Constitution contains express provision for judicial review of legislation, as to its conformity with the Constitution”.

The only way the judiciary can now disabuse an unfair charge that it is self-serving is to make incisive changes in the functioning of the Collegium system. Obviously in making judicial appointments, the

Court cannot act as a Panchayat Chaupal and take decisions sitting in the open. But it also cannot act in a freemasonry way taking decisions totally secretly and to the total exclusion of legal family and the public.

It is in that context that it needs to open wide and let sunlight in before finalizing the appointments. It should thus agree to share the information with stake holders like the public and, legal fraternity especially: in the first instance it should disclose the names being considered on the website and to the concerned Bar Associations. The objectors will have right to raise objections and decision will be taken thereafter. It would be only fair to give opportunity to the candidate who is being considered to meet the objections. Not doing so can lead to, and in fact did lead, to the prejudice of many prospective appointees. Amusingly there is a true incident of this prejudicial implication of how the recommendation a lawyer (now a judge), made years ago, was withdrawn because the Intelligence Report said that he was a ‘Boozer’ (meaning heavy drunkard). No body took the trouble of checking it with him or from others – in fact he was a teetotaler – the unfortunate result was a delay of many years for his appointment.

Not only is there nothing wrong in this course of openness but it is mandatory by law laid down by Supreme Court (in PUCL 2000) thus: “citizen’s right to know is derived from the concept of freedom of expression under Art. 19(1)(a) and the people of the country have

a right to know every public act or everything done in public by public functionaries”. It was pointed out that in a democratic form of government it is the Member of Parliament or an MLA of State Legislature who represents the people of his constituency in the highest law making bodies at the Centre and the State respectively. In order to ensure the purity of elections and transparency to the process of election, the Court directed that people have a right to know about the background of the candidate, his assets, educational qualification, etc.

The same principle *ipso facto* must apply to the judiciary which is another pillar of democracy. The administration of justice is essential for reposing confidence of the people in the judiciary and in democratic values. The persons who are going to administer justice are, therefore, required to be chosen in a transparent manner. People have a right to know about the antecedents of a candidate who is going to administer justice. Antecedents could involve his background, assets, qualification and achievements, which he has made in legal profession and in other walks of life. This will enable people to inform the selection committee about such candidate’s merits or demerits. The transparency will check the tainted appointments as well as the appointments made of kith and kin, near friends and relatives. The performance of an advocate is an act in the public domain. In fact, whatever he/she does as an advocate (or as a judge), is seen by the other members of the bar. It is further clear that information about the antecedents of the

candidate will enable the concerned authority to appoint judges, only after considering various factors on merit, including his honesty and integrity besides the knowledge of law.

There is motivated talk of senior most judge not necessarily being made the Chief Justice. I feel this is a dangerous move - in our context – it will open the flood-gate of Executive maneuvering and petty functioning. I hope the Collegium, as a matter of reaffirmation, repeat the direction No.6 given by Verma J, (in 1993) namely; “Appointment to the office of the Chief Justice of India should be of the senior most Judge of the Supreme Court considered fit to hold the office” is inevitably followed.

It is evident that for such sensitive posts, a broader element of selection mechanism is necessary. To say that to involve persons other than judges in selecting judges will bring in extraneous pressure is too simplistic. This argument proceeds on the assumption that the judges are immune to human frailties while making non-judicial decisions (such as appointments and transfers). This self-glorification is not accepted even by members of the Judiciary, vide expostulation of Justice Frankfurter of the U.S Supreme Court that “all power is of an encroaching nature. Judicial power is not immune to this human weakness. It must also be on guard against encroaching beyond its proper bounds and not the less so since the only restraint upon it is self-restraint”.

And to cap all on this matter listen to our own voices. Thus the former Chief Justice, A. S. Anand, reminded the judges that though “our function is divine the problem begins when we start thinking that we have become divine”.

Historians’ statement against intolerance

Concerned about the highly vitiated atmosphere prevailing in the country, characterized by various forms of intolerance, we, as academic historians and as responsible citizens of a democracy that has greatly valued its inherited traditions of tolerance, wish to express our anguish and protest about the prevailing condition.

Differences of opinion are being sought to be settled by using physical violence. Arguments are met not with counter arguments but with bullets. When a poor man is suspected to have kept a food item that certain sections do not approve of, his fate is nothing short of death by lynching. At the launch of a book whose author happens to be from a country disapproved of by certain groups, the organizer is disfigured with ink thrown on his face. And when it is hoped that the Head of Government will make a statement about improving the prevailing conditions, he chooses to speak only about general poverty; and it takes the Head of the State to make the required reassuring statement, not once but twice. When writers after writers are returning their awards of recognition in protest, no comment is made about the conditions that caused the protest;

instead the ministers call it a paper revolution and advise the writers to stop writing. This is as good as saying that intellectuals will be silenced if they protest.

This is particularly worrying for us as historians as we have already experienced attempts to ban our books and expunge statements of history despite the fact that they are supported by sources and the interpretation is transparent. What the regime seems to want is a kind of legislated history, a manufactured image of the past, glorifying certain aspects of it and denigrating others, without any regard for chronology, sources or methods of enquiry that are the building blocks of the edifice of history.

We would therefore urge the state to ensure an atmosphere that is conducive to free and fearless expression, security for all sections of society and the safe-guarding of the values and traditions of plurality that India had always cherished in the past. It is easy to trample them down, but it is important to remember that it will take too long and will be beyond the capacity of those who are currently at the helm of affairs, to rebuild it once it is destroyed.

Professors Romila Thapar (New Delhi), **Irfan Habib** (Aligarh Muslim University), **M.G.S.Narayanan** (Kozhikode), **K.N.Panikkar** (Thiruvananthapuram), **Y.Subbarayalu** (Pondicherry), **B. D. Chattopadhyaya** (Kolkata), **D.N. Jha** (Delhi), **B.B. Chaudhuri** (Kolkata), **J. V. Naik** (Mumbai), **K.M. Shrimali** (Delhi), **Neeladri Bhattacharya** (JNU), **Kumkum Roy** (JNU), **Shireen Moosvi** (Aligarh), **Indu Banga** (Chandigarh), **Rajan Gurukkal** (Bangalore), **B. Surendra Rao** (Mangalore), **A.R.Venkatachalapathy** (Chennai), **M.R.Raghava Varier** (Tirur), **Arun Bandopadhyaya** (Calcutta Univ.), **K.L. Tuteja** (Kurukshetra), **Sanjay Subodh** (Hyderabad Univ.), **Nayanjot Lahiri** (DU), **Upinder Singh** (DU), **Amar Farooqui** (DU), **Gopinath Ravindran** (Jamia Milia Islamia), **Farhat Hasan** (DU), **Sunil Kumar** (DU), **R.P. Bahuguna** (Jamia Milia Islamia), **Ruby Maloni** (Bombay Univ.), **Kesavan Veluthat** (DU), **B.P. Sahu** (DU), **Manjiri Kamat** (Bombay Univ.), **Anshu Malhotra** (DU), **Aditya Mukherjee** (JNU), **Mridula Mukherjee** (JNU), **Rakesh Batabyal** (JNU), **R. Mahalakshmi** (JNU), **Radhika Singha** (JNU), **Biswamoy Pati** (DU), **Suchandra Ghosh** (Calcutta Univ.), **Sushmita Basu Majumdar** (Calcutta Univ.), **Bishnupriya Basak** (Calcutta Univ.), **Radhika Seshan** (Pune Univ.), **Prabhu Mohapatra** (DU), **Charu Gupta** (DU), **Sanghamitra Mishra** (DU), **Aparna Balachandran** (DU), **Rahul Govind** (DU), **Yasser Arafat** (DU), **Manu V.Devadevan** (Mandi), **Ranabir Chakrabarti** (JNU), **Rajat Datta** (JNU), **Umesh Ashok Kadam** (JNU).

Puraskar Vapasi

A letter to the Chief Minister of Maharashtra

Abhijit Vaidya

I am trying to answer Ghar Vapasi (Return Home) slogan given by your ideological family believing in Hinduism by my Puraskar Vapasi (Return the Award). I am also returning the award money. My travelogue 'Shalom Israel', based on my experiences during my stay in Israel, was conferred this prestigious award for Best Literary Prose, 1999-2000, by Maharashtra State Government. I got a unique opportunity to observe Israeli society for few months when I got scholarship to complete higher post-graduate training in cardiology. Though the book was a travelogue I got a pleasant shock when the award was given in Best Literary Prose category. It showed deep literary understanding of the selection committee. I am thankful to the committee for the same and hope they will understand me. It was a portrayal of my philosophical journey disguised as a travelogue. During my stay I searched for an answer to the question whether a nation can be built on one religion. I came to the conclusion at the end of my stay that it cannot be. A nation can only be built on the foundations of mixed culture culminating from people of various religions, races, creeds, languages and in our country castes. Such a nation can only give justice to all, achieve economic development and become powerful.

Today the situation in our country is exactly opposite. The ideological family, you and your prime minister belong to, is openly talking the language of Hindu Rashtra (Nation). Anybody who is perceived as a

philosophical threat to this idea is murdered in broad daylight. Language of Dharmyudha (religious crusades) is used. Mass hysteria is created and mobs are instigated to kill people of minority communities as it happened in Dadri. Those who are ready to sacrifice their lives for propagating social change are labeled as ideological terrorists. Your political ally here, sharing power with you believing in stone pelting and hate politics, publicly says that only identity of Prime Minister Modi is Godhra carnage. Their idea of patriotism and bravery is only limited to smearing faces of weapon-less people with black ink. They should have shown guts to blacken the face of Mr Kasuri, ex-foreign minister of Pakistan, if they held him responsible for Kargil war. Kill Mahatma Gandhi when you have no guts to kill Barrister Jinha, real culprit of India's partition, is the strategy! Of course I do not justify these actions. I believe in a culture which motivates our organization, Arogya Sena (Health Army) to go to any corner of our country during natural disasters, shoulder to shoulder with Indian Army, risking our own lives to wipe the tears of the people hit by disasters. This is our definition of bravery and patriotism. Your ideological family, believing in Hinduism has become blind with saffron arrogance. This is more dangerous than economic disaster brought to us by globalization and privatization.

But while inflicting this disaster of communalism your government at the centre is destroying lives of

the poor in the name of development giving hallow slogans of Make in India and Digital India. I think you understand the meaning of prices of Dal crossing Rs 220 per kg and number of farmers' suicides crossing 2000 in the last year. Deafening noise of saffron hooliganism is masking the shrieks of the widows of these farmers.

I am sociopolitical worker nurtured by Rashtra Seva Dal and Socialist ideology. Socialists in India and soldiers of RSD have a long tradition of sacrifices for our country. I belong to the ideological family whose two great leaders Jayaprakash Narayan and Dr Rammanohar Lohia's names are taken by your Prime Minister with great reverence. We also consider ourselves followers of Buddha, Mahatma Gandhi and Mahatma Phule's philosophy. We are humble products of this glorious tradition of democratic socialists. Since my childhood I have participated in many battles fought by our ideological family, to name a few, anti-inflation agitation, anti-Emergency agitation during Indira Gandhi's period, anti-globalization war. I have publicly condemned anti-Sikh riots in Delhi, Babri demolition, Godhra carnage, atrocities against women and minorities. I myself have led many agitations against corruption, food adulteration, pollution, tobacco, government's apathy towards public health, nuclear energy, etc. I was arrested with my followers while protesting against milk adulteration. I have never hesitated to come on the streets for our people. Thus I am returning my

literary award publicly standing on the street. Other writers may not be able to do this. But, I appreciate all the writers who have returned their awards. The history of the world says that whenever any society faces danger of fascism and communalism writers, academicians, artists turn their backs and plead ignorance. On the background of this fact it is appreciable that writers in India are returning their awards in protest of communal hatred and attempts to strangle democracy, freedom of expression. This movement of Puraskar Vapasi is a non-violent way to protest, it is a kind of Satyagraha, a weapon of non-violence given to us by Mahatma Gandhi. I am proud to be part of this movement. This novel Satyagraha has kindled the hope of reviving the secular, tolerant and pluralistic core of our nation. It does not matter who has given these awards and when were they given. The question why they were not returned previously when many incidences warranted protest, is also irrelevant. Please remember that never in the history of post-independent India real Indian culture and democracy were so much in danger. Your own people are out to change the history of this nation with blatant lies and may be even geography! Your people have always laughed at non-violence. But we firmly believe in it and would follow it even though answered by any kind of violence. I hope this will bring your people to their senses. Otherwise whoever loves this great nation will have to come on the streets to save it!

The letter written by the President of Arogya Sena was read out in a public meeting in Pune before sending it to the Chief Minister has been translated from Marathi by the author.

Accidents- a leading cause of human distress

Bharat Dogra

Accidents are a leading cause of human distress. One indication of this is that over 3.5 million people die in a typical year in the entire world from various kinds of accidents, while the number of serious injuries caused by accidents is many times more. Some of these injuries are of a nature that, over a period of time, these may end up causing even more distress than sudden deaths.

Taking the average for some recent years, the available statistics suggest that the number of fatalities from all accidents is much higher than total deaths from homicides, suicides, war and civil strife all combined. The latest available factsheet prepared on this subject by the World Health Organisation (WHO) tells us that among the various causes of death by injuries, over 50% were caused by accidents while 29% were caused by suicides, homicides and war combined together. 21% were caused by other injuries (these again include some accidental deaths).

Of course the situation can change in a particular year if war and strife related fatalities go up suddenly, but then we should not forget that in the case of catastrophic accidents also like Bhopal and Chernobyl, accident related fatalities too can increase very suddenly.

Exact comparisons become a little difficult as the category of 'other unintentional injuries' in WHO data is not well defined. If we assume that about one-third are accidental

deaths (such as deaths caused by choking, asphyxiation, injuries from machinery, etc.) then we have the startling statistics that at the world level, over 3.5 million deaths in a year are caused by all accidents taken together, while the number of deaths from suicides, homicides and war together is about 1.6 million. (Table 1).

Table 1- Approximate number of accident deaths in one year (in millions).

Road Accidents	1.3
Falls	0.5
Drowning	0.5
Fires	0.4
Poisoning	0.4
Others	0.4
Total	3.5

This is just one indication of the high distress levels caused by accidents. In addition we should remember that serious injuries caused by accidents are many times greater than fatalities. As the WHO says, "The millions of deaths that result from injuries represent only a small fraction of those injuries. Tens of millions of people suffer injuries that lead to hospitalization, emergency department or general practitioner's treatment, or treatment that does not involve formal medical care."

Serious injuries apart from being very painful can cause disability for varying lengths of time. Their treatment can be very expensive in countries lacking good public health facilities. These can impose a heavy burden on family members and caretakers, apart from the pain and disability suffered by the victim.

In the case of occupational injuries, the number of injuries is particularly higher compared to fatalities- the available data shows about 120 million accidents in a year while fatalities are about 2,00,000 to 3,00,000. Thus in the case of occupational accidents, injuries are likely to be several hundred times the fatalities.

However for all accidents taken together we may take the conservative estimate of 20 serious injuries per fatality. This gives us a figure of 70 million serious injuries caused by all kinds of accidents in a year.

A serious accident affects not just the direct victim but also the victim's family, close friends and dependents. As a conservative estimate, we may say that about 8 persons are affected indirectly to a lesser or greater extent per fatality and serious injury. Thus about 560 million people, including actual victims, are likely to be affected directly or indirectly in a serious way by accidents in a typical year. This may well be an under estimate keeping in view the assumptions made.

As the mortality or serious injury caused by accidents is so sudden, this is likely to be much more painful, traumatic and difficult to come to terms with compared to mortality and disability caused by long-term illness and disease. The emotional distress and coping problems are likely to be much more in the case of accidents.

Children and youth

An important and related factor that greatly increases distress and mental health problems is that the percentage of younger people affected by accident related mortality is very high. This is evident from

Tables 2,3,4 and 5 (latest classified data for 2004)-

Table 2- Children killed in various accidents (Age-group 0-4)

Type of accident	Number of deaths
Road traffic injuries	56,778
Drowning	58,467
Fire related burns	46,656

Table 3-Children killed in various accidents (Age group 5-14)

Road traffic injuries	1,09,905
Drowning	77,117
Fire related/ burns	26,703
Falls	17,862

The cruel tragedy is revealed most shockingly in the case of accidents related to children. It is unbearably sad to know, for example, that in the category of children below 4 years of age, as many as 46,656 children die from fire related burns. As just a single death of a child caused in this way can be extremely painful to comprehend, it is unbearably painful to multiply this tragedy 46,000 times to have an idea of the tragedy caused among children by a single type of accident alone. It is again extremely hard to accept the fact that as many as 1,66,000 children (0-14 age group) are killed in road accidents in a year.

Accidents also take a very heavy toll of young lives, as is evident from tables 4 and 5. It is disturbing to note that in the age group 15-29 years, road accidents constitute the number one cause of mortality. As many as 3,35,805 youths in this age group die in one year from road traffic injuries alone. In the same age group 89,434 youths die from drowning while 84,983 youths die even more painfully from fire related burns. In addition, 55,139 die from poisoning.

Table 4- Deaths caused by some types of accidents

(Age group 15-29)

Type of accident	Number of deaths
Road traffic injuries	3,35,805
Drowning	89,434
Fire related burns	84,983
Poisoning	55,139

Table 5- Deaths caused by some type of accidents

(Age group 30-44)

Road traffic injuries	3,29,142
Poisoning	87,576
Fire related- burns	67,338
Drowning	62,683

It is also disturbing to know that while in the age group 5-14 there are 26,703 deaths from fire related burns, in the age group 15-29, these increase by more than 3 times to 84,983. One would have thought that maturity in age would equip them better to protect themselves from serious burn injuries but this is evidently not the case as mortality escalates rapidly (to over three times) in the course of transition from age group 5-14 years to 15-29 years. The explanation for this is probably in high rate of industrial accidents.

In the course of this transition between two age groups, road traffic deaths also increase sharply by more than three times. Mortality related to drowning also increases but less steeply.

In the age group 30-44 road accidents mortality remains at about the same high level as the age group 15-29 while the deaths caused by poisoning increase dramatically from 55,139 to 87,576.

These statistics also indicate that regarding all deaths caused by road traffic accidents almost three

fourths of the deaths are in the age groups below 45 years. This draws attention to the greater distress and economic costs of accidents due to the victims (of mortality, serious injuries and disability) being more concentrated in the younger age groups.

Higher risks to poorer people

According to the WHO, more than 90% of deaths that result from accidents as well all other injuries occur in low and middle income countries.

Within various countries, poorer people are more at risk. A child from the lowest social class in the UK is 16 times more likely to die in a house fire than one from a wealthy family. In countries like India poorer people like pedestrians and newcomers to cities including migrant workers and their family members are more exposed to road accidents - many homeless people and footpath dwellers have been hit repeatedly by speeding vehicles. Many slum-dwellers including children live in very close proximity to busy vehicular traffic.

Clearly accidents are responsible for very large scale traumatic distress. Perhaps the most important aspect of this distress is that this can be reduced to a very significant extent by careful planning and effective implementation. As the WHO says, "Evidence from many countries shows that dramatic successes in preventing injuries (including accident related injuries) and violence can be achieved through concerted efforts that involve, but are not limited to the health sector." This tremendous potential to reduce accidents should be pursued with great care and determination.

Three murders and a lynching

Ram Puniyani

Laws of nature cannot be applied to human society so directly. Still sometimes these have been used to explain-justify social catastrophes, "When a big tree falls. Earth shakes (in the aftermath of anti-Sikh massacre 1984), 'every action has equal and opposite reaction' (during Gujarat carnage of 2002) are too well known. I have been very puzzled since last month or so as the scholars-writers, who have returned their honors and are being questioned as to why they did not do so when Emergency happened or anti-Sikh violence took place or when the mass migration of Kashmiri pundits took place or when the Mumbai train blasts killed hundreds of innocent lives. I am tempted to think of the laws of physics of 'qualitative transformation' during heating or cooling of water, the temperature remains the same but water becomes either steam or ice.

When Dr. Dabholkar, Com Pansare and then Prof. Kalburgi were killed over a period of months, the danger signals started being perceived but still it took the beef lynching of Mohammad Akhlaq to give a message that something has drastically changed in the society and the spate of returning of Sahitya Academy, National and State awards followed in quick succession. Their protest was against the rising intolerance in the society. The incidents that followed and ran parallel to these 'award-returns' were equally horrific. The killing of a trucker on the assumption that he was carrying

cows for slaughter; beating of an MLA in Kashmir Assembly by BJP legislatures and the scattered incidents of attacks on Muslims on the ground of beef consumption are too striking. We are currently facing a situation where anybody can incite the violence by just uttering the word *beef*, while seeing mutton or some such thing. We are living in an atmosphere where cow cannot be shooed away even if she is blocking the traffic.

The viciousness of atmosphere is not lost on the social perceptions. The insecurity of minorities has gone up by leaps and bounds. One knows that since the present NDA regime came to power all those 'spewing hate' are working overtime. For one Akbaruddudin Owaisi there is an army of Sakshi Mahraj, Sadhvis, Yogis and what have you. This army, of mostly saffron robed or the one's with the association with Hindu Nationalist politics, has high position within their political combine, which is known as Sangh Parivar. The Prime Minister himself had exerted the Hindu youth to emulate Maharana Pratap to save the honor of Mother Cow during the election speeches. During this period of last over one year, words like *Haramjades* (illegitimate) have been used with gay abandon. On the mere suspicion, a Pune techie Mohsin Shaikh was done to death. Serial attacks on Churches were passed off as thefts, the love jihad bogey was kept alive and the likes of Yogi Adityanath, the top BJP leader from UP, stated that for

every one Hindu girl marrying a Muslim, Hindus should bring 100 Muslim girls. Muslim youth have been barred from participating in festivals like Navaratri. Mukhtar Abbas Naqvi, the BJP's Muslim face, advised those wanting to eat beef to go to Pakistan. The glorification of Mahatma's killer Godse has been stepped up and temples are being planned in his memory, while a BJP MP from Kerala stated that Godse was right but he chose a wrong target. Atmosphere of communal violence has gone up in a big way during the preceding year.

Even after the awards started being returned the BJP leadership looked down upon the writers/scholars and overlooked the phenomenon which has led to the returning of awards. To mock these writers *Buddhi Shuddhi Puja Path* (purification of intellect ritual) has been organized and BJP spokespersons are humiliating them in talk shows with all their ferocity. To cap it all the Haryana Chief Minister, an old RSS *Pracharak*, said that Muslims can live here but only if they give up eating beef. No doubt the BJP Chief Amit Shah has talked to some of these leaders behind the closed doors, but that does seem to be a mock drill as the leaders concerned did say that they went to meet their chief for some other reasons and none of them tendered any serious apology.

Disturbed by what is going on, the President Pranab Mukherjee, on three occasions, urged the nation to uphold pluralism, the core civilizational value of the country and to uphold tolerance. The Vice President Hamid Ansari reminded the Government that it is the duty of the state to uphold the 'right

to life' of citizens. The index of the changing social atmosphere is reflected by the statements of two outstanding citizens of the country. Julio Reibero, the top cop, expressed his pain and anguish by saying that "as a Christian suddenly I feel stranger in my own country." And the renowned actor Naseeruddin Shah had to point out that "Have never been aware of my identity as a Muslim until now."

These are not ordinary times. The values of pluralism and tolerance have been pushed to the margins. With this Government in power all the wings of communal politics, the RSS affiliates, have unleashed themselves in full blast. Communalism is not just the number of deaths due to violence, it is much more. The foundation of this violence begins with the manufacture of perceptions about the religious minorities. These perceptions based on history and some selective aspects of present society are given an anti-human tilt and interpretation. This is used to create hatred for the minorities and that's where the communal elements can unleash violence either as a massive violence like Gujarat or Mumbai or Bhagalpur or Muzzafarnagar or the one in Dadri. This creates the divide in society which over a period of time is converted into polarization. And polarization is the foundation of electoral strength of a party wanting a nation in the name of religion. As per a Yale study, the communal violence is the vehicle which strengthens BJP at electoral level.

Communalism has been planted in India over a century and a half ago. The British policy of 'divide and rule' used communal

historiography as a major weapon. This type of interpretation of history was picked up by communal organizations and given an anti-Hindu or anti-Muslim tilt and gradually this has been strengthened after every act of violence which has been the outcome of their politics. The present phase is the one where the cup of communalism is spilling out from its earlier levels or boundaries. The intensity of 'hate', constructed around temple destructions and the love jihad has been supplemented by the oft used tool of beef. In the present situation where the divisive elements, who are in the center stage of politics also know that they are safe and secure as the present Government precisely wants what they are doing, their contrary posturing not with standing.

The present combination of the Government, guided by the ideology of Hindu Nationalism and the 'fringe elements', having the same ideology, has a vast network with a wide reach. This party has the advantage that mostly it does not have to dirty its hands in the local agenda of sectarian nationalism, and so there are many elements which can do the local work for dividing the society. The so-called fringe elements now are occupying the center stage, and so the 'qualitative change' in the situation. The flood of awards being returned is due to the situation created by deeper communalization of society. This is manifested in growing intolerance, attack on plurality and is leading to the insecurity of minorities, which has qualitatively transcended the earlier limits. The question is how to uphold the values of Indian Constitution in the current times?

Socialists and Royists

A saga of love-hate relationship

Bapu Heddurshetti

From amongst the leaders of the Congress Socialist Party (CSP), formed in 1934, Acharya Narendra Deva, Jayaprakash Narayan, Nanasaheb Goray and many others were Marxists. Minoo Masani and Asoka Mehta and some others were democratic Socialists. They had formed the CSP inside the Indian National Congress because they were also nationalists and patriots and wanted to participate in the freedom struggle. However, their conviction of Marxism made some of them long for unity of all the Socialists including the Royists and Communists. While Jayaprakash Narayan was more eager for left unity, Acharya Narendra Deva was more careful and cautious. It is because of these leaders that the party had accepted Marxism as its creed.

The CSP had stated in its third conference at Faizpur very clearly that, "In the conditions of India, the conscious leadership of the anti-imperialist movement falls on the Socialist forces. These forces are unfortunately still divided". Acharya Narendra Deva had said, "The Socialists desire to build up a powerful anti-imperialist front to achieve independence of the country and to establish a democratic regime wherein the economic life of the people would be organized on Socialist lines. The realization of these objectives demands unity in Socialist ranks. The C.S.P. has from its inception strived for unity of all Socialists."¹

After his expulsion from the Communist International in 1929 M. N. Roy had formed his own group of Marxists in India in 1931. However he was arrested on 21 July 1931 in Bombay on an arrest warrant issued in 1924 and on 9th January 1932 sentenced to 12 years of rigorous imprisonment. The High Court of Allahabad reduced his sentence to 6 years.

Charles Mascarenhas who was a Royist, was in Nasik Jail along with Jayaprakash Narayan and Nanasaheb Goray where establishment of the CSP was planned. S. M. Joshi who later became the Chairman of the Praja Socialist Party was also a Royist. During Roy's incarceration, the Royists had joined the CSP. The Royists participated in the Patna Convention in May 1934 where the Socialists decided to form a party and in the Bombay Conference in October 1934 where the CSP was launched.

"For a considerable period of time, many members of the Roy group took a prominent part in the activities of the Party and held leading positions in it. In the course of time every known member of the group, with rare exceptions, was absorbed into the Party. Thus the Party was able to fulfil a substantial part of its task of bringing about Socialist unity in the country."²

Roy had great influence on many Indian leaders including Jawaharlal Nehru and Subhashh Chandra Bose. Jayaprakash Narayan also

developed an admiration for Roy and his ideas. He said that "in my own progress towards Socialism, Mr. Roy's contribution was next only to that of the Marxian classics."³

"Some time before the Meerut Conference, (held from 19th to 20th January 1936) an alleged Royist Circular was discovered in which members of the group were exhorted to attempt to liquidate the CSP. This circular was subsequently repudiated by the chief spokesmen of the group who assured the Party that it was a spurious document and did not represent the policy of the group, which was definitely to develop and strengthen the CSP. Members of that group assured the Party, of their loyalty and their readiness to tow its line."⁴

After Roy's release from the prison on 20th November 1936, Nehru invited him to take rest in Anand Bhavan in Allahabad where Jayaprakash Narayan met him in November 1936. After meeting Roy at Allahabad Jayaprakash Narayan came out with the impression that Roy had 'friendliest feelings for the CSP and will be glad to lend it his cooperation'.⁵ Later Jayaprakash Narayan said that M. N. Roy had even expressed a desire to join the CSP.

Royists also influenced the CSP in many ways. When the third conference of the CSP met at Faizpur from 23rd to 24th November 1936, and elaborated its policy, the Royists unanimously

voted for the resolutions passed in the Conference. Though Roy did not participate in the Conference, he was present in Faizpur when the Conference was going on and was in constant touch with what was going on. It is with the implicit concurrence of Roy that the Royists had voted for the resolutions.

Roy had advocated the convening of a Constituent Assembly for framing Independent India's Constitution in juxtaposition with the demand of the Communists for forming Soviets. Royists wanted the CSP to include the demand for Constituent Assembly in their program. Socialists also were in favour of the same. The task of the party as mentioned in 'The Plan of Action' "was to secure the acceptance by the Congress of the 'object and program of the Party'. Leading members of the party soon realized the need for a change on this point. Royist criticism played a part in strengthening this view. Accordingly the National Executive adopted a thesis in which it made clear that the task of the party was not to convert the Congress into a Socialist body but into a more consistent and real anti-imperialist organization."⁶

After his stay in Allahabad, Roy returned to Bombay. "After Mr. Roy went to Bombay he issued certain statements and made certain remarks in his speeches which appeared as veiled attacks on the CSP. But when the General Secretary (Jayaprakash Narayan) saw him at Bombay and drew his attention to the misunderstanding created by his remarks, he said that he stood by every word he had said at Allahabad. When questioned specifically about the conduct of the Royist members of the Party, he

gave a definite assurance that they would loyally carry out the Party's policies".⁷

In an interview to the Press which was published in the Bombay Chronicle dated 23rd February 1937, Jayaprakash Narayan said, "There are differences between our Party and M. N. Roy, but in spite of these differences, there is a keen desire on both sides to work together and co-operate fully in furtherance of the anti-imperialist movement. As to the differences, it is difficult to say what will ultimately happen. But I hope they would be gradually resolved and we may be able to work as if we belonged to the same organization or one party. On my part there would be a constant attempt to minimize differences and to keep the points of agreement in the forefront."⁸

However, there were sharp differences between the Socialists and Roy. Acharya Narendra Deva summarized the differences between the Socialists and Roy: "Their main difference with Comrade Roy and his followers consists in their approach towards and Congress and the question of the leadership of the national movement."⁹

According to the Socialists, 'Roy felt that Gandhian technique is defective and incomplete; that the present leadership of the Congress is incapable of waging a relentless struggle for freedom and that unless the leadership is changed nothing can be done; that we should not start an immediate struggle but try to change the Congress leadership as a preparation for turning the Congress into a fit instrument of revolutionary struggle'. Socialists were totally opposed to each of these formulations. They also did

not take kindly to Roy's suggestion that the Congress Ministries should not withdraw from provincial administrations as the resultant suspension of the Constitution¹⁰ will lead to the curtailment of civil liberties. They were also critical of Roy's stand to support the British against the Germans in the Second World War provided they agreed to enlarge the powers of the provincial Governments, grant adult franchise and full rights of citizenship for the people of the princely States.

Roy did not want the CSP to be within the Congress, as he felt that 'Socialism was not the issue at the moment; that the label of Socialism will stand in the way of radicalizing the Congress; that by remaining in the Congress a Socialist Party will suffer a great deal on account of the discipline of the larger body'.¹¹ Roy also said that an open Party ran the risk of becoming a reformist party. However the Socialists did not agree with any of these formulations also.

Socialists said that "In fact Mr. Roy says that Socialist propaganda is essential. If that is so, can it not be done better by an openly functioning Socialist Party? The work of the Socialist Party has produced a universal impression today that Socialism is synonymous with freedom from exploitation and hunger. The Socialist label, far from being offensive, has become synonymous with 'friend of the poor and downtrodden'. In India the condition of the masses is such and the conditions of Imperialist exploitation are such that they do not leave much room for reformism. No political party in touch with the masses and with their struggle for freedom can thrive on reformism. The CSP is an independent political party and has no connection as such

with the Congress. All its members, however, are Congressmen and are bound by its discipline. This is the only limitation the Party suffers from and in the present situation it is an inescapable and even desirable limitation.¹²

In July 1938 there were press reports that Roy had suggested the liquidation of the CSP. Replying to the reports Acharya Narendra Deva said in a statement published in *The Leader* dated 20th July 1938 that, "The press message to the effect that some leaders of the CSP are seriously thinking of liquidating the party has no foundation in fact. There has never been any such intention on our part, nor any left-winger outside the CSP including Comrade Roy, approached us in the recent past with such request. No memorandum has been prepared by Jayaprakash Narayan, Mrs. Kamaladevi Chattopadhyaya or myself which has been circulated among Congress Socialists for eliciting their opinion on the question."¹³

These differences gave rise to serious recriminations and bitterness. Socialists had similar and bitter experience with the Communists. It made Jayaprakash Narayan say "I don't have any faith in the so-called Left Unity. I don't want to experiment with it again."¹⁴

In spite of these differences, the Royists continued in the party till Roy finally advised them to quit the party. Thereafter the Royists, at the time of the National Convention of the CSP at Delhi "decided upon mass resignations. These mass resignations were soon carried out."¹⁵ Thereafter Royists formed their own 'Radical Democratic Party'.

However, Jayaprakash Narayan never mixed his politics with personal relations. For example, he was critical of Prime Minister Jawaharlal Nehru but was equally friendly with him and always referred to him as 'Bhai' – 'brother'. When Roy died in 1954, Jayaprakash Narayan issued a statement and said, "In the death of M. N. Roy, India has lost one of her great sons. In the international Communist movement he had held the highest position in the oriental section, and was the closest Asian associate of the great Lenin. When that movement began to degenerate into imperialistic expansionism Mr. Roy had the rare courage, at the risk of his brilliant career and even his life, to expose it at the highest levels. Not only India, but the world society needed his intellectual leadership at this moment."¹⁶

Roy's wife Ellen wrote a very emotional reply in response to Jayaprakash Narayan's statement. She said, "It had been one of his last joys that you came to see him. He had been looking forward to the talks you were going to have, the very prospect of which was a confirmation to him of his vision that fruitful social change in our time must result from the penetration and movement of ideas...."¹⁷

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Three ministers defending the Prime Minister

Presuming that the award-returning writers had targeted the Prime Minister, three Central ministers, Rajiv Pratap Rudi, Nirmala Sitaraman and Arun Jetley, issued statements on 14th October, condemning the acts of the writers of returning awards to the Sahitya Academy/State Governments to express their anguish over the ghastly killings of the great Kannada writer Kulburgi and Alfaq. The latter was murdered by a frenzied mob incited by the announcement on a loudspeaker by the pujari of a temple in the village Bisada in Dadari district, saying that the person had cooked beef and ate it. It has been reported that the pujari was forced to make that announcement by a group of activists belonging to BJP. In case they had that kind of suspicion, they should have lodged a complaint with the police and the law would have taken its course. Taking law into their hands and executing the suspect is totally unlawful and highly inhuman. It had evoked strong resentment amongst a vast majority of people

from many corners of the country. Similar reaction was evoked due to the sad incident at Mumbai forcing the cancellation of a gazal recital programme by the great musician Gulam Ali, just because he hailed from Pakistan. Shiva Sena, an ally of BJP, was the agent provocateur. People at large and the award-returning writers are pained by the rowdy acts committed by the Hindutva organizations, not by government. Why should such expressions be condemned? Those who do not agree may just keep quiet. It is not good to berate the writers' refined sensitivities.

It seems the three ministers and their boss got so exasperated because the people were unhappy over first, the silence, and then vague words of Narendra Modi. He was expected to express unhappiness over the wrong-doings of the organizations concerned. Instead, he tried to turn the tables on the U.P. Government, which is controlled by a party which is opposed to him. He

indulged into petty party politics. People would have judged him on what he said. Why the three ministers jumped in the fray?

Words of the statement of Arun Jetley in particular are highly objectionable. "Manufactured reactions over manufactured crisis". What does he mean? It is obvious that he does not think killing of a person by a mob is a serious incident. That nobody should feel worried, just because it has been committed by his party men. And they can do no wrong!

And how can the acts of the writers be termed as 'manufactured'? Jetley is challenging their sincerity and bona fides. Very bad. Is Jetley out of his senses?

Leaders of the Hindutva parties becoming more and more arrogant bodes ill for them more than for the nation.

– Pannalal Surana

India belongs to all its inhabitants

Jayaprakash Narayan addressed the Rashtreeya Swayamsevak Sangh on 15 April 1960 at Patna. Here is a brief report of the same as reproduced in Volume 8 of Jayaprakash Narayan: Selected Works, edited by Bimal Prasad – – – Bapu Heddurshetti

India belongs to all those who live in it and not only to one community professing a particular faith. I do not agree with the aims and objects of the (Bharateeya Jana) Sangh. But I would concede that it has made some contribution in the character building and disciplining of youths.

It is not my business to find fault with others. I also do not want to magnify differences. But I would like to make it clear that the song "Yeh Desh Hamara Hai" (this country is ours) means that the country belongs to all those who live in it and not to persons professing a particular faith.

It does not matter who came to this country first and who came later. All those who live in India are Indians. It is necessary to remember that India is a country of many religions and languages. Even people professing the same faith are quarrelling among

themselves and impairing the unity of the country. In this connection I would like to mention the name of Mr. Ramaswamy Naiker, leader of the Dravida Kazhagam, who, though a Hindu, is burning the pictures of Shree Ram. These are bad signs. Some people are also saying that they would not tolerate Hindu imperialism. It appears sometime that the people of this country are sitting on the crest of a volcano. It is therefore necessary to underline the imperative need for unity despite differences of religion and languages.

– Janata

Letter to the Editor

Platform for Socialist institutions

The new platform that has been created, to be sure, is a great idea: an initiative to set up mechanisms or a platform for interaction, bonding, and solidarity among socialist organisations. India is a big country, and a good many progressive organisations are working across the country. Periodic mingling of such organisations will generate energy, hope and enthusiasm. Setting up an executive committee (EC) is also a good idea. The EC can plan joint activities on an agreed set of issues. We propose Association for Democratic Socialism (ADS) set up in 1979 to be a part of it.

This platform should work under three broad heads - building organizations; mobilisation of resources - human, social and financial - in a progressive way; ideological, intellectual and policy issues. It should meet periodically, at least twice a year, the second EC meeting coinciding with a General Body of member organisations.

Since we were not there in the meeting in Tara, we thought we share our ideas with you, which of course, should not impinge on whatever you may have decided.

A Note on how socialist organisations are different

Socialist organisations are democratic, inclusive and egalitarian. Their organising principles emanate from their ideological values- liberty, equality, justice and solidarity. The additional values they adhere to are honesty, integrity and transparency. A socialist organisation will eschew rankism, and treat everyone with dignity, although the functionaries will be

differentiated or graded commensurate with their responsibilities and accountability. The leadership of the organisation should purely be on the merit of the person. This is decided by a committee of seniors or of “wise men and women” who compare a few individuals and select the best. So there is no election for leadership, but a selection in a democratic method.

The socialist organisations in India/Asia/Africa/LA are not functioning on any identifiable principles. Their iniquitous, hierarchical, and patriarchal culture impinges on political and social organisations which are marked by feudalism, casteism, nepotism and dynasticism. Socialists in the past, not now, have fought against such practices, but could not replace them with any solid organising alternative. What was worse, they practiced the personality cult where it became bigger than the organisation. We should not forget that any ideology held by an individual however big it may be, becomes credible and viable only when it is shared democratically by majority in the organisation. Any ideology which is individualistic tends to be self-righteous, not good for the public. All issues must be dealt with and decided democratically, through dialogue.

The biggest challenge therefore is to build an organisation, evolve a commonly shared ideology, and initiate a new political culture that may draw partly on Indian culture, but not be subsumed by it.

Warmly

– Dr. D.K. Giri

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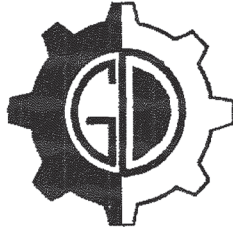
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Identity of Indians

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Pataliputra calling

S. Viswam

The results of the Bihar 2015 assembly elections came out Sunday last and already much has been said and written on the outcome, and thanks to the special features marking the polls much more is bound to be said and written in the months to come. Bihar is sure to be a reference point in any debate or discussions on elections in India. At least till the next round of assembly elections in 2017 for four or five states. The Bihar polls could well be a trendsetter for those polls.

Whenever polls in Uttar Pradesh or Bihar are mentioned, the single point that is stressed is that caste is a prime feature in the voting patterns and trends. Indeed, all parties have acknowledged that ignoring the caste factor in electoral calculations has cost them heavily. The Bihar poll has not changed anything in this respect. Caste has played a major role again and the BJP-NDA have to thank their debacle to their miscalculation of the caste factor. And, we can safely assume that caste will be a factor to be reckoned with in the UP polls in 2017.

The first notable feature of the outcome is that the Mahagathbandhan (Grand alliance) of Nitish Kumar (JD-U) and Lalu Prasad

Yadav (Rashtriya Janata Dal) - with the Congress also wagging its tail somewhere there - secured a two thirds majority. This is an "almost impossible" kind of achievement in any highly politically conscious state - which Bihar certainly is - in a no-holds-barred kind of contest - which was certainly witnessed in Bihar - these days. The gap between the winner and the loser is wide by as many as 120 seats.

The winner was helped by a solid caste support with Nitish sure of his Kurmi vote bank and Lalu Prasad Yadav of his redoubtable Muslim-Yadav vote bank. Indeed, it was a tsunami kind of a swing that helped the winner. It was acknowledged by the BJP Parliamentary Board that the Mahagathbandhan won because there had been a total transfer of votes among the various parties in the alliance and that this arithmetic had overwhelmed the BJP-NDA. This is what Arun Jaitley had to say and we quote him "both partners in the Grand Alliance had fought separately. In the Lok Sabha polls we found our poll percentage was 38.8 while various constituents of the Grand Alliance had got 45.3 per cent but separately. We felt may be when coalitions happen partners cannot transfer their votes

Between the Lines

Has Modi's magic waned?

KuldipNayar

totally to each other. We thought combined with the prime minister's appeal the three of them would not be able to beat us. We were proved wrong." That perhaps explains why Lalu's solid vote bank helped his party to emerge as the largest single party in the House (80) in a house of 243 compared to Nitish-JDU's 71 and the BJP's 53. The Congress managed to get 27 which is perhaps beyond its expectation, although both Lalu and Nitish helped it - meaning Rahul Gandhi - in every way.

The second feature is the high acceptability factor of Nitish Kumar, who has won the two earlier polls also. A clean politician with no baggage of old or new controversies who has delivered on promises during the last ten years. The difference between him and other chief ministers is that his achievement in the field of development are visible. His acceptability and Lalu's votebank support were the winning factors. The Prime Minister's ungainly denunciation of these two leaders, lampooning them as "3 idiots", questioning Nitish's DNA, and other cheap jibes at Bihar and Biharis, were the factors that cost the BJP heavily.

The third factor is the over-exposure of the Prime Minister in the Bihar campaign. Whoever heard of a prime minister being called upon to address as many as 35 rallies and paying two dozen visits to the state. This reduced the prime minister to the political status of a local leader. Secondly the BJP had no local face which the party wished to project. It apparently did not think that Nitish's number two in the JDU-BJP coalition is chief minister material! The result was that it turned out to

(Continued on Page 5)

Whether or not the Narendra Modi magic has waned or whether the strategy of campaigning has been faulty, the fact remains that the Bhartiya Janta Party has been routed in Bihar. The BJP is putting up a brave front and feels its loss is because of the opposition unity.

The Bihar assembly election results have, nevertheless, delivered a body blow to the BJP, more specifically to the prime minister-party president duo of Modi and Amit Shah. The blame game that began within a couple of hours of after the counting continues unabated. The angry voices within the party ranks are growing by every passing day. There will be more in the coming days.

As in any post-poll analysis, Bihar will be analyzed and re-analyzed many times. Undoubtedly, this was the most bitterly fought elections of all time to come. Never before has an election been based on a divisive politics of communal hate and religious intolerance. Nor have we seen an assembly poll in which dozens of central ministers campaigned and Prime Minister addressed 30-odd rallies. BJP president rooted himself to Bihar for over eight months to devise strategies.

Yet, when the results were declared, it was the Grand Alliance that had the last laugh. The Nitish Kumar-Lalu Prasad Yadav combine along with the Congress, which needed a makeover after continuous drubbing since 2014 general elections, quietly marched ahead

in what was a landslide victory - a vote for social welfare and economic development over all forms of divisive politics of the RSS and the BJP.

In the end, as it turned out, the people of Bihar have rejected outright the BJP which rode to power at the Centre in 2014 on the Modi momentum and the so-called Gujarat model. In fact, Delhi was the first one to reject both when the Aam Aadmi Party was voted to power with 67 out of 70 seats. No doubt, the BJP went on to taste successes in a few states like Jharkhand and Haryana and managed to form a coalition government with People's Democratic Party in Jammu and Kashmir. But Bihar was one state that the BJP banked on the most to turn the corner around.

Unfortunately, it was not to be. To my mind, there are several reasons that can be attributed to the BJP loss - polarization, reservations, cow, et al. Yet for me, it is the reasonably good governance that Nitish Kumar had provided in the last two terms that stands out. Forget the minor aberration called Jitan Ram Manji, who ruled the state for a brief period, thanks to Nitish Kumar's largesse.

In other words, the voters of Bihar wanted continuation of Nitish Kumar, the face of good governance, despite the fact that he had aligned with his once bitter rival Lalu Yadav, the Rashtriya Janata Dal chief. The RJD may have got more seats than Janata Dal United and Lalu Yadav may demand his pound of flesh during the cabinet formation. I am,

however, sure that Nitish will rein in and will not disappoint the people who have reposed the faith in him. I am also hopeful that the Congress, which has a good number in the assembly, will not overlook to what is happening around.

I don't read too much into what Lalu Yadav had said about Nitish ruling Bihar and he, taking on Modi at the Centre, without any interference in Bihar affairs. I can already hear murmurs of Lalu Yadav's sons being tipped to be included as cabinet ministers, one of whom as the deputy chief minister. This is where Nitish will have to do the real balancing act as the BJP and his NDA rivals, who are waiting for such an opportune moment, to jump in to grab it with both hands.

I don't want to go into what went wrong with the BJP as there are poll managers of the party to analyze it. But what I can say with authority is that the Bihar example has provided a kind of template for future elections. With three states - Assam, West Bengal and Tamil Nadu - going to the polls next year, the regional parties may look and forge some alliances on the Bihar model to take on the BJP in each of these states.

No doubt, every state has its own needs and development agenda besides a specific model to work on with local leaders. Only a clever combination like the one between Nitish Kumar and Lalu Yadav, who had the pulse of local voters, can click to the extent it did in Bihar. The pre-poll alliance has to be precise and based on a pure understanding of the local needs.

Coming back to the Modi-Shah leadership model, I am sorry to say that the duo had taken things for granted. Their arrogance, reflected

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Communalism and neo-liberal menace

Bhai Vaidya*

The Socialist Party (India) expresses its gratitude towards the Bihar voters who have voted for its candidates in the Bihar Assembly elections. They have cast their vote in favour of the collective heritage of the Freedom Struggle, the Indian Socialist Movement and the Indian Constitution. The Socialist Party has resolved to create an alternate to the nexus of the neo-liberal and communal forces on the basis of this very heritage.

The Socialist Party welcomes the result of the Bihar Assembly elections. If Mulayam Singh would have remained a part of the Mahagathbandhan, then this win would have been even more emphatic. If the secular parties could have come together in coalition at the time of the Parliamentary elections also, then the result could have been different. At the same time, the Socialist Party appeals to the citizens of the country to give a serious thought to the prevalent politics based on the nexus of the neoliberal and communal forces. It is a good thing that the intellectuals have heaved a sigh of relief because of the win of the Mahagathbandhan in the Bihar elections. But the common populace, especially the minorities, are not going to get any real or enduring relief. The Socialist Party believes that calling the Bihar Assembly elections result a win of secularism against communalism is simplistic.

Indian history, since the time of the Freedom Struggle, clearly shows that the scourge of communalism has been wrecking havoc every

once in a while. Communalism led to the division of the country wherein more than ten lakh people were massacred and Gandhiji was murdered. In independent India too, thousands have lost their lives to communal riots. Within these too, most of the victims are from the minority communities, whether they be Muslims, or the Sikhs who were massacred in the 1984 riots.

The communal character of the RSS-BJP and the communal fascist mentality of their current top leader Narendra Modi is an open truth. It has also been openly proved that they can go to any extent for getting the power and once they have the power then in their efforts of communal polarization. The truth that in the last three decades of neo-liberalism, the communal politics of RSS-BJP has enjoyed a lot of success is evident to everyone. It has sown the seeds of communalism deep into the society. Even in Bihar, communalism has made deep inroads. It won 31 out of 40 seats in the Parliamentary elections and even in these elections it has managed to get a good number of votes. It has become the foremost national party in the country after defeating the Congress.

All the satraps from all the states, including Nitish Kumar from Bihar, have played some role in helping the RSS-BJP reach the pinnacle of success. This automatically exposes the reality of the weakness of the secular politics in India. But the secularists shy away from this reality and celebrate the win of secularism in this or that election win.

It is time to feel alarmed

**Rahul Pandey
Sandeep Pandey**

According to the Socialist Party, it is also simplistic to call these results a victory of social justice. Winning political power through mobilisation of the dalit-backward votes is an important strategy of the politics of social justice; but this only if the political power thus gained is employed against the neo-liberal policies and moves towards the goal of social justice on the basis of the Directive Principles enshrined in the Constitution. The government policies should be designed on the basis of the fundamental values of the Constitution like democracy, socialism and secularism; rather than on the dictate of the World Bank, International Monetary Fund, World Trade Organization and national-international corporate houses.

It is an important indication that in the Parliamentary elections, the person who managed the election campaign of the big player of corporate politics, Narendra Modi, also prepared the election campaign for Nitish Kumar. If Nitish Kumar is not a player of corporate politics then he should at least fight against Modi government's recent decisions of relaxing even more the foreign investment laws. He should give his complete support to the struggle going on to save the Indian education from the clutches of WTO. He should also challenge the open exploitation and loot of the country's resources by the leaders and corporate houses. The intellectuals, who are excited about the results of the Bihar Assembly elections, should start a decisive struggle against the menace of neo-liberalism.

The mindless inflation in the name of development, unemployment, migration, farmers' suicides and

(Continued on Page 5)

A good outcome of so many writers, poets, artists, historians and scientists returning awards or writing letters in protest against growing intolerance in Indian society is that a debate has been set off in the public domain. However the arguments and counterarguments have often become bitter. In this debate most of the bitterness has been displayed by some of those who do not agree that intolerance is on a rise. Normal citizens, who expressed concern in non-violent ways such as writing letter or returning award, have been hurled at with abuses, charges of being anti-national, and sometimes threats of dire consequences. This has only reinforced the concern that intolerance seems to have come to the fore of our society. If indeed true, we hope that this is only a temporary trend. It remains to be seen whether the Sangh Parivar will learn a lesson from the Bihar elections where people have very categorically rejected their aggressive and divisive agenda.

This calls for a clear and strong stand on the part of the state to restore unstinted faith in secular, tolerant, diverse and democratic fabric of our country. As a part of such a stand at least the following three essential conditions need to be openly affirmed and protected. These conditions form a part of the bedrock of any nation that wishes to spread democratic values and economic prosperity among all its citizens.

One, it is a fundamental right and healthy practice that citizens express their concerns in non-violent ways. Returning awards, writing protest letters, holding

public demonstrations are legitimate means to express concerns. If these voices grow beyond a threshold, the state needs to listen to them and initiate a due and efficient process of holding wider debates involving all sides, carrying out investigations, and taking corrective measures if necessary. This is how good democracies work and thrive. Instead of stonewalling or organising programmes to counter the dissent, the government must view them as positive developments and opportunities for improvement.

Two, inculcating empathy, understanding and respect for others' beliefs and cultural practices is the only way to achieve harmony in our society. This holds for all sections and sub-sections of religions and belief groups. It is important to note that while one sect may blame another for pursuing an irrational or exploitative practice, the majority and more influential sect has a greater responsibility to look at and reform its own weaknesses and display greater tolerance so that it can expect others to participate in inter-sect dialogue and collective reform. In Indian society the Hindus, especially the upper caste, who still continue to be the opinion making class, bear this responsibility. It is a sad development that instead of showing greater tolerance and empathy certain influential sections of Hindus are making beef a serious issue.

Three, building a culture of questioning, reasoning and scientific temper is a pre-condition to both democracy and innovation. It will also prove essential to resolve the

apparent contradiction between economic prosperity and sustainable development, and to achieve both. It is also our only hope to solve other vexing problems such as poverty and widespread disparity. Our founding fathers had the vision to enshrine it in India's Constitution. Therefore it is every government's responsibility to endorse and incentivize rational thinking and questioning. While almost all religions in the world have been seeped with several regressive traditions, there were always seers who espoused universal human values of love, compassion and tolerance and there was some space for rational thinking too. Space for rational thinking, however little, was the starting point for advent of scientific revolution that has led to most of humankind's empirical knowledge, technological and economic progress. Rational thinking, combined with values of compassion and tolerance, spurred the spread of democratic institutions that, to varying extents, form the crux of political and governance structures in the majority of nations today. It is not a coincidence that the nations that have the most widespread economic well-being among their citizens and have a high degree of support for environment and sustainable development are also the ones where scientific temper, tolerance and democratic values have entrenched deeply.

When rationalists are murdered in cold blood due to their practice of questioning superstition and ordinary citizens are lynched on account of their religious-cultural life styles that do not harm anyone; the government does not take a strong stand against those acts of extreme intolerance; open abuses and threats are hurled at the citizens who protest in non-violent ways, and some of the threats come from members of the government and ruling party, it is time to feel alarmed.

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be a Modi versus Nitish contest in which the Biharis preferred a Bihari to a Bahari (outsider)!

After Delhi, Bihar. The BJP's downswing has begun? Is that we need to assume? Not necessarily, but Bihar has shown that the Modi of 2014 was invincible but the latter day Modi has lost some shine, and his involvement in the BJP poll campaigns so actively is turning counter-productive. There are lessons which Bihar is conveying to the PM and the party.

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during the campaigns, could be one sole reason for the party's rout. Of course, RSS chief Mohan Bhagwat added fuel to fire by raising the issue of reservation. Even the BJP leadership in Bihar has come out with statements that point to how the party went overboard on certain issues and seem to underline that the remarks of the RSS chief did not go well with the Biharis.

It appears that Modi has lost the way and does not know how to overcome the deficiencies of bureaucracy, something which his predecessors had faced. Economic reforms announced by the party takes the country to the right unashamedly. Even if Jawaharlal Nehru's socialistic

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a serious hit to the interests of small traders and businessmen is continuing under the present government even with more thrust. The reality of Modi's empty promises is now evident. People are now aware that Modi is the 'Pradhan Sewak' of the corporate houses. As a result, the anger of the people against

The world's richest man, Bill Gates, has said that the private sector is too selfish and inefficient to produce effective energy alternatives to fossil fuels.

While announcing his plan to spend \$2 billion of his own wealth on green energy during an interview with The Atlantic, the Microsoft founder called on fellow billionaires to help make the US fossil-free by 2050 with similar philanthropy.

pattern is abandoned the BJP cannot give the impression of being pro-rich and pro-corporate because in a country where most people are poor one has to move away from the rightist policy.

I am not suggesting that the party follows the preamble of the Constitution word by word. But it cannot take a line which is entirely opposite to the spirit of the Constitution: the governance which is opposed to taking any step to rectify the distance which is increasing day by day between the haves and have-nots. The sooner Modi and his party realize this, the better it would be for them.

the central government is increasing. RSS-BJP will keep on fuelling communal sentiments to keep the people's attention away from the real issues. If the grand struggle to destroy the neo-imperialist stranglehold continues, then the space for communalism will keep on shrinking.

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Socialists and the legacy of Indian Freedom

Thoughts on Jawaharlal Nehru's birthday

Anil Nauriya

The historical juncture at which India finds itself requires redefinition and restructuring of the Socialist movement. The present-day Congress cannot entirely be separated from the legacy of the pre-freedom Indian National Congress, yet the latter formation has distinct characteristics and must be organizationally distinguished from its historical predecessor. Moreover, with the current decline of the Congress, Socialists need to remind themselves that they are legatees of the space occupied by Indian nationalism since 1885. This includes the political legacy of, for example, early Indian nationalists like Badruddin Tyabji, Dadabhai Naoroji and Gopal Krishna Gokhale and the social legacy of Mahadev Govind Ranade that had inspired both Gokhale and Gandhi.

The split in the Indian National Congress in 1969 and the dissolution eight years later of the Congress (O), with its merger into the newly-formed Janata Party in 1977, had the undesirable consequence that the entire Congress space was ceded to Indira Gandhi's party, then known as Congress (I). It is this latter party which has in recent years been receding politically. In the circumstances, it should not have been difficult to foresee that unless Socialists re-asserted themselves as legatees of the Indian freedom struggle as represented by the pre-freedom Indian National Congress, into which they were born and from which they have sprung, the vacuum left by the decline of the Congress

would inevitably be filled by other forces.

It would not be meaningful, of course, to claim this larger national legacy, while neglecting the Indian socialist space itself. So it is necessary for Socialists to reclaim also the entire Socialist spectrum and political ferment represented by the founders of the Congress Socialist Party in 1934. Socialists must not confine themselves to a limited part of the Socialist trajectory. They need to come out of the time warp of the post-independence Lohia-Nehru controversies, particularly of the 1960s, with which some of them have got near-permanently embroiled and over which they have also become immoderately embittered. Lohia helped re-focus attention on five important issues: civil liberties, gender and colour-related inequalities, mass poverty, social backwardness especially that entwined with caste, and linguistic iniquities. Many of these issues had engaged Indian nationalists earlier – for example, from Dadabhai Naoroji to Romesh Chandra Dutt on the economic aspects; to Gandhi, Abbas Tyabji, Motilal Nehru, C. R. Das and Tagore on civil liberties questions arising especially out of the 1919 events and after and Asaf Ali's inquiries on the NWFP and Bannu raids in 1938; to Narendra Deva and the language-related contradictions in the education system pointed out by the Education Committee headed by him in the United Provinces in 1938-39; to the Rashtriya Stree Sabha of the 1920s, Desh Sevika

Sangh of the 1930s, Sarojini Naidu and socialists Kamladevi Chattopadhyaya, Rama Devi and Malati Choudhury on questions of the relation between nationalism and gender; to the entire legacy of constructive work associated with the freedom movement, as represented for example by Thakkar Bapa, Kaka Kalelkar, Ginwala, Mithu Petit, Jugatram Dave, Khurshed Naoroji, B. F. Bharucha, Bibi Amtussalam, Perin Captain, Walunjkar, Zakir Husain, Asha Devi and Aryanayakam, and countless others. Lohia's own attachment to India's freedom movement and its legacy was reflected in his refusal to let go of the struggles that had taken place in the areas that were later included in Pakistan and his concern for legendary figures like the Frontier Gandhi, Khan Abdul Ghaffar Khan, the Baluch Gandhi, Khan Abdus Samad Khan and Punjab's Unionist leader Khizr Hayat Khan Tiwana, on all of whose post-partition years and days spent in Pakistani prisons Lohia maintained a vigilant watch.

The issues Lohia identified after independence were real and unresolved and many still remain so. The salience, that poverty measurement and poverty studies came to occupy in Indian economics and Indian planning undoubtedly received an impetus from the dramatic manner in which the question of the *per capita per diem* earning was highlighted by Lohia in the Lok Sabha in 1963. Similarly, the urgency of the need

for affirmative action in favour of “Other Backward Classes” was, in an appreciable measure, inspired by the importance attached by Lohia to the advancement of these groups. Language policy questions also came to the fore, in part, because of Lohia’s emphasis on correcting the disadvantages attaching to a non-English-medium education, particularly in north India. Yet the triumphalism, sometimes indulged in by a section of Socialists over the Lohia-Nehru debates and such passages-at-arms as the “3 anna versus 15 anna” controversies, needs to be tempered with the understanding that the *bona fides* of the protagonists was not in question.

The answers Lohia provided to some of the social, linguistic and cultural issues he raised are not necessarily so complete or final that they cannot be supplemented, fine-tuned or re-thought. On other issues too, remaining confined to some of the debates of the 1960s and the thinking that emerged then has constricted the intellectual growth of the socialist movement. A similar point was once made also by the late Kishan Patnaik in *Janata* in 1980. It is useful to recall here also that the late Surendra Mohan, in an introspective article written for *Janata*, had once pointed to the connection between the negativities in the opposition politics of the late sixties and the negativities of the post-Shastri establishment.

Another aspect of the matter is worth appreciating. The *writings* of Lohia and the *politics* of Lohia need, to some extent, to be distinguished as these are not necessarily congruent. Speaking generally, I would rate the writings of both Lohia and JP considerably higher than their politics - especially Lohia’s politics in the 1960s and JP’s in the 1970s. [Incidentally, this is

the reverse of what is true in the case of Mahatma Gandhi whose praxis would often race ahead of his writings, phenomenal though these themselves were; Gandhi himself recognized this when he said that his writings could be burnt for all he cared and that it was his life that was his message; in the same vein, Nehru too had once observed how much greater Gandhi was than his “little books”.]

Every movement requires periodic renewal; its dominant doctrines and practices need to be reconsidered in the light of experience. The political alliances Lohia forged and also the thinking associated with these alliances certainly need to be re-thought in the light of subsequent experience and also the changed circumstances in which the Congress is no longer the force that it used to be. The Socialist alliance with the Jana Sangh in the run-up to the General Elections of 1967 opened the route to further such unthinking linkages by Jayaprakash Narayan in the mid-1970s and by V. P. Singh in the late 1980s. The remedies sought by Lohia, JP and V. P. Singh, and especially the manner in which these were sought, may have proved worse than the disease. Few precautions were taken by them in the forging of their strategies and no adequate steps taken for the ideological training of cadres. Even if such precautions had been taken, it should have been obvious that aligning with reactionary forces, whether tacitly or otherwise, would have long-term deleterious ramifications for the country.

Similarly, Socialists critically must re-examine the caste-orientations that have come to be associated with some of them. This is so especially where they graduate to running governments. They need, to put it

as mildly as possible, to nuance their approaches; religious sectarianism can perhaps be obstructed but not wholly countered through caste-centric politics. Caste is relevant as a social reality whose influence one must seek to reduce and counter-act; it is also relevant as a basis for hostile discrimination which one must seek to eliminate. Caste cannot become an organizing-principle in itself since such mobilization is both intellectually and practically self-defeating. In an introspective article some decades ago, the late Kishan Patnaik had also deprecated attempts made by Socialists “to bolster the middle caste lobbies for electoral power politics”. The Socialist movement needs to return to Narendra Deva’s insight that the institution of caste is essentially anti-democratic.

In their pursuit of democracy too, Socialists must not confine themselves to the civil liberties framework which tends to restrict them to pre-occupation with Constitutional and legal transgressions like the Emergency, while often neglecting the social changes that underpin such phenomena and also developments like the growth of fascist tendencies that sometimes skirt these phenomena. The civil liberties movement and the socialist movement are distinct though these may in certain respects overlap.

Legacy of Nehru

Socialists must positively re-engage with the legacy of Jawaharlal Nehru in his role as a great fighter for Indian freedom and connect with him just as the founders of the Congress Socialist Party had. The founders of the Socialist movement did not see themselves as being apart from Nehru. Narendra Deva in his presidential address at the first session of the of the All-India

Congress Socialist Conference at Patna on 17 May 1934 had in his opening words referred to Nehru in the following terms: "My task is made all the more difficult by the absence of our beloved friend, Pandit Jawaharlal Nehru, whose absence today we all so keenly feel and whose valuable advice and guidance would have been of immense value to us on this occasion". Twelve years later, Narendra Deva wrote a perceptive appraisal of Nehru. Narendra Deva recognized that "Jawaharlalji took great interest in class-organization. He was elected President of the All-India Trade Union Congress in the year 1929 and it has been his constant endeavour to make the Congress interest itself in the economic struggles of the workers. He tried to bring economic questions to the forefront. The resolution on Fundamental Rights passed at the Karachi Congress in 1931 was his contribution. His activities brought about a general radicalization of political thought in the country."

On Nehru's attitude towards religion, Narendra Deva reflected: "Religion in its institutional form is repugnant to him as it is the bulwark of reaction and the defender of *status quo*. Its function in society has been to make social inequalities less irksome to the lower classes. But he has no quarrel with that purer form of religious faith which inspires the conduct of individuals. He, however, believes in ethical social conduct and has a deep sense of human values."

It was Nehru who, as Congress President in 1936, had re-organised the Congress headquarters and given Lohia charge of its Foreign Department. Nearly 40 years younger to Gandhi and some 19 years to Nehru, Lohia wrote to the latter on 23 May 1946 : "...please

don't forget that you and another have influenced men like me so much that there never has been a place for a third nor ever shall be". A photocopy of Lohia's letter to Nehru was published by the socialist Bhola Chatterji (1922-1992) in an article in *Sunday* magazine some decades ago.

The socialist leader and intellectual, Madhu Limaye, who was close to Lohia and nearly three decades younger than Nehru, was conscious of the need "to take an objective view and keep out my personal likes and dislikes, prejudices and predilections"; he refers to Jawaharlalji as the "uncompromising sentinel of Independence" and acknowledges that he "gave a new orientation to (the) Congress policy and programme"; and that "he championed the cause of the peasantry" and "took up the case of the workers working in mines and the factories who were being treated as slaves".

Jawaharlal Nehru is an intrinsic part of the nationalist legacy of Indian freedom; nor can the Indian socialist legacy be defined or recalled by excluding him. On inter-communal questions, which have a bearing on the very definition of India, Nehru's record is *par excellence* and second only to that of Mahatma Gandhi.

Socialists must re-engage positively also with Jawaharlal Nehru as the builder of post-independence India. Madhu Limaye has fairly acknowledged Nehru's initiative in bringing about reform in Hindu law in the 1950s. It was Nehru who got the Congress committed to a socialistic pattern of society in its session at Avadi in 1955. The building up of the public sector enabled India for long to hold its own in a world that various international powers sought to bend to their own image. Stupendous

efforts were made under Nehru to reduce India's external dependence on oil. How vital this effort was may be gauged from the lengths to which Western powers went in opposing similar Iranian efforts under Prime Minister Mossadegh, against whom a successful coup was organized in the 1950s. [This latter story has been documented by Christopher de Bellaigue in his recent book, *Patriot of Persia: Muhammad Mossadegh and a Very British Coup*]. The building up of an independent public sector tradition had other ramifications as well. The emphasis on research and development, 90 percent of which was done in the public sector, induced a tradition of self-reliance, partly squandered by later regimes. In the case of drugs, this tradition has enabled Indian firms today to be prime suppliers of relatively-low-priced vital medication to countries with similar problems as ours, such as countries in Africa.

Nehru respected Parliament and urged the judiciary, nurtured in colonial times, to recognize social concerns in a changing India. At least two rounds of land reform legislations, at the onset of the fifties and sixties, took place under Nehru's leadership. Above all and in spite of the bitterness ensuing from the country's partition in 1947, Nehru maintained inter-communal peace, with the first major riot occurring only in the early sixties. The extent to which Nehru moulded the post-independence Congress may be gauged from remarks that Jayaprakash Narayan made in July 1964, a few weeks after Jawaharlalji's death. JP was reported to have said that leaving the Congress in 1948 to form the Socialist Party was a mistake committed on account of "the wrong assessment of the character of the

Congress". According to JP, "(m)ost of his party-men thought at that time that the Congress would slowly develop into a conservative-cum-liberal party just like 'what the Swatantra Party is today'. But history belied this assessment". [Ironically, the then assessment may have provided an accurate description of the *later* post-emergency Congress and especially towards the last two decades of the twentieth century.] Clearly, JP's assessment of Nehru's administration and Lohia's understanding were quite different. This consideration too should induce Socialists to broaden their understanding of Nehru.

Socialists energetically must counter the maligning and attempted discrediting of Gandhi and of Nehru by the Hindu Mahasabha, the Bharatiya Janata Party, the RSS and their associate organizations and supporters. This tendency has been in evidence for several decades; but it has lately assumed a virulent character. The direct attacks on Gandhi which used to be made by the RSS and its associates in the Jana Sangh days have, since they proved ineffective for their purposes, been replaced with more subtle strategies that would seek to invoke Gandhi for such matters as cleaning-up while ignoring his pluralism and mocking his humanism. The *direct* attacks are now made mainly by the Mahasabha and its related organizations which have sought even to glorify Gandhi's assassins. In the case of Nehru, the *direct* attacks, combined with efforts to erase his memory, are made by the *entire* Mahasabha-RSS-BJP-continuum. At the recent Indo-African summit in New Delhi, the tendency referred to here was carried to the point where the African dignitaries had to remind the current Indian government of the shared vision and positive contributions of

Gandhi and Nehru to Africa and its struggles.

It is incumbent for socialists in these times to defend not only Gandhi's but also Nehru's legacy against attacks from communal-sectarian forces; when Gandhi and Nehru are sought to be belittled, especially by forces unfriendly to the composite national struggle for freedom, it is the entire struggle that is sought to be traduced.

Socialists must seek to cultivate a scientific approach to the evaluation of Nehru. The currently dominant Socialist attitude toward Nehru induces some of them into making overt and covert arrangements with the BJP and its associates, just as they had in the past with BJP's predecessors. This predilection needs rectification. The Draft Platform of the Socialist Party in 1972 had ruled out any *modus vivendi* with the Jana Sangh. Yet this formulation was abandoned within a couple of years of it being advanced.

Social emergency

As inheritors of the heritage of the Indian freedom struggle, Socialists naturally speak of Gandhi, Narendra Deva, Jayaprakash, Yusuf Meherally and Lohia. They have no difficulty also in seeking bridges between the social struggles of Gandhi and of Ambedkar; although the latter was an outsider to the political struggle for Indian freedom, his social legacies are correctly seen by Socialists as being convergent with their own objectives, as Lohia himself recognized in the fifties. Why then the contemporary reluctance of a section of Socialists to recognize their obvious affinities and convergences with Jawaharlal Nehru? It is difficult to avoid the conclusion that Nehru is unjustly excluded for subjective and even

irrational reasons connected with the Lohia-Nehru controversies and because family domination emerged within the Congress especially after the crisis of the Emergency in 1975-77. Such exclusion is patently unfair to Jawaharlal Nehru, attacking, whom has become a major organizing point for Hindutva. Besides, to remain silent in the face of such attacks has the effect of denying the 20th century history of the Indian nation's strivings and aspirations, a denial which, of course, the Hindutva forces ardently desire.

The crucial issue before the country is the social fascism associated with the ascendancy of the currently ruling forces and their associate organizations. Though it is right in this context to focus on protection of civil liberties and on safeguards against a repeat of the Emergency, it is necessary to go beyond form and formalism. *There is an undeclared social emergency in the country.* Developments in rural western Uttar Pradesh in the run-up to the 2014 General Elections should have left no doubt on that score. The lives and property of members of minority communities, Dalits and poor peasants are endangered. These forces operate with the support of elements within the Central and provincial state apparatus, the business world and affluent non-resident Indians. The fight against the malaise of corruption is only one part of the larger question of the *accountability of power*; the latter subsumes within itself struggles against governmental malfeasance and misfeasance in protecting citizens' lives and welfare. Such accountability and protection is a solemn obligation also on all political parties, a duty which Gandhi as well as Jawaharlal Nehru fully recognized.

Historical responsibility for climate change

Bharat Dogra

At a time when the challenge of catastrophic environmental problems is being widely discussed, a critical issue is whether adequate resources will become available at the proper time for ecological protection. In addition adequate funding is needed to help more exposed and vulnerable sections to face the new threats while avoiding life threatening consequences.

At present the sad and worrying situation is that even the most resourceful and rich countries are reluctant to provide adequate resources for the most urgent tasks of environment's protection.

The Lancet Commission on Health and Climate Change (LCHCC) pointed out in their recent (June 2015) report, "the engagement of industrialised countries is weakening compared with the 1990s and early 2000s, with major emitters, such as Canada, Japan, Russia and, of course, the USA now operating only under the Copenhagen Accord and Cancun Agreements whose targets are voluntary and not subject to common metrics."

Within these countries (and also elsewhere, for example in some oil rich countries) there are big vested interests who have spent millions of dollars to hinder effective action on climate change. In 2010 when in the USA the House of Representatives was considering a proposal to cap US emissions, the lobbies of US industry spent close to \$ 500 million on their (successful) campaign

against this. An important study has estimated that the Climate Change Counter Movement in the USA has an annual funding of around \$ 900 million a year.

In this situation, if solutions for climate change are difficult, then justice and equality based solutions are even more difficult. Yet it is important that such difficult challenges should not be given up so that the goals of reducing poverty and inequality while improving prospects of sustainable development of all people can be pursued side by side with reducing climate change.

For this it is important that industrial countries must reorganise their historical responsibility for climate change. On this basis, and on the basis of the much larger resources commanded by them, the developed and industrial countries should agree to transfer adequate resources to developing countries as well as to the international efforts for mitigation, adaptation and other aspects of climate change.

Various available estimates suggest that huge investments may be needed for several of the changes needed in the energy sector to move to a low-carbon future. The International Energy Agency (IEA) has estimated that to achieve a trajectory consistent with stabilisation at 2°C that roughly \$ 1 trillion a year may be needed in the projection up to 2050. On the other hand, the New Climate Economy

Report has presented much lower estimates of \$ 270 billion per year, but these lower estimates are also huge.

Under the United Nations Framework Convention on Climate Change (UNFCCC) commitment already exists (the Green Climate Fund or GCF) for raising \$ 100 billion a year as new and additional funding per annum from developed countries to support mitigation and adaptation work in developing countries. This fund is supposed to grow rapidly till it reaches the projected amount by year 2020.

However there is as yet no certainty that this commitment will be kept, as industrialised countries have been seen to be more and more reluctant donors. There is no doubt, however, that for funding at this or higher levels an honest, well planned, transparent utilization in developing countries is badly needed.

It will be helpful if previous commitments to raise overseas development-assistance to 0.70 per cent of gross national income are kept. This is hardly a high percentage. Asking rich countries to donate at least one percent of the income for development assistance appears very reasonable, while the commitment is much lesser. However despite all the hype associated with development aid, at present rich countries are actually spending just 0.29 per cent of their

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Religious identity of the Indian must give way to the secular identity

Ronmila Thapar

Let me say at the outset that secularism is not just a political slogan, although our political parties have attempted to reduce it to that. So, one party endorses it in theory but hesitates to apply it properly in practice, the other makes fun of it since its foundational ideology is anti-secular. Secularizing a society is deeply tied to the question of the kind of society that we want. That is why perhaps it was widely discussed in the early years of independence, whereas now the attempt is not to give it attention, as it means seriously re-assessing the direction that we are currently giving to Indian society. There was even a tentative suggestion recently that it could be deleted from the Constitution, possibly motivated by the hope that the demand for its inclusion will be forgotten.

If, however, we want a secular society then that involves a change of mind-set, we would have to cease to think of ourselves as identified primarily by religion, caste, or language, and start thinking of ourselves primarily as equal citizens of one nation, both in theory and in practice. This involves mutual obligations between the state and the citizen applicable to all. The relationship of other identities such as religion, caste, language and region, will inevitably become secondary. These latter have to be adjusted so as to ensure that the rights of citizenship together with what they entail, remain primary.

Eventually the state will not be expected to provide patronage to any religion or to support any religious organization. This is a change that has barely begun and is already meeting with deliberate negations from some quarters.

In this lecture I would like to consider three aspects of what is involved in any discussion of Indian society and the secular. I would like initially to explain how I would define the secular, since I find that the generally accepted definition prevailing in India is inadequate and not everyone agrees on the definition. I shall then take up the question of how the social functioning of religions in India differed from the European experience and therefore in India religion has to be considered in association with caste and not in isolation from it. Finally I shall say something on where the priorities lie for the process of secularizing Indian society.

Definitions

I would like to begin by trying to explain what I mean by the terms secular, secularism, and secularizing. Secular is that which relates to the world but is distinct from the religious. Secularism involves questioning the control that religious organizations have over social institutions. It does not deny the presence of religion in society but demarcates the social institutions over which religion can or cannot exercise control. This distinction

is important. Secularizing is the process by which society changes and recognizes the distinction.

When the term was first used in 1851, 'secular' had only one basic meaning. It argued in support of the fact that laws relating to social ethics, values and morals, had been created by human society in order to ensure the well-being and harmonious functioning of the society. They were neither the creation of divine authority, nor did they require the sanction of divine authority. Religious authority may claim such a sanction but in effect the laws can exist without it. Authority lay in reasoning out what was best for society by those who constituted that society. Authority was exercised through laws. Social values therefore, frequently had their roots in reasoning and rational thinking. This was especially needed where the intention was and is to establish a moral code that required the agreement of the entire society and was not linked to any particular religion.

What this means is that the laws and social values that govern society should be observed as laws in themselves and not because they carry divine sanctions. They have their own authority distinct from religion or caste. Religion involving belief and faith in a deity and in an after-life, and such like, continued to exist. However, civil laws were promulgated and

upheld by the secular authority. Secularism therefore is not a denial of religion but it is a curtailment of the control that religion has over social functioning, a control exercised through diverse religious organizations.

This theory had a variety of consequences. One was that it allowed people the freedom to think beyond what was told to them as being religiously correct. Again this did not mean throwing religion overboard, but disentangling the codes of social behaviour from religious control. This did not make people immoral as some had feared, since the threat of punishment for breaking laws was enforced, and punishment came immediately in this life. It was not postponed to the next life as in religious codes. So it made people think about the purpose of their laws and that is always useful. The observance of the law is strengthened when people understand why it exists.

Most people are socialized into religion from childhood and do not question it. It gradually becomes a psychological support and as such there is even less need to question the belief. Having to reason things out is never as easy as just accepting what one is told. It means that people have to learn to think independently. This can be facilitated if the kind of education they were given enabled them to reason out their decisions. The alternative was to make them dependent on an unknown supernatural power. The explanation of everything being part of divine plan and sanction was not always the answer to simple questions. Therefore, education involved searching for explanations other than those based on faith and belief, or possibly even honing

these if there was evidence. But preferably social laws began to be drawn from enquiring into both the natural and human world in which we live. So the explanations for social laws became an essential part of education and of thinking about the implication of being secularized.

Religion had originated as a personal, emotional need. For many it remains so. This extended to explanations of how the universe functioned which was attributed to a supernatural power that was held in awe. Gradually however this personalized religion became a complex organized religion and took the form of institutions ambitious to control society and politics. With this change religion became powerful both as the focus of belief, and as an authority controlling social institutions through various religious organizations. In some places its power paralleled that of the governing authority — the state. It is this particular aspect of religion that the secular person wishes to see curtailed and kept separate from the functioning of the state. This makes it necessary to concede the presence of the secular in the constitution of a democracy. The distinction between religion and the religious control over social institutions is important because we often overlook it in saying that secularism denies religion altogether.

Secularism then takes on an additional meaning. The state having authority over the making and observing of laws by human agencies, should be distinct from religion since religion has its sanction from another source, namely faith and deity. The authority of each was clearly different. Let me repeat, that the secular is not a denial of religion. It is not the equivalent of

atheism. Secularism does not mean expunging religion. But the control of religious organizations over social laws and institutions has to be limited.

Civil laws are the spine of a society. They should protect the rights to human life, and they should ensure that there is no discrimination that affects life and work. This is crucial to protecting the points of change in a human lifetime necessitating laws — birth, marriage or even its break-up, processes of education by which a child is socialized into society, occupation and employment, and inheritance particularly of what is thought of as property. These come under the jurisdiction of the civil law. To make this effective, such laws relating to the functioning of society and the social life of humans, have necessarily to provide the basic aspects of welfare in a modern state — the absolute minimum of which are: food and clean water, equal access to education and to health-care for all members of society, and to employment. And this is to be irrespective of religion and caste. If civil laws are to be universal and uniform, as they would be in a secular society, then they must guarantee this. Discrimination on any count would be unacceptable.

So religious authority remains in a secular system but is restricted to governing religious belief and practice. It has been argued that there should be no rigid barrier between religion and the state, but that there can be a negotiated principled distance between them. This can allow for new alignments within the religion, or between the religions, or between religion and the state. The overall relationship would disallow the dominance of any one religion

since each would have equal rights on the state and equal status before the law. Nevertheless, there would be a degree of stipulated separation in this arrangement, in as much as religious authority would no longer be controlling social laws.

This is not of course the same as what is sometimes described as the Indian definition of secularism, namely, the co-existence of all religions. Rulers in the past that supported this idea, such as the two who are always quoted — Ashoka and Akbar are spoken of as providing a kind of prelude to secularism. However, the mere co-existence of religions is insufficient as they can still be treated as unequal and some remain marginalized. When we speak of the religions of India today, we are seldom conscious of the religions of a quarter or more of the population who are at the lower edges of society. The acceptance of co-existence together with equal status before the law, can certainly be a first step. But we do have to ask how far it goes and what should be the next step.

This definition is incomplete since the question of the jurisdiction of religious authority over society, that is crucial, remains unanswered. The intention would in any case be not to put up barriers between state and religion. It would instead be to demarcate the activities that come under a civil jurisdiction and those that would continue to be controlled by the organizations representing religious authority. In a democratic system the equality would be essential, as essential as spelling out who controls which laws.

In contemporary India the co-existence of religions already exists

but the secular is less evident and some might even say, virtually absent. Political and state patronage does not invariably distance itself from religious organizations. In fact the two are sometimes closely tied. Some oppose secularism by arguing that it is a western concept, not suited to India. Should the same be said about nationhood and democracy, both new to post-colonial India? And surely our internalizing of the neo-liberal market economy is a far stronger imprint of the west. To support the secularizing of society does not mean subordinating ourselves to a western or an alien concept, but rather trying to understand a process of change in our history after independence. Being a nation is a new experience of modern times, and is current now in virtually every part of the world. We have chosen democracy as the most feasible system despite it being a new experience, and a secular society is essential to democratic functioning.

Secularism is the necessary manifestation of a social change that comes with societies that begin to function with modern institutions that are the channels of new political, economic and social forms. It is a concept that accompanies modernization. It assumes new directions in the functions of law and ethics and the relations between religion and the state. We should not look for it in its current form in our pre-modern history. But what we can search for and of which we have evidence was a long and evident tradition of questioning orthodoxies of various kinds, including religious orthodoxies in Indian religions. This began in the first millennium BC and continued unbroken to the present. A deeper study of these schools of thought would make

reasoned thinking more familiar to us and would puncture the idea that Indians never questioned orthodoxy. When laws are recognized as made by human societies and not divinely dictated, then negotiating changes in these laws because of social change that has happened continuously in the past, also gets facilitated.

Colonial readings of Indian religions

Let me turn now to looking more closely at the specifically Indian aspect of the subject. I would like to comment on how I see the interaction of religions and society in the past, in order to compare it with how it is viewed in our times. Any deliberate social change with sizeable consequences becomes a little easier to handle if one can see the earlier historical forms of the society and its gradual mutation. The present after all emerges out of the past. My argument is that in the important area of the relationship between society and religion we have been nurtured on ideas about religion in India that were constructed by colonial thought on the subject. The colonial perception was in many ways a disjuncture in understanding how religion functioned in pre-modern Indian society. Yet we have accepted it without adequate questioning. So a brief look at the past might be useful.

With reference to Europe, secularism is often described as the separation between Church and State. This is taken as a one-to-one relationship because generally the religion was a single monolithic religion — Christianity, either Catholic or Protestant. This was so strongly asserted that in past times before the rise of Protestantism, those that questioned Catholic belief and practice were heavily punished

as heretics. Some were burnt at the stake, some had to recant and many faced the punitive actions required by the Inquisition. Although Protestantism later was perhaps more flexible the earlier experience was not forgotten. (Incidentally, this single monolithic religion facing the state, is now changing in many European countries with the coming of migrant communities bringing their own religions, and hence the frequent contestations over the secular in society).

This European perspective of religion being monolithic and identified with large pan-European communities, was what the colonizers brought to India, and was the perspective from which they viewed Indian religions. So their reading of Indian religion needs re-investigation. The colonial image of Indian society projected two monolithic religions, the Hindu and the Muslim, and the two religions defined the identity of two nations — the Hindu and the Muslim. They occupied the same territory. They were depicted as largely antagonistic to each other. It was maintained that because of their mutual hostility, a controlling authority from outside was required. This then became one of the justifications for colonial rule. As many historians have pointed out, this image was also imprinted on the history of India, especially on the medieval period, thus reinforcing the distancing between the two religions and also in their ideologies. A shared history was not conceded in this approach to the past.

The concept of majority and minority communities identified by religion further consolidated the idea of religion being monolithic. In addition it fuelled the politics of religious identities. Claims of

the majority community were juxtaposed with the aspirations of the minority communities. Social and political claims and demands were projected as religious. Such an understanding of society obstructs the functioning of democracy. Permanent majority and minority communities are contrary to the norms of democracy. The creation of caste and religion-based vote-banks in the electoral system, are not exactly conducive to democratic functioning. A majority that is viable as a democratically formed majority, requires the larger number of people to come together, in support of a particular issue, and irrespective of their other affiliations. The constituents of a democratic majority therefore change with each issue, and there is no permanent majority community with a specifically defined membership.

Anti-colonial nationalism tried to confront this image, since broad-based nationalism has to be inclusive and bring in a range of opinion and it draws on a shared history. The shared history is crucial. I would like to quote Eric Hobsbawm who wrote that history is to nationalisms what the poppy is to the opium addict. It is the source. It feeds, in this case, ideas of identity. Anti-colonial nationalism did not question the monolithic nature of religious communities. Instead it focused more on denying their antagonism, preferring to project just the co-existence of religious communities. This became central to its idea of secularism and has come to be called the Indian definition of secularism. But it did not succeed as we can see from the events of the present. One reason was that the colonial view of religion in India was (and it continues to be), also foundational to the ideologies of what are now

referred to as religious nationalisms, those that went into the making of the communal landscape of India. A century or so ago the reference was to the Muslim League and the Hindu Mahasabha. These were perhaps fewer religious orthodoxies when compared to ideologies using religion for political mobilization. Today religious nationalism includes a range of Hindu, Muslim, Sikh and other religious organizations, politically ambitious and anxious to continue their control over community laws to ensure a political constituency. History is not shared, it is divisive and it becomes the arena of battle.

We may well ask, was this actually the way in which religion functioned as part of Indian society from early times? Or have we not looked analytically at our past and that of the role of religion in our earlier social institutions. What forms did these organizations take, how did they exert authority, and why don't we examine which sections of society supported which kind of organization?

I would like to argue that the historical picture of religions in India was complex and was not a simple binary. It seems to me that there were two sets of relationships that need to be examined. One was the way in which religion and society interacted. Religious groups consisted of a range of sects rather than monolithic communities, and the social linkage was through caste. It was linked to forms such as varna, jati, zat and so on. This combination of sect and caste mediated in turn, the other relationship, that between the religious sect and the state. In this there was no Church to bring together the sects into a single entity. The state having to relate to

individual sects gave the relationship a different flavor.

In the Indian scene the crucial relationship lay in the connection between multiple religious sects and many castes. The sect propagated belief, the caste often determined its social context. Status was measured through an inter-dependence of the two. Upper castes across religions, whether they observed caste restrictions strictly or not, tended to be more closely associated with the formal manifestations of the religions, generally text-based; whereas the lower castes that were much larger in number, tended to be more flexible in their religious identities. Caste determined the social code, maintained formally by those who claimed to be educated and knew the law. Few people knew the texts or the sources of the laws. For most people it was the hearsay of tradition, the lore maintained by the jati, and perhaps the experience of the daily routine. Codes after all are ultimately man made, however much they may be backed by claims to divine sanction as maintained by the voice of religion. The authority of caste and sect over the social code has to be replaced in our times by a civil law common and applicable to all. This will require looking afresh at civil law to ensure its secularity and its endorsement of social justice. Both are familiar as values but their application in social institutions is new.

Historical perspectives of religions in India

Many valuable and meticulous studies have been made of religious texts that have enhanced our understanding of these texts. However, less attention has been given to examining the institutions created by various religions, both

to propagate their beliefs and as agencies of social control. Rather than focusing on monolithic, undifferentiated religious society in general, what may be more insightful would be if we study the link between caste and sect in order to comprehend the interface between religion and society in our past. The link between caste and sect had a flexibility or fluidity that monolithic religious communities lack. We could then ask whether rigidity lay less in religion and more in caste discrimination? In that case the colonial construction of religion in India that we have readily accepted, would have to be scrutinized afresh. Perhaps we need to look more carefully at how caste, or even elements of class, in past times and now, shaped and are shaping the relations between religion and society. Which groups in society support which politico-religious organizations and why?

In pre-Islamic times there are no references to any monolithic type of Hinduism. Interestingly what we today call religions are not mentioned as such, but what are mentioned are two broad categories of sects that propagated their distinctive ideas. These were the Brahmana and the Shramana. A basic differentiation was based on belief in or denial of, divinity; and theories about the after-life. Brahmana referred to Brahmanic beliefs and rituals. Shramana referred to the shramanas or Buddhist, Jaina and other monks of the heterodox orders, the nastika/non-believers, and their followers. These latter sects rejected the Vedas, divine sanctions and the concept of the soul, and were consequently associated with more rational explanations of the universe and human society. Within each of these two categories there was recognition

of a range of distinct sects with varying beliefs.

(To be concluded)

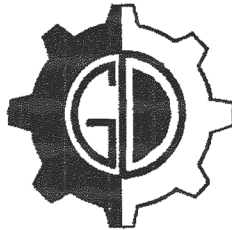
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national income on this. If the share of development aid increases from 0.29 to the commitment of 0.70 per cent, this means that the total development aid of industrialised countries can increase from 125 billion dollars (in 2012) to around 400 billion dollars.

Also the development and environment assistance should be untied from narrow economic interests of industrial countries and their MNCs. As things stand today industrial countries take away more than they give in the form of profits, royalties, fees, interest etc. In some contexts, such as intellectual property rights of MNCs selling patented medicines, narrow considerations have led to the death of possibly millions of patients in recent years.

It is important that narrow considerations like profits and property rights should not stand in the path of transfer of technology related to reduction of GHG emissions. On matters relating to protecting the future of humanity and other life forms, profits and property should take a back seat. Then badly needed technology for reducing GHG emissions can be spread more quickly and cheaply. As things stand today the IEA has stated that nine out of ten low-carbon technologies that are essential for energy efficiency and decarbonisation are failing to meet their deployment objectives. Such impediments should be removed so that the entire world can benefit from whatever science and technology have to offer to limit climate change and its destructive impacts.

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Alliances and outcomes

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**Life sacrificed for
Prohibition and Lok Ayukta**
Bharat Dogra

In electoral politics, the new buzzwords are gatbandhan and mahagatbandhan. Bandhan, denoting an alliance, becomes gatbandhan when it is bilateral (two parties). It grows into a mahagatbandhan when the alliance is trilateral or multi-lateral(three or more parties).

After the Rashtriya Janata Dal-Janata Dal(United)-Congress alliance paid rich dividends in Bihar, the talk of gatbandhan is spreading. Alliances are not uncommon in Indian polls. Indeed, it is the alliance politics that gave birth to coalition politics. Two major political alliances, namely, the United Progressive Alliance (UPA) which ruled India for ten long years and the National Democratic Alliance (NDA) which is ruling us currently are illustrious illustrations of gatbandhans.

The Bihar mahagatbandhan has now kindled aspirations among ambitious political parties hoping to have a go at power. That parties see much use for bandhans is being established every day. Two examples. First, the Maharashtra Nationalist Congress Party (NCP) has sought a re- alignment with the Congress for the coming Legislative Council and local bodies elections. The NCP

supremo Sharad Pawar has asked his party chiefs to work out alliances not with the Congress alone but with other like-minded parties too. Second. the Janata Dal(United) has said that it would like to attempt at larger opposition unity to take on the NDA. Like Bihar, the challenge has to be taken up through gatbandhans. The JD(U) leader K. C. Tyagi has said that the impact of the Bihar unity will be reflected in the coming winter session of parliament.

Significantly, the Congress and the NCP have had strained relations in the recent past and even broke off their erstwhile alliance last month. But the NCP is keen again to ally with the Congress since a number of important elections are coming up shortly at the lower levels of self-governing institutions.

Parties see much merit in alliance politics between like-minded parties. One of the reasons is that most secular groupings share the ambition of putting in its place the NDA in which the BJP is the dominant partner and a handful of right-wing Hindutva parties are constituents. In cases where there is an alliance, each party tries to do its best in the polls to get a majority. An alliance ensures

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two or more parties are in a better position to pool their resources.

Between the Lines

Claims over Kohinoor

KuldipNayar

In 2016 four states will be heading for assembly polls and in 2017 a major election will be in Uttar Pradesh which has 400 assembly and 80 parliamentary seats. It is no wonder that political parties are focusing more on UP than on the smaller states. UP has the potential of influencing the national polls in 2019.

The Bihar gatbandhan figured in the news last week when the incumbent Samajwadi Party chief minister of UP did some loud thinking on the possibility of a mahagatbandhan between his party and Mayawati's Bahujan Samaj Party (BSP) in his state. However, either realising that he had exceeded his brief or that a view on this could be taken comprehensively by the party and his father Mulayam Singh Yadav, he quickly retracted. Interestingly, Mulayam had walked out of the mahagatbandhan when it was proposed in Bihar for unstated reasons. The SP was not a serious player in Bihar. The mahagatbandhan has made history and it must be galling for Mulayam to see how the alliance is being celebrated by the political class in the country. A Mulayam-Mayawati alliance is not thought to be a feasible proposition in view of their mutual hostility. In the 2014 Lok Sabha poll, the BJP did much better singly than the SP-BSP combine together. While Mulayam can be expected to play difficult to support or participate in an alliance with Mayawati, in politics nothing is impossible. The two parties have been maintaining distance between each other from the time in 1995 when SP activists surrounded

The British establishment must have prevailed upon Prime Minister Narendra Modi not to mention Kohinoor during his official visit to the United Kingdom. Otherwise, it is not understandable why he did not refer to the subject even once directly or indirectly.

Why I suspect the government's hand is because of my personal experience. When I raised the subject in the Rajya Sabha after my campaign at London the then Foreign Minister Jaswant Singh told me that I was 'spoiling relations' between Great Britain and India. His request distressed me. Yet I went along with him. It became clear to me then that New Delhi and London were on the same page on Kohinoor, although the real owner was India: After the partition the place has become part of Pakistan.

The British government has even questioned the ownership of Kohinoor. It says that after the birth of Pakistan, the ownership of Kohinoor vests not only on India but that of all three countries: India, Pakistan and Bangladesh. At London, one foreign office high up had defended its decision not to return on the ground that the Kohinoor belonged to Pakistan. I told him that let them return to Islamabad. It would at least come back to the subcontinent.

It is clear that the British have no intention of returning the diamond or for that matter, tons of material which is stored in the basement of Victoria

and Elbert museum at London. This is contrary to a UNESCO resolution that the relics acquired during the occupation should be returned to the country to which it originally belonged. There was no response from England but France complied with the resolution and gave up the relics which had come to it as a result of victory at war.

When the Nehru corner was opened at the museum at London, I asked the curator how much of possession they had displayed. Her reply was - five percent. Even then the entire expense was borne by us. I requested her for the display of other possession at the Indian government's expense. She curtly said: No. She also rejected my proposal that we display the passions in India at our own expense and return them to the museum. The material at the basement of India includes manuscripts, books, maps, posters and such other material. People of India may never see that material since the government is reluctant to take up the subject.

Now that a different political party is at the helm of affairs, the matter of relics should be taken up again. The Modi government should reopen the question of relics with London. This may embarrass the previous Congress government for not having acted during its rule. But the country's interest demands that what is part of its history should be in India, when the events took place. The British establishment should appreciate the feelings of Indians.

(Continued on Page 11)

The UK has done well not to display the Kohinoor this time in the yearly exhibition of diamonds. Probably it has dawned on the Cameroon government that every time the Kohinoor is put to public gaze there is a demand from India that it should be returned to it. And it confirmed now that the diamond belongs to them and that Lord Dalhousie fraudulently took it away from Maharaja Ranjit Singh's son, Dilip Singh, a minor then during the British rule.

Despite this attitude the British have developed a strange, smouldering attachment to India which the passage of time has not extinguished. In a way they simply cannot get over India. There are so many of them, even today, who can recall someone or the other from their families who served in India during the Raj. Several homes display artifacts from India such as a painting, an ivory elephant or a bronze goddess.

As High Commissioner I felt it would be a good gesture to meet the tribe (the former civil and military officials who had served in India) of Raj veterans. They had spent their best years in our country and had never been invited by the Indian High Commissioner to his residence. It was not difficult to get their names; there are organizations which stay in touch with them and their names and look after their interests. The surviving members of the Indian Civil Services (ICS) then numbered ninety-seven. The ex-military hands numbered in the hundreds. We had to be selective, a job which the High Commissioner's army, air force and naval advisers did with finesse.

The reception for the ICS officers was the first to take place. Fifty-seven

(Continued on Page 6)

The fall of tinsel god

Rajindar Sachar

How mighty have fallen fits in completely with the rout of BJP in recently held elections to Bihar Assembly. To any analyst it looked that it was going to be close fight – it is no hidden secret that progressive forces in the country like academics, writers and social activists who were passive at the start were forced to be active as the real face of BJP through its boss RSS emerged threatening the very core values guaranteed by Indian Constitution, and thus posing a danger to the integrity of the country.

Jayaprakash Narayan, the Socialist leader had as far back as 1965 given the warning. He said; “Some like the RSS might do it openly by identifying the Indian nation with Hindu Rashtra, others might do it more subtly”. JP warned “those who attempt to equate India with Hindus....are in reality enemies of Hinduism itself and Hindus, as they weaken and sunder the fabric of nation”. He also had pointed out that cow was never considered a sacred animal even during early Vedic period of Hindus.

The silence of Prime Minister at the complicity of BJP members in participating and encouraging attacks on Muslims at Attali (Haryana) and Dadri (U.P.) created a massive revulsion against BJP.

Such was the low level of falsehood and hypocrisy at projecting issue of beef to target Muslims when reality was entirely different. This has been exposed by a study done by Research Centre thus; “Muslims are earning peanuts as against the general perception about the trade, and it is actually the government and non-Muslims who are benefiting the most from the \$ 4.5 billion animal slaughter business. Except for direct

consumption, in which case both Muslims and non-Muslims are at par in terms of consuming beef, all associated business including meat export, bone-crushing and powder industry, leather and horn processing industries, blood processing, animal fat and soap industry are dominated entirely by non-Muslims”.

BJP is trying to lower the impact of this defeat by saying that it will not in any way affect the position and popularity of its leader, Narendra Modi. How self-serving and false. Even a day before counting a senior Minister of Central Cabinet was openly downgrading exit polls and stating that they were absolutely sure that women have voted in large number because they have confidence in Prime Minister Modi's leadership and promise of development.

Some BJP apologists may try to distinguish the voting pattern at the Centre and States as being influenced by different considerations. It is true that in earlier elections Prime Ministers though they may have participated in State elections, no other Prime Minister had canvassed as Modi did whole time for the State as if he was competing to become State Chief Minister. No, the public will not buy party apologists plea that the blame if any is of the party, because this flies in face of BJP's whole time propaganda which was to ask for vote because of Prime Minister Modi's alleged sweep of development plans which were supposedly for the masses but were unashamedly corporate friendly.

As it is Modi has not enhanced his stature at the way of functioning of Central governance. Even pro-Modi enthusiasts now concede that the working of Central government in

the matter of enunciating policies on important matters are nowhere to be seen. Decision making is centralized in P.M.O., with unpardonable delays.

Even the corporate sector which was the strongest supporter of Modi is having second thoughts at the functioning of Modi Government's divisive policies – to cap it all Moody Rating Agency's public criticism of this communally surcharged atmosphere created by Modi's inaction in restraining his state satraps shows that impact of loss of Bihar will further seriously cause damage to the credibility of Modi government.

In my view immense thanks for defeat of BJP are due to the unexplainable conduct of Mohan Bhagwat, the RSS leader, pontifically declaring that Reservation policy needs to be reconsidered. It is still a mystery how such obviously damaging statement against the interest of BJP could be made by RSS Chief – could it be the danger to Brahmanical supremacy being captured by a lower caste – let us not forget that Modi is from backward caste. I can not find any other rational explanation for such high blunder.

A slavish kind of excuse for the loss by BJP is being forwarded by the loyalists of BJP that the victory or loss of elections should be attributed to the party and not personally to Modi. This is a limit of hypocrisy. The landslide victory in Parliament and even in State elections was attributed to Modi both in Maharashtra and Haryana when no one can deny that in both States, BJP as a party was the poor third. If success in those States was legitimately given to Modi's image how can different criteria be applied to the present loss in Bihar.

The biggest self-inflicted damage to BJP is its placing Modi on to a pedestal of semi-god, who it is imagined will alone take the party

into a march of victory. Such an approach is suicidal in a democracy as propounded in the impeccable warning given by Dr. Ambedkar thus; "The second thing we must do is to observe the caution which John Stuart Mill has given to all who are interested in the maintenance of democracy, namely, not 'to lay their liberties at feet of even a great man, or to trust him with powers which enable him to subvert their institutions'. There is nothing wrong in being grateful to great men who have rendered lifelong services to the country. But there are limits to gratefulness. For, in India, Bhakti

or what may be called the path of devotion or hero-worship, plays a part in its politics unlike in any other country in the world. Bhakti in religion may be a road to the salvation of the soul. But, in politics, Bhakti or hero-worship is a sure road to degradation and to eventual dictatorship."

People have given an extraordinary opportunity to Nitish and Laloo. It is expected that they will continue their sagacity and mutual accommodation. This is the least they owe to the masses of Bihar, who have put their trust in them.

5वीं पुण्यतिथि पर संगोष्ठी लोकतंत्र के समक्ष चुनौतियाँ - चुनाव सुधार

17 दिसम्बर, 2015 (बृहस्पतिवार)

स्थान : गांधी शांति प्रतिष्ठान, 223, दीनदयाल उपाध्याय मार्ग, दिल्ली
सायं 4 बजे से 7 बजे तक

मान्यवर,

नमस्कार,

सुरेन्द्र मोहन जी की स्मृति में आयोजी 17 दिसम्बर, 2015 (बृहस्पतिवार) को गांधी शांति प्रतिष्ठान, दिल्ली में सायंकाल 4 बजे से 7 बजे तक "लोकतंत्र के समक्ष चुनौतियाँ - चुनाव सुधार" विषय पर संगोष्ठी का आयोजन किया जा रहा है। आपसे अनुरोध है कि संगोष्ठी में शामिल होने के लिए अपना बहुमूल्य समय निकालने का कष्ट करें।

इस अवसर पर जनता वीकली द्वारा विशेषांक का प्रकाशन किया जा रहा है। आपसे अनुरोध है कि विशेषांक हेतु 1 दिसम्बर, 2015 (मंगलवार) तक janataweekly@gmail.com, manjoosmohan@gmail.com (अंग्रेजी भाषा में) पर लेख भेजने का कष्ट करें।

यदि आप संगोष्ठी के विषय पर अपना लिखित वक्तव्य भेजेंगे तो हम उसे 17 दिसम्बर, 2015 (बृहस्पतिवार) को संगोष्ठी में शामिल होने वाले साधियों के बीच वितरित कर सकेंगे।

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अरुण प्रीवास्तव
FACTOR

Caste politics or accelerating democratization

Pannalal Surana

While commenting on the Bihar Assembly election results, BJP spokesperson said that the Grand Alliance of JD(U)+RJD+Congress could succeed because of consolidation of backward castes. And in their view, casteism is very bad.

For the last thirty centuries or so, a few self-styled upper castes had a monopolistic control over the social, political and economic structure of the country. But that is not to be labeled as 'Casteism'. That abusive epithet is applicable only to the consolidation of the so-called lowly castes when they are trying to assert their fundamental rights.

Should not the marginalised castes try to ask for adequate opportunities for self-development? Actually, democracy means full opportunities for the lowliest of the low for self-development. It was 2700 years back that Lord Buddha and Teerthankar Mahavir who had raised banner of rebellion against the inequality perpetrated by the Vedic tradition. There were many ups and downs. The process of democratisation got fillip during the last two hundred years. Thanks to the sustained efforts of social revolutionaries like Raja Ram Mohan Roy, Savitribai and Jyotiba Phule, Perriyar Ramswamy Naicker and others, men and particularly women started getting space to assert their rights. With the adoption of the Constitution, which accorded first place to the value of justice in the preamble, and adopted the principle of adult franchise for elections to the Lok Sabha and the Vidhan Sabhas,

the process of democratization has been accelerated. The backward castes have to join hands to undo the grip of the upper castes over the social, political and economic structure, and try to secure majority in those legislative bodies so that more steps can be taken towards availing adequate opportunities to marginalized sections. Efforts made in that direction should not be termed as something vicious. The BJP and the highbrow media persons would do well to bear that in mind.

Another question to be answered by the BJP is that did not they try to muster support of the backward castes to win elections?

Actually, Ram Vilas Paswan was lured away from Lalu Prasad Yadav by the BJP during the last Lok Sabha elections. For the Bihar Assembly elections, they enticed Jeetan Ram Manjhi and Kushwaha. Those three leaders were given more than eighty seats. In addition, BJP had fielded more than forty Yadav candidates. It may be noted here that, BJP had celebrated 2380th birth anniversary of great Boudh Emperor Ashoka on 27th May 2015. Big hoardings were put on the thoroughfares of Patna which carried pictures of BJP leader Sushilkumar Modi and Surajnandan Kushwaha, prospective BJP candidates, along with that of Ashok the Great. Many came to know for the first time that the emperor was born in a Kushwaha caste. The world knows very well that the Great Emperor had cast aside considerations of caste or creed. Many of his edicts say that

you may follow your religion and allow others to follow theirs and further that everybody should enter into dialogue with other religions for meaningful exchange of ideas. BJP would do well to do their homework meticulously.

Even though BJP had fielded about half the candidates from the backward castes, the party fared so poorly. Why? Because the average voter gave more weight to the policies of the contending alliances. Lalu and Nitish had taken steps like starting rain baseras (space for nightly halt) for the rikshaw-pullers, charwaha schools for the cow-herds, pahal (50 per cent reservation of seats in Panchayati raj institutions for women) etc. And, on the other hand, Dr. Mohan Bhagwat, the RSS Chief had openly asked for review of the Reservation policy for the backward castes in employment and education. Bihari voters gave weight to the practice of the contending parties and not the BJP's hollow promises.

Actually, Narendra Modi and Amit Shah, star pracharaks (propagandists) of the BJP, stooped low beyond imagination. Modi alleged that it was something wrong in the DNA of Nitish which was responsible for the backwardness of the State. He further termed Nitish, Lalu and Sonia as the 'three idiots'. One cannot believe that a Prime Minister of a great nation of the world would utter such words.

Amit Shah, in his speeches, had said that fire-crackers would burst

in Pakistan if Modi lost the Bihar Assembly elections. He imputed that all those opposing Modi were pro-Pakistanis. One of the Union Cabinet Ministers had openly asked the parties opposing Modi to go to Pakistan.

Ordinary Bihari voter is poor and may be less educated. But s/he is civilized enough to discern good and bad. And they have shown the BJP its due place.

(Continued from Page 3)

of them turned up, some with their wives, children or grandchildren. I had also extended the invitation to the Indian League, which had helped India in its freedom struggle. The former Labour Party leader, Michael Foot, who had played a tremendous role during our national movement but later unfortunately, supported Indira Gandhi during the Emergency, also came. I appreciated his gesture.

My impression is that when it comes to their empire, the British cannot be objective. There is pride, no humility; self-righteousness, no introspection. The British are proud, nostalgic but annoyingly patronizing about their connection. At an exhibition on India and Great Britain (1600-1947), the emphasis was on the rule, not the struggle against it; on the nautch girls, not the people's aspirations. Recently, the BBC also disseminated a programme which displayed India's poverty and squalor. But that is not the true picture of India. There is a positive side which the British media intentionally ignore. I recall that during our national struggle Mayo Katherine came to India and wrote a nasty book. Mahatma Gandhi's comment was: must she report on our drains which were indeed dirty.

Peace and harmony is the real 'development'

Even if we were to forget the past, the recent events, vitiating the communal harmony in the country, are extremely painful and disturbing. On 29th September, a violent mob lynched 52 years old Muhammad Akhlaq in Dadri in Uttar Pradesh. Since then the discord has spread over the country and on 16th October Noman Akhtar was beaten to death in Himachal Pradesh. The Prime Minister, his government and his party have only added fuel to the fire in these past weeks. This is a bad omen. The black ink thrown on Sudheendra Kularni's face has now reached Kashmir and the smugness is spreading. With full responsibility, we would like to say that these events are not random and do not merely result of rumours. This is a systematic effort to create communal tensions in the nation. It is not just a matter of law and order, the environment thus created is hurting the core of Indian culture.

We are aware that the previous governments and the police did not have any better record on the matter and that the communal tensions have been erupting time and again. But it is the direction and the intent of the recent events that has made us suspicious and worried. There is a constant attempt to push the minorities to

the corner. Intellectuals and literary personalities raising their voice against this intolerance are being victimised and insulted. Authors and cultural personalities have been returning the awards and honours given to them in the past. It is a very positive way of showing their dissent. Instead of respecting their opinion and understanding their pains, they are being made a laughing stock. We would like to caution the Government that its intentions are under a cloud of suspicion. Brushing the matter under the carpet will make the whole society, including them, pay for it. Parties and governments are irrelevant here. We are more worried about the tried and tested inclusive structure of Indian society. It is the soul of Indian society and we cannot allow anyone to play with it.

We, along with the whole nation, are closely watching the steps and initiatives taken by the Government in response to the unfortunate incidences in various parts of the country. On behalf of the Gandhian family, we ask for forgiveness from the families who have lost their near and dear ones, and homes. We also want to convey to every Indian that peace and harmony are the biggest and priceless 'development' that any country can have.

Gopinathan Nayar : President
Ramchandra Rahi : Secretary
Gandhi Smarak Nidhi

Kumar Prashant: President
Anupam Mishra: Editor 'Gandhi Marg'
Gandhi Peace Foundation

New Delhi

Paris attacks and hypocrisy

**Neha Dabhade
Irfan Engineer**

“Once again, we have seen an outrageous attempt to terrorize innocent civilians. This is an attack not just on Paris, it’s an attack not just on the people of France, but this is an attack on all of humanity and the universal values that we share”. This was a statement issued by Barack Obama, the President of USA after the attacks on Paris on 13th November. Eight unidentified attackers carried out bombing at six sites of Bataclan concert hall, Stade de France, Rue de Charonne, Rue Fontaine Du Roi and Le Petit Combodge in Paris, France. These attacks took the casualties to 129. Over 300 people were hospitalized and more than 77 stated to be seriously injured. ISIS or the Daesh as called in Arabic have claimed responsibility for these attacks. Such horrendous attacks claiming lives of innocents are unforgivable and unjustifiable. Without any shred of doubt we condemn these attacks. The culprits must be brought to justice and the scourge of terrorism must be fought with determination.

Understandably, the reactions of world leaders expressed solidarity with France and considered this attack not only on Paris but against entire humanity, and values of liberty, equality and fraternity. To show solidarity towards France and its loss, monuments across the world were lit up in the colours of the French flag. Facebook enabled a setting of having display pictures in the backdrop of the French flag. The collective mourning and outpour of sympathy and compassion by the sheer coverage given to the attacks was tremendous.

Double standards

While it is heartening to see such shared concern and solidarity, it compels some to wonder if the leaders of European and North American countries, and the media controlled by them would extend the same empathy for victims of all violence. Would they condemn all violence unequivocally? It is absolutely crucial that such violence, anywhere in the world, even far away from our homes, must be seen as a threat to humanity and the values like nonviolence, love, compassion, respect for life and dignity of other human being inherent to all civilizations. In this context, the statement by Mr. Obama is significant. While the attacks on Paris are perceived as attack on entire humanity, why doesn’t he feel the same way when the same terror organization carries out attacks on innocent civilians in Beirut, Lebanon or in Palestine? Or, are the Arab residents of these countries lesser human beings?

On 12th November, a day before Paris was attacked, Daesh also struck Beirut with brutality claiming more than 44 innocent lives. Descriptions of the aftermath from Beirut with a 14-year old been killed in his scout uniform in the second blast are deeply disturbing, heartrending and shocking our conscience. As one news post wrote *“...the street where the bombings took place was strewn with lettuce and parsley from pushcarts overturned in the blast. Men washed blood from sidewalks. A shop’s inventory of shoes — from small children’s slippers to women’s clogs — was scattered across the pavement. Several funeral*

processions were massing, ready to march to cemeteries”. Isn’t this loss and grief the same as experienced in Paris? But no world leader took note of this attack and the victims it claimed. Facebook didn’t give an option to its users to have their profile picture against the colors of the Lebanese flag or activate safety check like it did after Paris attacks. This attack was dismissed and to some extent justified as retaliation to Hezbollah, a traditional rival of Israel and US.

The genie called Daesh’s:

Who are responsible for the creation of Daesh? The five year long civil war in Syria wherein the rebels are fully backed, supported and provided arms and equipments to fight the Bashar Al-Assad regime and to install a regime favourable to US-led coalition has resulted in birth of Daesh. Innocent Syrian citizens are facing brutal violence and suffering in this civil war. About 210,060 people have died in Syrian civil war, making it on an average of 144 people killed daily. Closer home, Mumbai was attacked on 26th November, which claimed 169 lives and in another attack in bombs placed in trains claiming 188 lives. The world leaders then didn’t condemn the attacks with the same intensity and firmness. We in no way mean to trivialize what happened in Paris or even compare. However, such equivocal reactions compel one to think if lives from one country are more precious than lives from other countries?

While France is part of the Western world and a tourist attraction, it also happens to be a

symbol of Europe, an economic powerhouse, one of the global leaders and most importantly, an ally of US in its war on terror. In short, as put by Hollande, this was an attack on 'our way of life' - entrenched in values like equality, liberty and fraternity. The attempt by US and now France is to juxtapose this to the non-Western way of life. Islam is subtly and not-so-subtly portrayed as barbaric with no respect for liberties and everything that the West stands for, reminding us of Samuel Huntington's "clash of civilization" theory.

However this isn't true. Just to cite few examples, the Palestinian people fully supported the Allied forces during the World War-I and fought their co-religionists - the Ottoman Empire in the hope that they would have right to determine their future and be able to have democracy. The Sufi saints in India preached and lived by the values of equality, love freedom of conscience, and are considered an important component of the social and cultural history of the country. The holy Quran states that to kill one human being is like killing the entire humanity and saving even one life is saving the whole humanity. The classic 'Clash of Civilization' influenced an entire generation and imbibed it with hatred and Islamophobia which has engendered numerous conflicts even in diverse societies. Daesh and the attack on Paris are being utilized to justify the US, UK and France supported war to throw out regimes inimical to their economic and political interests. In this endeavour, they support, and are supported by worst and brutal dictators, including the rulers of Saudi Arabia, Shah of Iran, military dictators like Hosni Mubarak and Zia-ul-Haq.

When US invaded Iraq in

2003, it destabilized the socio-political order in the country by bringing about a regime change and installing in its place a Shia-led partisan government. The US distrusted the traditionally powerful Sunnis who were predominant in the army and bureaucracy. This professional military machine of Saddam Hussain rendered unemployed because of distrust was then mobilized by Abu Bakr Al-Baghdadi to establish ISIS. The rebels fighting Bashar Al-Assad and who had adequate resources, arms and equipments provided by US and allies, also joined Al-Baghdadi occupying strategically important cities and territories from Syria and Iraq. One can't help but draw parallels between the results of the American invasion of Iraq, the Soviet invasion of Afghanistan and the Israeli invasion of Lebanon. In all three instances the invasion led to political destabilization, long drawn civil war and loss of millions of lives. The US armed the Taliban to bring about regime change in Afghanistan with disastrous and far-reaching implications.

The popular revolt by the Arab youth in Tunisia and Egypt and their movement for democracy initially worried the US as they were directed against the dictators supported by them. The movement was popularly called as Arab spring. However, the US misused the prestige of the popular non-violent movement in Tunisia and Egypt to support and equip rebels in Libya and Syria to bring about regime change and trigger off civil war in these two countries. France too played an important role in destabilizing Syria and perpetrating the civil war. France armed Syrian rebels with weapons like assault rifles, pistols and ammunition. It played a crucial role in lifting the European Union arms embargo on Syria enabling supplies to the

rebels. The condition imposed for political dialogue was that the President of Syria gives up power first which was impractical. This hardened stand spells doom to any peaceful settlement of the Syrian conflict. The implications of this ongoing war have spilled beyond security and also taken shape of refugee crisis which will be explained shortly. French President Francois Hollande declared that the attack on France is an act of war. But shouldn't France's role in Syria be taken as an act of war too?

Apart from Iraq and Syria, regime changes were brought about in Yemen. In Yemen, civil war is on between the Houthis and government dominated by Sunnis. The fighting has claimed more than 4,300 lives and forced 1.3 million to flee their homes according to UN agencies. The remaining population has no access to clean water or electricity and health facilities leading to frequent outbursts of dengue, malaria and other ailments due to destruction of key infrastructure. As reported by Amnesty, the campaign by Saudi Arabia and the allies have left a "bloody trail of civilian deaths" amounting to war crimes and killing many civilians including children. The US has fostered the South Yemen separatist movement under the garb of conducting political workshops with the youth spending millions. The French in Libyan conflict provided around 40 tonnes of arms to the rebels for an assault on Tripoli. UK has sent around 8 million pounds worth of "non-lethal" aid and along with its allies continues to supply arms and trainings to rebels.

In the attempt to create a uni-polar world with the domination of the West has destabilized the region and compelled an exodus of civilians to flee the region and

take refuge in other countries like Lebanon, Egypt, and Jordan and as far as Germany, France and Australia. Four million Syrians have fled and spread across these regions. Iraqis and Syrians undertake dangerous voyages to reach safer places to protect lives and families. They have no clear status - sometimes refugees and sometimes immigrants. They have no livelihood, legal documents, shelter or medical aid. The only routine is to sit around and pass their days. The only recreation is football which they have to pay for. A substantial number of infants are born in refugee camps. But due to lack of information, legal documents and access, they are not registered with UNCHR or the refugee State, rendering these children stateless. It's needless to explain the plight and ramifications of being stateless. After the Paris attacks, France is contemplating closing its borders to refugees who are trying to flee the after effects of the war supported by France. A backlash is also expected on the Muslim immigrants residing in France. This imperialism in the form of engineering regime change and fueling civil wars for vested benefits of the US and its allies is tearing apart the socio-political landscape of the Middle East and affecting entire humanity. There are also attempts to redraw the boundaries of the Middle Eastern countries in order to weaken them and secure Israel.

Way to peace

The world has become much more insecure after the US-led "war on terrorism". In this war, innocents have been caught in cross-fire between US-led allies, including France, and the Daesh. The war is neither to defend the values liberty, equality and fraternity or Western way of life, nor Islam and principles of brotherhood, equality,

social justice, compassion, dignity of life and other Islamic principles. Slogans like "defending our way of life" are to fool and mislead the victims of this war in particular and public opinion in general and justify spending billions of dollars and harming millions of lives. Islamophobia is one of the weapons in this war.

To end this war and all violence, immediate and unconditional ceasefire should be brought about and all warring factions and stake holders should sit on negotiation

table unconditionally and discuss the matters out. All forms of violence should be unconditionally and unequivocally condemned, including war crimes of Israel. It will be in order to mention here that various Muslim groups and Muslim clergy in India have always condemned the acts of Daesh and other terror organizations. Also there have been only handful stray cases of Indian youth joining ISIS and is an exception rather than a norm. UN needs to take initiative in building a peaceful and just world order.

Life sacrificed for Prohibition and strong Lok Ayukta

It is a measure of the growing insensitivity of the authorities that serious efforts were not made in time to save the life of leading social activist and former MLA, Gurusharan Chabra. This social activist died after 32 days of a protest fast to demand prohibition and a strong Lok Ayukta in Rajasthan.

Although he was elected as MLA from Suratgarh several years back, Chabra was known more as a Gandhian social activist than a political leader. He was deeply troubled by the social disruption (apart from adverse health and economic impacts on people) caused by the fast increasing sale and consumption of liquor even in remote villages. Earlier also he had taken up fasts on this issue and he had obtained assurances from the state government regarding strong anti-liquor steps. His colleagues say that his latest fast was only for the implementation of promises that had been made to him and other activists by the previous government.

In our democracy there has been a well established tradition that the government generally acts in time to save the life of social activists and leaders who take up such fasts on issues of public interest. It is a reflection of the greatly increased insensitivity of the government that such efforts were not made by the state government in time. By the time the government made some arrangements for medicare it was too late. This happened despite the scene of the fast being in Jaipur, the state capital.

Condolence meetings have been organized at several places in Rajasthan where it was also said that the tasks taken up by Gurusharan Chabra will be carried forward by other social activists and organizations.

–Bharat Dogra

Whither and why?

Nargis Sattar

My father Abdus Sattar, who was a freedom fighter from his student life, a member of Constituent Assembly, member of the first Lok Sabha and later Labour Minister in Dr. B. C. Roy's cabinet in West Bengal, was entirely devoted to politics. If he could have reappeared from the other world, what question would he have asked? The question will be 'Did we struggle and suffer to free our country from the British tyranny to witness this wretched condition of our beloved motherland? Did the gallant fighters, many of whom lost their lives, ever expect to see this terrible condition of so-called secular India? They were persons of a different kind - those freedom loving fighters were simple, honest, respectable, dignified, truthful, brave sympathetic men and women, of steely courage. Some were extremely brilliant, lion-hearted, wise, law abiding leaders, of principles with clear insight and objectivity. Above all they loved their country with their hearts and souls. Naturally, they proved to be excellent leaders.

The past and present politicians are poles apart. Now politics have gone to the dogs. Most of the MPs and MLAs are not educated enough, leave alone possessing towering intellect. Watch the low standard of debates. They are not fit for democracy but idiosyncrasy. Indulging in "Badministration" and not proper administration.

Even A, B, C of administration is unknown to these unskilled people. Most of the citizens are extremely

miserable, frightened and insecure in this regime.

Nobel laureate scholar Amartya Sen said that Narendra Modi is not fit to be a P.M. of secular India. Though public memory is short, the genocide of Gujarat says all. Actually, who is ruling India? Surely RSS and Bajrangees. That is why innocent and, harmless Muslims and Dalits are cruelly lynched only for a petty thing like beef or entering a temple. And that too was agonizingly a false allegation. RSS is expert in cooking up facts. This incident of lynching is morally indefensible. World's most towering intellectuals ate, eat and will continue to eat beef. They drink milk also because there is no dearth of cows! I don't eat beef as I don't find it tasty, but my Brahmin friends abroad enjoy beef stake immensely, telling me "You don't know what you are missing"!

The criminals are not born, they are made. Watch the rate of rising criminals, crimes of murder, extortion, rape, forgery, bribery, drinking, dacoity, etc. that are adorning the present regime without fear. The present rulers are making them by their excessive indulging for their narrow gains and greed for power. None bothers about the downtrodden and uplift the underdevelopment of villagers. Always running after Corporate Houses. Businessmen donate their black money liberally to the corrupt politicians for their favours and gain,

Before propagating "Swachh Bharat" they should clear their hearts and minds, first of all. And look at their conscience. There are many crucial problems which should be solved expeditiously instead of bothering about non-necessity. Educate the public not to spit on the streets and throw rubbish in the dustbins, of course if they are available!

Hon'ble Mr. Modi's knowledge of science will help Newton, Einstein and other scientists to turn in their graves. Yes, his idea of plastic surgery, Ganesh with elephant head! Their vast knowledge of four vedas is equally wonderful. And superstition is the child of ignorance. Neo-Daniels have come to judgment. But of late Hon'ble Mr. Modi is better known for his flamboyant lifestyle and wardrobe culture. Were Modi suits available during Vedic Age? And foreign trips? You must move with the times!

Where will their narrowly conceived Hinduism lead us? In the name of pseudo-Hinduism, unspeakable violence is occurring at frightening regularity. There is no full stop so to speak. Their skyrocketing hatred, torture, inhumane attitude towards minorities, Dalits, barbarous attacks on Dabholkar and his followers, insult and murder of intellectuals, progressives, scholars, singers, women, children are killing the civilization cruelly. Enough to ruin the country freed by great people. Including the freedom of speech, penning liberal articles,

authoring books, eating according to democratic rights are trampled upon. Mohammed-bin-Tughlak and Hitler have returned from the dustbin of history. Selling tea is much more dignified than shedding crocodile tears abroad for mom with whom he refuses to live. I really feel sorry for two women - the mother and wife. Where have the women libbers vanished?

“Power” has already gone “to the hands of rascals, rouges,, freebooters” and the majority of Indian leaders “are low calibre and men of straw, silly hearts,” and they fight among themselves for power and India will be lost in political squabbles.

The words “tolerance”, “plurality”, “cultural diversity” do not exist in their ‘vocabulary’. Many of them are “scam-tainted” from head to toes. The sooner we get rid of them the better. They should be voted out of power for their poor performance. This much is clear this government will not try to rectify the wrongs which are always put out of focus. We are facing a trying time today. Actually their narrow concept of Hinduism is forcing progressive people, intellectuals and people at large to embrace an uncertain future. The pressure of fascism is mounted on us and unless we put up resistance to their lack of political wisdom, what will happen to us?

We know global population exceeds 7 billion or so and going towards 9 billion by 2030, yet RSS is highly interested that every Hindu woman to produce four children! Watch China. Unless they distance themselves from this dangerous and unwise plan, population explosion will result.

Will this bring “Ucche Din”? A brute problem already. Besides, it strikes at the root of women’s self-respect. Hail Hitler? “Women are child producing machines”! It is the wonder of civilized world. Their match in imbecility is not to be found.

We are aware that “Of late politics has largely become the game of megalomaniacs, eccentrics, casteists and communalists”. Sweat, tears, blood.

It is time for a new chapter to begin in history of India. Thunder

(Continued from Page 2)

Mayawati and almost killed her. In trial of strength, the two parties may break even, she with her Dalit votes and a part of Muslim votes and SP cornering the upper class and Yadava votes. Mulayam had a sizable Muslim vote bank once and was even known for some time as Maulana Mulayam. That support has faded away. The Akhilesh administration has not endeared itself to the Muslims or Dalits. An alliance between Mayawati and the Congress is thought to be more

clouds are gathering and this does not need further elucidation. In fact what India needs today more than anything “is governance with integrity, honesty, impartiality, objectivity”. The need of the hour is to protest continuously, and unitedly, irrespective of religion, gender, class and language. We are Indians first and must protect all the Indian citizens. We must break the shackles of authoritarianism to revitalize democracy, liberty, fraternity and equality with all our might. Should we agitate in vain? Never. “We shall overcome”. How long does the night last?

likely but it should not be surprising if Mayawati goes it alone banking on the Dalit-Muslim votes. The Congress is not a serious player in UP but a good alliance with either of the anti-BJP groups can galvanise the moribund Congress and reactivate it. Anyway, the UP gatbandhan can challenge the BJP quite effectively and the BJP has reason to be less sure of its prospects in this state than before the Bihar polls.

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Manohar Somayya

Religious identity of the Indian must give way to the secular identity - II

Ronmila Thapar

This duality continues to be used with reference to what we call religion, over a period of 1500 years. The earliest mention is in the edicts of Ashoka (bamhanam-samananam). The later quotations from the account of the Greek visitor Megasthenes refer to his statement on the Brachmanes and Sarmanes. In the travel accounts of visits to India of the Chinese Buddhist monks in the latter part of the first millennium AD the distinction is present. It is also present in the book of Al-Biruni of the eleventh century AD, where the Shamaniyyas were said to cordially dislike the Brahmanas.

Kalhana's Rajatarangini of the twelfth century AD refers to earlier hostilities between Shaiva sects and some Buddhist monastic orders; and inscriptions from south India refer to violent disagreements between some Shaiva and Jaina sects. Interestingly they used the same abusive terms for each other. The grammarian Patanjali of the early centuries AD, refers to the two, adding that their relationship can be compared to that between the snake and the mongoose!

This underlines the fact that there were among the multiple sects some that adhered to the orthodoxy and others that were supporters of the heterodoxy. The advantage of sects over monolithic religions is that sects shade off from the very orthodox to those far less so. This allows the less orthodox to assimilate new beliefs and this is not treated as heresy. The heretics function in a stream of their own. This allows for the occasional, even if marginal overlaps at the edges of both categories.

When confrontations became acute violence was resorted to.

A distinction ought to be made at this point between sect as used in the Christian sense and sect as used with reference to Indian religions. The words used more frequently in Sanskrit and in later Indian languages present a spectrum of meaning, suggesting that these were the more familiar concepts. Thus pashanda, was originally neutral but gradually incorporated a sense of heresy and whereas opponents may use this term it was not used in self-definition. Shakha, suggests a branching off from a bigger organization. But patha, pantha, marga, suggest followers along a path of thought and action that can be fairly freely formulated. Sampradaya is more often a doctrine transmitted through teaching. Sects therefore are not breakaways from monolithic religions. Their authority comes from independent founders, some being historical figures, they follow a distinctive organized form and much of their teaching is oral to begin with. Belonging to a sect is more frequently than not by individual choice. The larger body of people is often from the lower levels of society but this does not debar anyone from the upper castes.

A third category that is not listed as such in early texts was that of those that were discriminated against because of their low caste, or lack of it. They had their own belief system and forms of worship. The creation of a sect was open and led to a plurality that became characteristic of religion in India, irrespective of which religion. This constitutes an

important aspect in understanding the relationship between religion and society. Such relationships differ from society to society. We cannot assume therefore that the role of religion that emerged for Europe can be applied automatically to India — a mistake made by colonial scholarship. This does not imply that the meaning of secularism can change, but that the manner in which it is introduced into a society may vary.

Whereas the history of Shramanism takes a more linear form with some segments branching off from existing segments, the history of Brahmanism is less linear and more complex. An early phase was Vedic Brahmanism focusing on the ritual of sacrifice, the yajna, invoking many deities and especially Indra and Agni, and performed by upper castes. These beliefs were questioned by a variety of heterodox sects pre-eminently the Buddhist and Jaina but including many others such as the Charvaka and Ajivika. This category came to be called Shramana. Incidentally the heterodox groups tended to provide generally rational explanations about the formation of social institutions and established a critical tradition of questioning orthodoxy, eventually establishing their own orthodoxies.

By the Christian era a more individualized belief system and ritual came into being with a focus on other deities — Shiva and Vishnu. Sects of worshippers came together differentiated by particular deities, as for example, the Vaishnava-Bhagavatas and the Shaiva-Pashupatas. From the

seventh century onwards religious belief and worship was prevalent in the form of devotional sects, what we call the Bhakti sects. They arose at varying times in different parts of the sub-continent. The earliest recognizable as such were the Alvars and Nayanars in the south. Subsequent to this were many in the north, with or without links to the southern tradition. Some among these reflect the striations of new religious ideas.

Both Brahmanism and Shramanism received hefty patronage and became wealthy, powerful, established religions. This gave them status and enabled them to control social laws. Donations were made to individually named sects, rather than larger religious entities. This continued to be the norm even in later periods when references to monolithic religions begin to be mentioned.

Centres of the wealthy sects strengthened their identity when they also became the nucleus of education. This added to their authority and they could induct the elite and contribute towards elite culture. Frequently sects with large followings and authority began to function as castes in themselves, as for example, the Lingayat sect in Karnataka, and some would include the Varkaris of Maharashtra. More loosely defined were the Kabirpantha, the Dadupantha and the Nathapantha in the north, among many others. Most kept their distance from the formal religions and only occasionally might draw from them. Some even opposed them, in part because the sect was the articulation of the lower castes with a smattering of upper castes that no longer conformed. Unlike the formal religions, some accepted the participation of the untouchables and most discarded caste segregation.

A few of these sects sought a connection between the dominant religions. A few others tried to revive earlier belief system but gave them a new form. Among these was the sect founded by Ramananda who resided in Varanasi in the mid- millennium. The Ramanandi sect revived the Vaishnava worship of Rama and re-introduced the conservative features of Bhakti in contra-distinction to the teaching of Kabir, Nanak and Dadu. In colonial records however, they tended to get assigned to one or the other of what were regarded as the two dominant religions.

There is a hesitation in recognizing these sects as representing another way of articulating the connection between religion and society. Because of the multiplicity of sects it is sometimes difficult to demarcate clearly between them and what have been called the formal religions. The latter term refers more often to the religion as formulated by the upper castes or the dominant castes in a region.

Given this background I would like to differentiate between what I call formal religion and religion as practiced. Formal religion is heavily dependent on texts, on the correct performance of ritual as directed by priests and specialists, and on the organizations that emerge from these that become the centres of authority particularly in matters relating to the pattern of living. Religion as practiced, is observed by a far larger number of people. It refers less to texts and organizations of propagation and far more on oral traditions of teaching and worship.

In Indian social history the second form of religion has actually been more immanent than the first. The first was always prominent at the political level for obvious reasons of political identity and action, and status, as in court chronicles and

more important inscriptions and religious texts. Modern writing on religion did not distinguish sufficiently between these forms of religion and the more popular ones. The former was therefore taken as representative of religion in general. Historians are now beginning to recognize the greater significance of the second form of religion for society at large.

Islam in India

With the arrival of Islam and more so the presence of the Sufis the exploration of religious ideas expanded as also the number of sects. There were more orthodoxies of various kinds but also more heterodoxies. The latter in some cases questioned the former or otherwise could hold out mixed belief and worship. This was rejected by the orthodox but was frequently popular with the larger number of ordinary people.

The new presence was indicated by the elaborate mosques and mausoleums built by royal patrons and the wealthy. The religious endowments became richer and richer as do all the endowments to well-patronized religions. As in the case of the Buddhist monasteries and the Hindu temples and mathas, these endowments tied to khanqahs and madrassas, also enabled their recipients to participate in the world of scholarship and in the world of politics. More detailed studies of new social institutions that came under the control of religious authority would be revealing.

As in earlier times the sect remained the popular religious identity among the majority of people. This becomes more evident if we look at two processes involving the coming of Islam — settlement and conversion. But before I do this let me comment on the single association that is frequently made

on the coming of Islam to India, namely invasion.

At the popular level the arrival of Islam is projected largely in terms of invasion and conquest, mass enforced conversion, and the political events that followed. But even if we limit our sights to invasion, despite this being historically limited, there are aspects that we have to consider and which we willfully ignore. Invasion means traversing an area and negotiating with a variety of populations.

Invading armies from the North-West would have met large groups of people with varied patterns of living. There were many who were pastoralists, such as the Gujjars and Jats, some of whom were converted to Islam but a large number continued with their earlier religion. The reason for this needs investigation. Some of the pastoral Jats mutated into the peasantry of Sindh and Punjab and among them some groups converted and many did not. The same was the case with artisans in towns producing items for trade, where artisanal groups tended to convert in some trades, such as weaving and metal working, whereas the merchants involved in the commerce, remained as before. The continuity of caste names and ethnic identities common to more than one religion, as among the Jats, is a give-away of the process of conversion. The pattern is repeated in other parts of the country. Wherever there are common caste names among more than one religion, those castes that today are labeled as Hindu are usually in larger numbers. The picture that is presented of mass conversions in the wake of invading armies is an exaggeration often embroidered upon by eulogistic chroniclers of the rulers. Their figures cannot be taken at face value and have to be seen in the context of other evidence. Armies do not

convert and what is wanted at the point of the sword is not a convert but wealth.

There were other avenues of social mixing that presented different, more innovative social and religious forms that were often more long-lasting and built upon the values that people cherished. These were more easily found in the settlements of traders, migrants, Sufis and such like.

Mohammad bin Qasim conquered Sindh in the eighth century AD. There is a diversity of texts that speak of these times from different perspectives. The Chachnama comments on how the area is to be governed. Among its suggestions is that existing practices should not be heavily disturbed, and as it turned out, whether deliberately or accidentally, they were changed to some extent but were not overturned in Sindh. The presence of pre-Islamic religions continued.

Another associated text is the Devalasmriti that shows a concern about problems of conversion and reconversion. It does not appear to be deeply concerned about the situation but does prescribe rituals for reconversion. What is significant is that these are referred to as shuddhi/purification, and the ritual itself is symbolic of a new birth out of being buried in dirt. Shuddhi would suggest an emphasis on caste purification for which the term was used, interestingly even in the nineteenth century by social reform organizations. Women abducted by the mleccas were also taken back into their original caste after the ritual of shuddhi. Was caste purification more problematic for a reconversion, than religious commitment, or was it subsumed in such belief?

Shuddhi was necessary we are told because the person converted had lived with the mleccas and

as a consequence, had fallen out of caste. Mleccha again was the term often used in preference to using 'Muslim', even at times for rulers that were otherwise being eulogized. Its connotation was that of a social rather than a strictly religious identity.

But the new feature that reflects actual social and religious change was different from these two. It is reflected in other texts and in inscriptions from western India. This was the emergence of new sects from out of an amalgam of existing sects of various kinds with the belief system of those that settled among them generally connected with maritime trade and occupations. Inter-marriage together with the continuity of some rituals and beliefs often linked to local custom brought about new sects. The Bohras evolved from a mix of indigenous and imported belief systems, not surprising among traders, and inter-marriage with local communities. Some Bohras traced their origin to Shi'ah sects but there was a controversy as to whether they could claim to be Muslims as they also used Hindu rituals. Subsequently there were the Khojas emerging in a similar way in Gujarat and western India and also retaining some local belief and rituals. These diversions raise interesting questions.

What was historically significant during these centuries from the eighth to the thirteenth, and later in some cases, was the settlements of Arab traders and the occasional Persian, all down the west coast of India from Sindh to Kerala. Some Arabs entered the service of the Rashtrakuta kings of the Deccan. The senior officers among them exercised their right to give grants of land, and did so, to brahmanas and temples, as had been the prevailing custom. This is recorded in inscriptions from this period.

These Arabs inter-married locally and new communities evolved with a new take on existing religions. In traditional Indian style these became new sects. The Bohras and Khojas have a long history in western India. The Navayats further south in the Kanara region had links to Jaina trading communities and made a point of observing the caste rules of commensality. The Mapillas were important in Kerala and appropriated matrilineal forms and customary law of their caste equivalents. No two among the new sects were identical. Gujarati Bohras had little to do with Malayali Mapillas. Many such sects mushroomed elsewhere where belief, ritual and customary law adopted by settlers did not hesitate to draw from existing practice, especially in relation to civil law. But these have not been sufficiently studied as part of social and religious history, because we tend to look at religion only as monolithic forms. There is little reference to who formed the religious communities.

This pattern continued into later centuries at the level of the wider society. This was despite the emergence of other patterns that arose from political power and administration. Such dichotomies run through history and only their constituents change. The newly emerging teachers of various persuasions attracted support and followers. Until recently these remained the essentials of how a major part of Indians experienced religion, irrespective of having to declare their conformity to formal religions in colonial times. This was prior to the ingress of Hindutva and deliberate Islamization that have considerably hardened the boundaries, and even at times altered practices. Many people today who identify themselves with a monolithic religion, when pressed further will mention their close

if not closer, affiliation to a sect or the holy man or woman whom they revere, and who can be of any persuasion. This link is often more pertinent to the lives they actually live. It provides the emotional and psychological strength that is sought from religion. And interestingly, the sects they identify with are generally those that were established within the last thousand years.

The last thousand years

In the history of India, the history of approximately the last thousand years, referred to as the medieval period, has had a raw deal from religious extremists and politicians in being described as the age when “we were slaves”. The implication of the statement is that it refers to a uniform tyranny of Islamic rule over a suppressed Hindu population. Viewed historically however, the scene differs at many levels. The inter-action between what we today call Hinduism and Islam, had its moments of confrontation and conflict in the face-offs between competing politics manifested in various ways. This was to be expected initially with the change in existing political authorities at the upper levels of society, and more so where it was accompanied by the introduction at these levels of a new language, religion and culture. Such disruption was by no means new to the Indian political scene, familiar with conflicts between sects of Brahmanas and Shramanas, nor was it uniform throughout the sub-continent. There was substantial variance with regard to where and why it happened and which groups were involved. What these variations were and what caused them are matters we ignore in our sweeping generalizations about Hindus and Muslims in history. Nor was the experience of the coming in of settlers altogether unfamiliar, given that traders and migrants

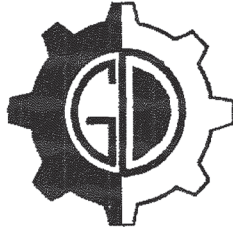
from West Asia and Central Asia had been known earlier in the borderlands and in the coastal areas. The unsettled period in the early second millennium gradually settled into more stable patterns.

Some of the earlier confrontations between groups continued and new ones were added to these. None of this is unexpected in any period of history. But what we often forget when we rush to say that it was a time when “we were slaves” and that the nastiness and oppression was unmitigated, is that it was also a time when striking creativity enriched facets of Indian culture, a creativity that we have made our own and internalized and that we actually respect, often without recognizing its origins. It took two forms.

One was what has been often discussed by historians and has been labeled as the ‘composite culture’. This was largely the mutual borrowing between what we today call Hindu and Muslim religious sects and various facets of cultural expression. It is displayed in an infinite number of ways through language, cultural idioms, customary law and forms of worship. It tends to be more conspicuous among the upper castes, but was probably more quietly internalized by the others. If one insists on the religious binary then where does one place the poetry of Sayyad Mohammad Jayasi’s Padmavat or the dohas of the devotee of Krishna, Sayyad Ibrahim Ras Khan, both widely popular at various levels. The gurus and the pirs were such a striking feature of the landscape, were often intermeshed and worshipped by large numbers of common people, that one can’t help but speak of a different religious tradition as the guru-pir tradition.

(to be Concluded)

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**A leading cause of
human distress**
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Medico Friend Circle

—
Ved Bhasin
—

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The intolerance *charcha*

S. Viswam

Poor Aamir Khan! Little would he have imagined that a seemingly innocuous comment of his, uttered before a public audience that holds him in high esteem, would unleash a huge controversy, polarise the film industry into those against his views and those in support, and threaten to spill over onto the floor of Parliament. What is the issue? It is, simply put, this: Is India intolerant? If it is, is its intolerance a deterrent to public safety and security and is it so deep and pervasive that concerned citizens have been forced to think of re-locating in other countries to ensure their families' welfare?

Who would have thought that the issue of intolerance would have the potential of stirring up emotions in certain sections of people to the extent of forcing them to lose their cool and offer their gratuitous advice that people who shared Aamir's views had better get out of India and settle abroad anywhere they liked, beginning with Pakistan!

What did Aamir Khan say to land himself in a soup? Merely, that he had been alarmed over certain happening in the country reported in newspapers, that there is a sense of insecurity and fear, that this sense has been growing

in recent months along with a sense of disquiet and despondency, and that his wife had been wondering whether it would be advisable to leave India to ensure the kids' safety and he was feeling low and the sense of fear that his wife referred to exists in him also.

By any account, a state of affairs which warrants the birth and sustenance of such sentiments is disturbing enough, but even more disturbing is the thought that it should scare enlightened citizens like Mr. and Mrs. Aamir Khan enough to make them think of leaving India. No wonder that it split the society vertically, some like Delhi Chief Minister Arvind Kejriwal declaring that every word of Aamir is true, and some like BJP MP Yogi Adityanath advising Aamir to leave the country which incidentally would reduce the size of the population. There was a middle section too like Rahul Gandhi who advised the government to reach out to people like Aamir to find out what disturbed them so, and understand them. He advised the BJP and the PM to stop bullying, threatening and abusing people. The BJP reaction was best summed up by one of its spokesmen Shahnawaz Hussain who thought that Aamir and the Congress had conspired

We need to introspect

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together to defame the BJP and the government led by Narendra Modi. But he also wondered: Where will Aamir and his family go? There is no other better country than India and there is no other better neighbor than a Hindu for an Indian Muslim. What is the situation in Muslim countries and Europe. There is intolerance everywhere.”

Unfortunately, though Aamir had spoken in general terms and not referred to communities or religions, the controversy embraced both issues and turned out to be diversionary somewhat. No comment was forthcoming on what caused Aamir’s statement and what the incidents were, that so disturbed his mental peace and tranquility. Instead, far-fetched remarks were offered out of context and out of the pale of the ongoing debate and *charcha*. For instance, one of the BJP-side comments was that the Congress could not tolerate the fact that an elected government headed by a popular leader like Narendra Modi was running the country.

Between and among themselves the participants fuelling the controversy ran a fatuous debate on whether or not India was intolerant. By and large, opinion favoured the side that asserted the tolerance of India and its liberality. It was not a well-informed debate but rather casual in nature. The Congress however used the controversy to stoke its own case that there was a lot of intolerance in the country unleashed mostly by the ruling saffron group.

The basic question whether or not India was tolerant or intolerant was not answered, although significantly the polarization between supporters

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I was present at the function where Aamir Khan, a leading-most actor, said that his wife had asked him whether they should move to some other country for healthy upbringing of their child. There was no rancour in his tone, only a bit of sadness. Still his remark shook me. Indeed, it shook the entire nation.

Never before had I realized that the things had come to such a pass that even a person like Aamir Khan would think whether they should move to some other country. Lesser persons from the minority communities must be terror stricken.

The return of awards by some 500 artists and intellectuals in the country is understandable. It is their way of expressing agony. Those who have not gone to that extent share the feeling of helplessness.

Aamir Khan’s remarks should make the communalists sit up and ponder over what has driven the minorities to the wall, and that even the most talented and sophisticated among them feel like Aamir Khan unsafe.

Instead the Bhartiya Janata Party (BJP) has pounced upon him and literally abused him. That India has made him and he is ungrateful are some of the remarks. He has made himself through hard work. India has appreciated him for his acting.

I concede that nothing new has happened to deserve such a remark. But this is how Aamir Khan feels.

I respect his feelings. We should all introspect why a person like Aamir Khan, who is loved and admired throughout the country, should make the remark. He must have thought about the effect it would have. He is a sensitive person. He must have felt that the intolerant mood that is deepening in the country makes even a person like him redundant. His secular credentials are beyond reproach and his whole life is an open book.

Unfortunately, the debate on the remark has not been healthy. Instead of making people sit up and seek the possible reason for the observation Aamir Khan has made, there has been furor over: why he dared to make the remark. Once again the perennial question of Hindu-Muslim relations has come to the fore. The tendency to sweep everything under the carpet does not help. It has been done in the past. The nation must discuss the question in its entirety. The minorities should consider themselves safe. It is what they say counts, not the majority’s comment.

Unfortunately, the reference point still remains the division of the country. The partition is a reality. The formula was accepted by Jawaharlal Nehru and Sardar Patel, who were then leading the independence movement. True, both were reluctant to accept the partition. But when they felt that there was no option to end the British rule, they agreed to the vivisection of India.

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A leading cause of human distress

Bharat Dogra

Accidents are a leading cause of human distress. One indication of this is that over 3.5 million people die in a typical year in the entire world from various kinds of accidents, while the number of serious injuries caused by accidents is many times more. Some of these injuries are of a nature that, over a period of time, these may end up causing even more distress than sudden deaths.

Taking the average for some recent years, the available statistics suggest that the number of fatalities from all accidents is much higher than total deaths from homicides, suicides, war and civil strife all combined. The latest available factsheet prepared on this subject by the World Health Organisation (WHO) tells us that among the various causes of death by injuries, over 50% were caused by accidents while 29% were caused by suicides, homicides and war combined together. 21% were caused by other injuries (these again include some accidental deaths).

Of course the situation can change in a particular year if war and strife related fatalities go up suddenly, but then we should not forget that in the case of catastrophic accidents also like Bhopal and Chernobyl, accident related fatalities too can increase very suddenly.

Exact comparisons become a little difficult as the category of ‘other unintentional injuries’ in WHO data is not well defined. If we assume that about one-third are accidental

deaths (such as deaths caused by choking, asphyxiation, injuries from machinery, etc.) then we have the startling statistics that at the world level, over 3.5 million deaths in a year are caused by all accidents taken together, while the number of deaths from suicides, homicides and war together is about 1.6 million. (Table 1).

Table 1- Approximate number of accident deaths in one year (in millions).

Road Accidents	1.3
Falls	0.5
Drowning	0.5
Fires	0.4
Poisoning	0.4
Others	0.4
Total	3.5

This is just one indication of the high distress levels caused by accidents. In addition we should remember that serious injuries caused by accidents are many times greater than fatalities. As the WHO says, “The millions of deaths that result from injuries represent only a small fraction of those injuries. Tens of millions of people suffer injuries that lead to hospitalization, emergency department or general practitioner’s treatment, or treatment that does not involve formal medical care.”

Serious injuries apart from being very painful can cause disability for varying lengths of time. Their treatment can be very expensive in countries lacking good public health facilities. These can impose a heavy burden on family members and caretakers, apart from the pain and disability suffered by the victim.

In the case of occupational injuries, the number of injuries is particularly higher compared to fatalities - the available data shows about 120 million accidents in a year while fatalities are about 2,00,000 to 3,00,000. Thus in the case of occupational accidents, injuries are likely to be several hundred times the fatalities.

However for all accidents taken together we may take the conservative estimate of 20 serious injuries per fatality. This gives us a figure of 70 million serious injuries caused by all kinds of accidents in a year.

A serious accident affects not just the direct victim but also the victim’s family, close friends and dependents. As a conservative estimate, we may say that about 8 persons are affected indirectly to a lesser or greater extent per fatality and serious injury. Thus about 560 million people, including actual victims, are likely to be affected directly or indirectly in a serious way by accidents in a typical year. This may well be an under estimate keeping in view the assumptions made.

As the mortality or serious injury caused by accidents is so sudden, this is likely to be much more painful, traumatic and difficult to come to terms with compared to mortality and disability caused by long-term illness and disease. The emotional distress and coping problems are likely to be much more in the case of accidents.

Children and youth

An important and related factor that greatly increases distress and mental health problems is that the percentage of younger people affected by accident related mortality is very high. This is evident from Tables 2,3,4 and 5 (latest classified data for 2004):

Table 2- Children killed in various accidents (Age-group 0-4)

Type of accident	Number of deaths
Road traffic injuries	56,778
Drowning	58,467
Fire related burns	46,656

Table 3-Children killed in various accidents (Age group 5-14)

Road traffic injuries	1,09,905
Drowning	77,117
Fire related/ burns	26,703
Falls	17,862

The cruel tragedy is revealed most shockingly in the case of accidents related to children. It is unbearably sad to know, for example, that in the category of children below 4 years of age, as many as 46,656 children die from fire related burns. As just a single death of a child caused in this way can be extremely painful to comprehend, it is unbearably painful to multiply this tragedy 46,000 times to have an idea of the tragedy caused among children by a single type of accident alone. It is again extremely hard to accept the fact that as many as 1,66,000 children (0-14 age group) are killed in road accidents in a year.

Accidents also take a very heavy toll of young lives, as is evident from tables 4 and 5. It is disturbing to note that in the age group 15-29 years,

road accidents constitute the number one cause of mortality. As many as 3,35,805 youths in this age group die in one year from road traffic injuries alone. In the same age group 89,434 youths die from drowning while 84,983 youths die even more painfully from fire related burns. In addition, 55,139 die from poisoning.

Table 4- Deaths caused by some types of accidents (Age group 15-29)

Type of accident	Number of deaths
Road traffic injuries	3,35,805
Drowning	89,434
Fire related burns	84,983
Poisoning	55,139

Table 5- Deaths caused by some type of accidents (Age group 30-44)

Road traffic injuries	3,29,142
Poisoning	87,576
Fire related- burns	67,338
Drowning	62,683

It is also disturbing to know that while in the age group 5-14 there are 26,703 deaths from fire related burns, in the age group 15-29, these increase by more than 3 times to 84,983. One would have thought that maturity in age would equip them better to protect themselves from serious burn injuries but this is evidently not the case as mortality escalates rapidly (to over three times) in the course of transition from age group 5-14 years to 15-29 years. The explanation for this is probably in high rate of industrial accidents.

In the course of this transition between two age groups, road traffic deaths also increase sharply by more

than three times. Mortality related to drowning also increases but less steeply.

In the age group 30-44 road accidents mortality remains at about the same high level as the age group 15-29 while the deaths caused by poisoning increase dramatically from 55,139 to 87,576.

These statistics also indicate that regarding all deaths caused by road traffic accidents almost three fourths of the deaths are in the age groups below 45 years. This draws attention to the greater distress and economic costs of accidents due to the victims (of mortality, serious injuries and disability) being more concentrated in the younger age groups.

Higher risks to the poor

According to the WHO, more than 90% of deaths that result from accidents as well all other injuries occur in low and middle income countries.

Within various countries, poorer people are more at risk. A child from the lowest social class in the UK is 16 times more likely to die in a house fire than one from a wealthy family. In countries like India poorer people like pedestrians and newcomers to cities including migrant workers and their family members are more exposed to road accidents - many homeless people and footpath dwellers have been hit repeatedly by speeding vehicles. Many slum-dwellers including children live in very close proximity to busy vehicular traffic.

Clearly accidents are responsible for very large scale and traumatic distress. Perhaps the most important aspect of this distress is that this

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Ved Bhasin

(May 1, 1929-November 5, 2015)

Known as the grand old man of journalism in Jammu and Kashmir, Ved Bhasin, passed away on Thursday 5th November, 2015 in Jammu. Bhasin, 86, an active journalist for nearly six decades, had been suffering from a degenerative brain disease for the past several months. Bhasin was born in Srinagar and went to school in Jammu. He did his post-graduation from Lahore before India's independence in 1947. He was the editor of "Kashmir Times" from 1964 to 2000. Popularly known as 'Ved Ji' among his friends and well-wishers, he was also known for his uncompromising secular views and support for the underprivileged. Bhasin's death has been widely condoled in the state.

As a student leader, peace activist and a staunch supporter of democracy, Ved Bhasin faced his first test at the age of 17 when Jammu, his home town, witnessed one the worst riots in November 1947. In his own way, he contributed his bit in preventing what was planned. For most of his illustrious journalistic career, he skipped talking about it fearing it may hurt the people whose perceptions were based on national interest or propaganda. Then, one day in September 2003 he felt compelled to tell his story of those dark days in the Jammu University at an event organized by SAFHR-Other Media. On the 68th anniversary of Jammu Massacres, Kashmir Life published text of the speech that goes in history as an authoritative reportage of a pogrom apparently obliterated from the history for most of the last decades.

An American journalist, Kathy Arlyn, based in Japan, interviewed Bhasin, several times between 2000 and 2008. This interview primarily focusses on the Kashmir conflict, its history and Bhasin's own role in the history of Jammu and Kashmir. Here are excerpts of the interview :

–Qurban Ali

KAS: *What inspired you in your early days to politics and political movement?*

Ved Bhasin: As a small child I was inspired by the Quit India Movement of 1942 and the leading lights of the freedom struggle - Gandhi, Nehru and Jayaprakash Narayan who took command after the arrest of most of the leaders of the movement. Many of us went underground and prepared for an assault on the British Empire in 1942. In prison I suffered a lot and this is when I was drawn into politics. If you refer to the 1943 National Conference Manifesto, which is called New Kashmir, it states in the preamble that the people of J&K, Ladakh and the frontier wanted a constitutional monarchy. It was only in 1946 when the Maharaja denied basic demands,

that they wanted his ouster. The Maharaja began patronising one group and then another in order to divide the people along communal lines in order to stay in power. When partition took place, Sheikh Abdullah was in jail. Communal riots took place in Jammu, engineered by the government, the RSS and refugees from West Punjab. And to the credit of the National Conference those communal tensions were repelled. With Abdullah in jail, his wife came out on the streets to beseech tolerance. It was a golden chapter in Kashmir. Later in J&K I worked under Sheikh Abdullah's National Conference fighting for the freedom struggle, which wanted freedom from an autocratic rule and monarchy. I fully associated myself with the National Conference Movement and their struggle for

freedom from the Dogra rule, not the rule of the Dogra people but the rule of one dynastic family.

As a Hindu you did not feel any conflict to fight against the ruling Hindu monarchy?

It was not a question of Hindu versus Muslim, it was a question of people oppressed by autocracy and denied their basic civil and democratic rights. Freedom is the birthright of every citizen. I took a leading part in the freedom movement and was jailed because of my involvement in the student organization and because of my affiliation with the National Conference. I was just a young boy of 14 or 15, but I suffered for the Kashmir movement because I believe in a certain ideology - the

right to decide our future and be a free citizen in a democracy.

Sheikh Abdullah had initially started the Muslim Conference, why did he leave that to form the National Conference?

Even before the Muslim Conference, there was the Reading Party which Sheikh Abdullah, a Muslim, started with Prem Nath Bazaz, a Hindu, in the 1930s. It was a forum to discuss problems, awaken people to notions of freedom, and to be involved in constitutional developments. At that time people were not able to form a political party. Abdullah had held a high position in the state's administration but quit as commissioner in protest against the atrocities of Maharaja Hari Singh's government. At first he thought it was only the Muslims who were being suppressed, so he founded the Muslim Conference. At that time Muslims were much oppressed. They were like serfs under the landlord system. They had no representation in government services, had little education, and were discriminated against in all matter of selections. They could not join the armed forces or the police force. They were denied any opportunity to play a role in state administration. But soon he recognized that all the people were suppressed. Women and illiterate men without sufficient property, or title, or an annual income of less than four hundred rupees did not have the right to vote. Less than ten percent of the population was enfranchised. When the Sikhs and Hindus joined his cause, he chose to form the National Conference, which believed that all oppressed people should unite, not only the Muslims. Peasants and tenant farmers, too, were equally oppressed

by the Maharaja, so Abdullah started the secular movement of the National Conference to represent the needs of all people of Jammu and Kashmir. It could not be a fight of and for the Muslims alone. At first the National Conference demanded only minor concessions. They wanted representation of all people in government services, in the legislature, and in the field of education minor concessions. Initially their resolution was a responsible government under the Maharaja. It was not until 1946 that the movement turned against the Maharaja with the Quit Kashmir movement. If you refer to the 1943 National Conference Manifesto, which is called New Kashmir, it states in the preamble that the people of J&K, Ladakh and the frontier areas wanted a constitutional monarchy. It was only in 1946 when the Maharaja denied basic demands, that they wanted his ouster. The Maharaja began patronising one group and then another in order to divide the people along communal lines in order to stay in power.

As a Muslim, who advocated secularism, why was Abdullah's movement initially not well received?

There were two, three reasons. The National Conference did not organize the peasantry and working classes well until 1947. They used the slogan "Quit Kashmir," which was inspired by Gandhi's Quit India movement and also by the French and Russian Revolutions. It called for the Maharaja to leave Kashmir. Unfortunately many people mistakenly thought it was okay for him to rule over Jammu, as if we were not concerned about their plight as well. There were communal overtones also - political parties in Jammu like the Rajputs

thought the Maharaja was their savior against a Kashmiri Muslim threat. At first, it was not possible to start an open agitation against the Maharaja, but then the British allowed Sheikh Abdullah to rise to prominence because they thought unrest might lead to revolt and then the Russians would exploit the situation. They also wanted to contain the Maharaja's rule, so they put pressure on him to give representation to the Muslims as a way of surrendering part of his authority, thus giving Britain more control.

Was the founding of Jammu & Kashmir state a machination of the British?

Yes, J&K was sold to Gulab Singh under the Treaty of Amritsar. One of the demands of the Quit Kashmir movement was to scrap the treaty since the Maharaja had purchased land, not people. People are not chattel. The NC wanted to go back to a time before foreign occupation, before the exploitation of J&K by the Afghans, the Dogras, the Moghuls, the Pathans, and the British.

Was/is freedom equated with independence?

When India gained independence from Britain, the Maharaja himself wanted independence from India. During partition, when a state's ruler was a different religion than the people he ruled, the agreed upon protocol allowed the people themselves to decide to join India or Pakistan. The Nawab of Junagardh did not want to join India, and announced his accession to Pakistan, but the government of India didn't accept it. In both Junagardh and Hyderabad, there were military and police actions forcing them to

join India. The Maharaja wanted independence until J&K was raided by the tribals from Pakistan. Then he wavered and signed the Standstill Agreement with both India and Pakistan. Pakistan accepted it. India did not. Then he was forced to sign the Instrument of Accession. Nehru had promised that the accession was temporary and subject to ratification by the people of J&K. It was only confined to defense, foreign affairs and communication, all else the Maharaja had full authority. Without Sheikh Abdullah's support, however, he could never succeed. When partition took place, Sheikh Abdullah was in jail. Communal riots took place in Jammu, engineered by the government, the RSS and refugees from West Punjab. And to the credit of the National Conference those communal tensions were repelled. With Abdullah in jail, his wife came out on the streets to beseech tolerance. It was a golden chapter in Kashmir. Subsequently, the government of India tried to pressure Abdullah to erode the autonomy of the state, but he was committed to protecting and preserving J&K's status under Article 370. When Abdullah contested the election in the constitutional assembly in 1951, the election was rigged, laying the foundation of rigging in Indian politics. At that time I was in charge of publicity of the National Conference, and I can say that definitely this election was rigged. If democratic and free and fair elections had taken place, perhaps it would have been construed that it had the backing of people. Then the government of India went to the United Nations. Nehru came to Lal Chowk where he promised that if peace were restored in the state then the people would be allowed to ratify the accession. But to this day this has never been granted. Instead Abdullah

was pressured for integration. In Jammu in 1952, an agitation was launched by the precursor of BJP. Feudal elements were annoyed with Abdullah's revolutionary steps like abolishing absentee landlordism, which benefited millions of people who were connected with the land. Not just Muslims. All benefited, even the scheduled classes. Abdullah cancelled all debts under the Reconciliation Act, enraging money lenders who fleeced people and usurped their land. Revolutionary steps like the reconciliation councils were very effective, but big landlords opposed the act because they could only retain 22 or 23 acres and the rest of the land would be taken over by the state. The government of India also opposed it and declared that there could be no takeover of land without compensation. The

(Continued from Page 2)

and critics of Aamir Khan divided on known ideological positions. Congress spokesman Abhishek Singhvi said that Aamir Khan had only repeated what the rest of the country said and felt. Film director and producer Ram Gopal Varma said celebrities should remember they became celebrities in a so-called intolerant country. But the fact was that India was most tolerant country compared to any, and if some people are unhappy here also they should tell which country they will go to.

Aamir is now threatened with court action! A Delhi resident has filed a complaint at the Vasundhara Enclave area station charging Aamir with neglecting to mention specifically which society he was referring to. "I also live in this society but I do not feel insecure or scared in my country."

The last word appears to have been said on the subject!

National Conference, however, was committed to giving land to the people. So, the RSS and the BJP precursors, with the blessings and support of Home Ministry started an agitation against Abdullah, ultimately forcing him to enter into the Delhi Agreement of 1952. India's efforts to erode the state's autonomy resulted in Abdullah speaking out against New Delhi and opting for independence. He was in touch with many U.S. intermediaries and was accused of conspiracy with US Senator Adlai Stevenson and was imprisoned for his activities. At that time, Karan Singh was Head of State and ordered the arrest of Abdullah. Bakshi Ghulam Mohammed was named in his place and I was forced out of National Conference.

(Continued from Page 4)

can be reduced to a very significant extent by careful planning and effective implementation. As the WHO says, "Evidence from many countries shows that dramatic successes in preventing injuries (including accident related injuries) and violence can be achieved through concerted efforts that involve, but are not limited to the health sector." This tremendous potential to reduce accidents should be pursued with great care and determination.

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Escalating challenges to health in India

Medico Friend Circle

It is an established and accepted fact that the health of the people in a country depends on the access to a network of basic needs that includes nutritious food and health care. A conducive physical and biological environment at the place of living and work, egalitarian social relationships, emotional well being and a peaceful social environment are all recognised determinants of health of any population.

To those of us working in the field of health, it is clear that there is a significant deterioration in the conditions needed for people's health.

Vital for health are not only the number of doctors, drugs and hospitals but also the distribution of these resources and the access to these by all groups within the community. The functioning of the state and the orientation provided by the political leadership of the nation are crucial to the administration of health care and all the resources needed to lead a healthy life with dignity and freedom. Also critical is a varied and balanced diet according to availability.

Public health administration

Indeed the health system is a core social institution whose development, effectiveness and accessibility are determined by the political will. The past two years' central budgets have effectively reduced allocations on health. The previous government had dragged its feet in meeting the promise of doubling the health budget to 2.5% of the GDP. The present Niti Aayog has made the situation worse by backing the reduction of public health expenditure from its already abysmally low levels

even further. The withdrawal of the government services will have catastrophic effect because the private health services will exploit not only the poor and marginalised strata, but also many in middle classes. The worst affected would be those in 'unprofitable' backward areas where the privatised health care will not go.

The slashing of governmental health expenditure has now entered a multi-sectoral phase. The changes being brought about in labour and environmental protection laws are also in directions that will create unhealthy conditions for a vast majority of the marginalised sections and regions. The food supplementation schemes such as the ICDS programme are under threat.

Food fundamentalism

India has one of the most varied food preferences ever seen in the world: wheat in the north, rice in the south, over 10-15 kinds of millets like ragi, bajra, makai and several varieties of pulses. India has the largest number of oilseeds in the world, til, groundnut, sunflower, mustard, mahua, safflower, castor, rice bran, and many more minor oilseeds.

In addition we have a few vegetarians (less than 20%), many non-vegetarians (around 70-80%), vegans, non-vegetarians who do not eat pork, non-vegetarians who do not eat beef, tribals who will not drink milk, but will eat beef, entire populations who live on small animals, birds, insects which they hunt for survival. In addition, we have vegetarian Jains who will not eat root vegetables, including garlic and onions... one can go on. The

development of any food culture is a long term historical adaptation to what is available in specific situations.

Despite this we are also home to the largest number of hungry undernourished populations (adult and children) in the world who are anaemic, with multiple nutrient deficiencies (50-80%). Of course one justification made by the Vice Chairman of Niti Aayog is that Indians are not meant to be tall!

On the one hand, it is disturbing that the Government has failed to feed populations in India. It has failed to control the price of important sources of proteins like pulses. The Right to Food Act has not yet been rolled out.

On the other hand, attacks on meat eating populations belonging to certain communities in the name of a sacred Hindu vegetarianism will tear the already weak fabric of this country. This is nothing less than an attack on the eating cultures of the country, and can have a catastrophic avalanche effect.

The current governmental climate of aggression on food culture - whether the pressure to eliminate eggs in the school lunch programme, or the banning of beef in Maharashtra - presents alarming tendencies in the domains of health, economics and culture.

The lynching at Dadri and the lackadaisical governmental response to it are the tragic outcome of the wider structural problem we have described.

Overall, a) the freezing of health and social sector budgets; b) the weakening and dilution of critical labor protection and environment

protection laws in the name of development; c) the overwhelming influence of the private sector and its vulgar profit logic on all decision making; d) the harping on a farcical notion of an ancient India that had discovered everything that was worth knowing and e) the consequent subversion of any rational mindset - are all aspects of the present public health crisis.

The price will be paid in both short term increases in illnesses, in long term morbidity, in the tragic and avoidable loss of lives, and the decline in well being of all. The lack of a strong message from government's political leadership that all are to be treated as equal citizens is directly responsible for criminal acts such as lynching, murder, aggression and vandalism perpetrated on the people (dalits, religious minorities, women, tribals and rationalists). This passive response to cultural aggression serves as an active encouragement given to a majoritarian, coercive mindset. It results in direct increase in the blatant incidents that are taking lives of Indian citizens. Such an atmosphere has a telling effect on the emotional and physical well being of the population. The government has to forcefully convey its commitment to justice and democracy, punish those who disobey, and expel from government and police posts all who actively or passively encourage such activity.

We demand:

- An immediate reversal to the cuts in health and social sector spending.
- Immediate reversal of the dilutions introduced to labor law and environmental law.
- Strengthening and improvement of the ICDS programme.
- Immediate price control of all essential food commodities.
- Action to fulfill the government's

responsibility to create an environment in which all sections feel a sense of justice, especially

the more vulnerable, that fosters social harmony, and the health and wellbeing of all.

(Continued from Page 2)

Mahatma Gandhi walked out of Governor General Mountbatten's room when he broached the partition formula. He did not want to have anything to do with it. But when the then British Prime Minister Attlee said that they would quit, with or without any settlement between the Congress and the Muslim League, Nehru and Patel faced the facts and agreed to the partition, however with pain and sorrow.

True, the line drawn on the basis of religion has been a disaster because it has left the two communities, Hindus and Muslims, at logger heads. But this was apparently the price people had to pay to make the British quit.

Sadly, the fallout of partition has been injurious. The disconcerting part is that the two states, India and Pakistan after the British rule, have become sworn enemies instead of being friends. Politicians on both sides are to blame because they, particularly the ones in Pakistan, have continued the same discourse of divisions and differences.

The Congress, leading the independence movement, should have explained to the people why there was no alternative to partition after Muslims were generally guided by the two-nation theory. Quaid-e-Azam Mohammad Ali Jinnah, founder of Pakistan, argued that Hindus and Muslims were two different nations. He made religion as the basis of nationality. It has had injurious consequences but he was able to organize the support of Muslims at that time.

The transfer of power was peaceful only in name. People on both sides, despite the assurances by leaders of peace and amity, left their homes to seek shelter in a country of their own community. Never before in the history had been such a blood bath. Some 10 million of both communities were killed and many times more driven from their homes.

Till today the wounds have not healed. On the contrary, the two countries have fought three inconclusive wars. And there is no prospect of durable peace. Muslims have lost importance in India although they are more than 15 crore. And the Hindus are less than two per cent in Pakistan.

After independence, Pakistan declared it would be an Islamic state and adopted the constitution accordingly. India chose to be a secular state. Despite being 80 per cent of the population, the Hindus preferred to be ruled by a constitution which has put secularism in the preamble itself. There is equality before the law and no Indian is inferior to the other on the basis of religion. However, the Muslims count very little in the affairs of the state.

The fact that there is joint electorate, unlike before the partition, helps the community. But it is only up to the polls. Once the elections are over, other factors take over and the Muslims are ignored. The hiatus between Hindus and Muslims reappears as it was before the polls. This is the situation India still faces.

Maharashtra State Socialist Party

The Maharashtra State Committee of the Socialist Party(India) adopted the following resolutions at its meeting in Pune on November 15:

Condolence: Tributes were paid to the memory of Hussain Jamadar, Vilayat Shaikh, Madhubhai Pandit, S. B. alias Dada Naik and 156 innocent citizens who lost their lives due to heinous terrorist attacks in Paris on 13th November. 2015.

Famine: As three fourths of rural Maharashtra is reeling under severe famine conditions, the party called on the Maharashtra State Government to

1. stop irrigation from the dams and canals to sugarcane crop and plan regular, rationed supply of drinking water to the people for the next nine months. Number of water tankers be augmented as per the requirements of different areas.
2. arrange purchase of fodder and cattle feed from neighbouring states and organise its distribution in a phased manner to the villagers at nominal price.
3. waive land revenue and adjacent cess on agricultural lands, also installments of agricultural loans and arrange supply of crop loans to the farmers in May 2016 to facilitate agricultural operations for the next season.
4. organise famine relief works on adequate scale in the rural areas, priority be given to the works that would be helpful to improve agricultural production. Wages must be paid every week and regular distribution of food grains in the villages.

The party has decided to organize monthly tours of party activists in the affected areas.

Education: The State Government is called upon to stop issuing arbitrary circulars affecting the number of teachers and non-teaching staff and follow the formula of 1. One full time teacher per division plus a head master and an non-teaching employee in primary schools, 2. One-and-a-half teacher per division in secondary schools and one supervisor and four non-teaching staff for schools having strength of 1000 students and double the number of supervisors and non-teaching staff when strength nears 2000.

The party called upon the Central Government not to sign the resolution to be moved at the Nairobi WTO Ministerial meeting in December, 2015 permitting corporates, indigenous as well as foreign, to run higher educational institutions in India.

The party has asked the party members to whole-heartedly participate in the Satyagraha campaign from 28 November to 6 December organized by Samajwadi Adhyapak Sabha to press the demand for common, free and qualitative education from K.G. to P.G.

Intolerance: The Party condemns efforts of the RSS like ghar-wapasi, ban on eating beef, etc. and indulging into violent attacks on citizens holding or expressing different viewpoints and call upon the nation at large to resist all such efforts peacefully.

CSR: As the CSR funds are being abused by the corporates for creating

educational facilities for a chosen few and for nurturing constituencies for the captains of industry to floodgate legislative bodies, the Party asks the Central Government to discontinue the provision of CSR in the Company Law and plug tax erosion. All educational facilities be created by the State for the benefit of entire community

OROP: The Party calls upon the Central Government to implement OROP faithfully and urgently. There have been many suicides by jawans and a few officers in the Armed Forces which is a cause for great concern . The authorities should explore and effect suitable reforms in the procedure and style of functioning of the Civil as well as Military officers.

The meeting was attended by national president, Bhai Vaidya, national secretary Dr. Abhijit Vaidya, Pannalal Surana and others.

**Kamalakar Subhedar,
President,
Socialist Party (Maharashtra)**

A critical gap in the modern understanding of terrorism is a complete lack of appreciation of the fact that South India was where the modern concept of suicide attacks had its roots for several centuries - from the Chera dynasty to the beginning of the 19th century. Here, the history of suicide squads is part of folklore. It may well explain why a socialist group fighting for Tamil nationalism, the Liberation Tigers of Tamil Eelam, ended up giving rise to a high number of suicide terrorists.

—Josy Joseph, *The Hindu*

Religious identity of the Indian must give way to the secular identity - III

Romila Thapar

In some cases these extensions and exploration of ideas stemmed from contributions by diverse thinkers, writing in Sanskrit, Persian and the regional languages. Brahmana scholars writing in Sanskrit had close scholarly relations with the Mughals. Literary compendia were composed such as the Kavindra-chandrodaya during the reign of Shah Jahan, to which seventy such scholars contributed. This would not have been unusual given that the emperor is said to have had a voluminous library of works in Sanskrit in addition to his collection of other books. We should perhaps learn to appreciate the cultural achievements of some of those who were our rulers.

There were excursions into investigating theories in mathematics and astronomy going from Ujjain to Baghdad and beyond, with Indian scholars at the cutting edge of knowledge. In another area of interest classical Hindustani and Carnatic music was patronized by the courts of Maharajas and Mughals or in the homes of the wealthy. Many lyrics were dedicated to the praise of deities and were sung with fervor by musicians such as Tansen.

The other form that was equally significant was the virtual renaissance that took place in knowledge systems and cultural forms that reached back into the past and re-invigorated it into new forms. Let me give you a few examples of what happened in the tradition that is supposed to have been so oppressed that it almost vanished in the last one

thousand years. Let's look briefly at the intellectual liveliness of the time with writing and thinking in Sanskrit and Persian, and in the regional languages, a liveliness that matched that of earlier times, although in different genres and forms of expression. It gave shape in various ways to much, although not all, that we now identify as Hindu in the landscape of our times.

Leaving aside for the moment the interaction of Hindu and Muslim cultures and religions, even the activities within the one tradition that is supposed to have been oppressed, is most impressive. Throughout the second millennium AD, from Kashmir to Kerala and in between, there were scholarly Sanskrit commentaries being composed on Brahmanical religious texts from the Vedas onwards. Obviously such scholarship was not without patronage. The exegesis on these texts illustrates the high level of scholarship being widely practiced and exchanged in many centres of that time. Sayana's explanation of the Rig Veda is a fascinating glimpse into the mind of a learned scholar of the fourteenth century with its mix of reality and fantasy. Kulluka's extensive commentary on the Manu Dharmashastra includes reactions to social changes involving caste and sect hierarchies. Many aspects are discussed at length, including for instance, an assessment of the status of temple priests. This was a new category of brahmanas since temples began to be built and manned by priests after the period when Manu wrote his Dharmashastra. The debate

on the control and inheritance of land as substantial property and other forms of wealth, led to differences of opinion as in the Mitakshara and Dayabhaga schools of legal opinion. Clearly there were Hindus with substantial holdings of land for whom the laws of inheritance had to be formulated. There were multiple commentaries, digests, discussions on legal texts.

Commentaries from varied perspectives were written on the Ramayana and the Mahabharata, as also on the classics of Sanskrit poetry and drama. Such commentaries have not only been influential but have also facilitated the work on the modern critical editions of these texts. At another level of interest compositions in regional languages, carried much of the thought and creativity of their own times as is evident in the many versions of the Rama story as in the Ramacaritamanas, and the Kritis.

Prior philosophical theories are summarized and the discourses on new schools of philosophy are widely discussed among philosophers. The Sarvadarshana-samgraha of Madhavacharya written in the fourteenth century provides a summary of on-going debates. The opening chapter begins with a long resume of the Charvaka system of materialist philosophy, and the author says this cannot be eradicated since many people are sympathetic to it. This was also the time when there was a flurry of discussion and writing on Advaita Vedanta.

At the more popular levels there were even alternate histories, sung as legends by folk poets and bards, very different from the court chronicles. The compositions of the Bhakti teachers were recited and sung throughout the sub-continent and are foundational to what is described as Hinduism today. The sant tradition has been in many ways a major force in the formulation of what we recognize as Hinduism today at the level of belief and worship. This was the tradition that evolved in the historical momentum of the last thousand years. The bhajans of Mira and Surdas and of Tyagaraja, and the bandishes of the Dhrupad ragas were not the compositions of an enslaved people.

Caste and conversion

An impression has been created that because the Hindus were enslaved, it was easy to put them through enforced conversion to Islam. But historical evidence supports neither of these propositions. Even when there was conversion from a Hindu sect to a Muslim one, we have to keep in mind that often sects and castes were entwined. The chronicles of the Sultans claim that huge numbers were forcibly converted or decimated. Some would certainly have been forcibly converted in order to make the claim and some done away with as is common to invading armies, but certainly not fifty thousand at a time, or anywhere near that number, as the Chronicles of some Sultans claim. We should ask further as to who exactly was converted, and what does conversion mean in a society where the idea is alien, since the Brahmanic and Shramanic sects did not convert.

Our understanding of conversion would be more to the point if we could focus on sect and caste where

the evidence exists. Which existing caste or sect converted to which sect of Islam, and what were the social consequences of conversion. This may provide a better explanation than merely referring to Hindus becoming Muslims and not investigating further.

Most of the individual conversions, in small numbers were from those in the upper castes. Many retained their caste identity to claim status. Some local ruling families converted and some married into the new Muslim ruling families although not necessarily converting. Mughal royalty marrying into Rajput royal families and where the women were not required to convert to Islam, is an indicator of negotiations in a politically complex situation. Shah Jahan had the advantage of a Mughal-Rajput descent.

Conversion in larger numbers occurred when a jati/caste converted. This was more frequent among lower castes who had been promised a better status but which status seldom materialized. Changing the over-all status of castes would have meant a major social upheaval.

If the converted caste continued with its caste name and occupation as most did, conversion would have had limited social advantage. Status depended on occupations as before and the rank remained virtually the same in the hierarchy. The litmus test of observing caste lay in arranging marriage and from this it is clear that the rules of caste largely continued, reinforced by social sanction. This would explain the over-lapping mixed identities among those not regarded as upper caste and as recorded in the earlier census and in some colonial ethnography.

Sociologists working on societies

in India other than those listed as Hindu find that they too function with the system of castes. Even those religions that claimed to be egalitarian could not entirely eliminate caste distinctions and more so between the higher and lower. Rules of endogamy and commensality are observed widely. The presence of caste is particularly strong in discriminating against and segregating Dalits. The excluded Dalit is found in every religion under different names. The Dalit is present even among those religions that claim all men to be equal in the eyes of God. So in addition to those now called Dalits in the broadly Hindu communities, there are the pasmandas - the fallen, the oppressed, among Muslims; the mazhabis of the Sikhs; and the churahs among others. Even places of worship were segregated.

Religions in India, irrespective of whether they originated in India or came in from elsewhere at a later stage, functioned in conformity with caste society, although not always according to the Dharmashastra rules. Some sects deliberately opposed these but many tacitly accepted them. Discrimination against the lowest castes or those outside caste society such as those we call Dalits today, and the adivasis, is characteristic of the formal religions. Similarly the assumption that women are inferior to men, indicated by social inferiority, was a marked feature of these religions, as indeed it was of the socially higher levels of society in general, with a few exceptions. This was despite the fact that in some religions there was the worship of goddesses and mother figures. Such worship made no difference. The worship of the kuladevi existed together with the insistence on sati and jauhar. In a secular, democratic system, uniform civil laws should

ensure gender justice in endorsing the equality of all.

If a range of sects rather than monolithic religions was characteristic of pre-Islamic India, this phenomenon appears to have continued with the larger majority of people even after the coming of Islam. Were the umbrella terms more frequently a convenience when speaking of the other, until they were redefined into the neat binary in colonial times? Some recent scholars have argued that there were perhaps attempts to give definitions to these umbrella terms in the late second millennium, by suggesting a self-perception where similar sects would see themselves as part of a larger unit. The argument hinges on how Hindu is defined in these times as compared to now. The flexibility in the use of the term then and its relative rigidity now, is evident. The initial geographical term 'Hindu,' referring to the people of al-Hind, gradually came to be used not for a specific religion but for all those that did not identify with Islam. Terms for specific religions remained vague. Eknath's delightful banter, *Hindu-Turk Samvad*, written in the late sixteenth century, should perhaps be read less as referring to Hindu-Muslim relations as we understand them today, and more as the general approach of people of that time living in the same place, with varying sectarian identities. What is striking is the little attention that is given to what we emphasize today, namely conquest and conversion.

But the creation of monolithic communities, crystalized in the labels Hindu and Muslim as the identity of these communities, would seem to be the contribution of colonial policy. Resistance in some cases is recognizable largely from the upper castes. For them

a new religion could threaten a loss of patronage and power. But the majority either let existing beliefs and rituals continue or else negotiated the change through a number of new sects in the usual way.

The world of today

We now recognize that our understanding of the historical interactions that took place in the past, do mould current thinking about our identities in the present, to a large extent. They therefore deserve more analytical and precise historical explorations. We should not allow them to be dismissed by political slogans of various kinds.

In this rather scattered attempt to look at some aspects of the past, I have tried to underline the plurality in the articulation of religion in India, often in the form of sects

The tragedy is not the war of Islamists against the West. The war in the Middle East that Assad and Baghdadi are waging is of Muslims against fellow Muslims. Azam Khan should know that there is no schadenfreude to be got out of the 129 people killed in Paris by IS militants. Thousands more Muslims — Shia and Sunni — are being massacred by the murderous regimes in the region. The Middle East is almost 100 per cent Muslim but the majority of the world's Muslims live outside.

Why have the majority living in India, Bangladesh, Malaysia, Indonesia, Pakistan, Nigeria not protested against this massacre? Why has there not been an agonised debate among Muslims in these countries about how Muslims

and their inter-face with caste. I am also suggesting that possibly the weakening of the one is likely to weaken the other. To eventually disengage religious institutions from controlling the functions of civil society could bring about a more equitable society. The process of secularizing society will have to address both religion and caste and to that extent it requires a different kind of analysis from that of religions elsewhere. Now that we have internalized the colonial version of our religions and are experiencing its aftermath in the stridency of dominant religious organizations, we have also allowed some of these to become mechanisms for political mobilization. Secularization therefore will have to be thought through with considerable sensitivity and care. Although it cannot be a rapid change nevertheless, a serious beginning has to be made through

around the world can tackle this biggest tragedy which has struck the birthplace of Islam? Why have the men or women political leaders in these countries stayed silent? Who will launch 'Save the Muslim Civilisation' campaign from among all these nations? Will Azam Khan or any of the secularists do it?

Paris is not just a declaration of war by the IS against the West. That war has been going on since the mid-1999 attack on the US Embassy in Kenya. It heralds a severe crisis that has seized all Arabia. As of now Russia, the US, France and the UK are 'solving' it to protect their own backyards. When will the Muslim world wake up? The cause of saving Muslims from killing by their fellow religionists is urgent. Wake Up.

—Meghnad Desai, *The Sunday Express*

establishing confidence all round. Violent attacks are never a solution.

A secular society and polity does not mean abandoning religion. It does mean that the religious identity of the Indian, whatever it may be, has to give way to the primary secular identity of an Indian citizen. And the state has to guarantee the rights that come with this identity. This demands that the state provides and protects human rights, a requirement that at the moment cannot be taken for granted. Such an identity while adhering to human rights and social justice, would also be governed by a secular code of laws, applicable to all.

A beginning could be made in two ways. It would be necessary to ensure that both education and the civil laws are secular. Secular education means the availability of all branches of knowledge to all without discrimination. The content would have to be information giving access to knowledge, and knowledge that has been up-dated; and at the same time it involves training young people to use and understand what is meant by critical inquiry. Given that we are a democracy perhaps we can jointly work out how best this could be done.

Our laws were drawn up in colonial times, although we have made some changes after independence. In a turn to the secular we shall have to comb through the existing laws to ensure that they conform to equal rights for all citizens with no exceptions. Resolving the differences between civil and religious laws of each religion will obviously have to be discussed in the light of their existing social codes, and with those currently controlling these

(concluded)

codes. In this process, injustices and discrimination against the minorities and the under-privileged, whether because of religion, gender or caste, will need to be annulled. The continuation of special laws for particular communities, whether they be the laws made by khap panchayats or the triple talaq, would need to be reconsidered. Law does not remain law if it can be manipulated to allow of discrepancies. This is likely to be the most problematic in our turn towards secularizing society. Isn't it time now for a conscious beginning?

The overwhelming projection of religiosity in the world that surrounds us, sometimes appears to be a surrogate for not coming to terms with real life problems; or perhaps it is due to our having become a competitive society with all its unexpected insecurities.

A repeat of the 2014 Lok Sabha vote shares meant that the JDU+ would get 45 per cent and the BJP+ 40 per cent — a five-point gap. The vote count for Bihar 2015 — the JDU+ got 41.9 and the BJP+ 34.1 per cent — shows a 7.8 percentage point gap. In 2014, 20 per cent of Muslims, who constitute 17 per cent of the Bihar population, are believed to have voted for the NDA. According to the accurate Axis poll, only 3 per cent of Muslims are believed to have voted for the NDA in Bihar in 2015. In other words, if the Muslims had just voted as in 2014, the BJP+ vote share would have been 2.9 percentage points higher (17 percentage point decline associated with 17 per cent of the population) at 37 per cent. The JDU+ would have got

The ostentation of rituals is taken to excessive lengths largely as a display of wealth, a display that most people can ill-afford. For the truly religious the simplest of rituals suffice and sometimes even these are not necessary. Rituals ultimately are an appeal to a supernatural authority to endorse our welfare. Can we instead consider how we can make the reality of citizenship a guarantee of our social welfare, our well-being, our understanding of our world and our wish to bring quality into our lives? The secularizing of society is not an over-night revolution. It is a historical process, and will need time, but hopefully it will be assisted by the recognition that the state and society need to function in a new way. Implicit in democracy is the upholding of the ethic of human interaction. The secularizing of society is an advancing of that ethic.

2.9 percentage points less, or 39 per cent, that is, instead of the vote gap being 7.8 percentage points, it would have been only 2 percentage points, or 102 seats for the BJP+ versus 125 for the JDU+.

So the next time BJP officials say they lost big just because of electoral arithmetic, tell them that argument has as much credibility as the discredited notion of the BJP losing because of caste-based voting. The BJP lost big because of their divisive campaign, whose purpose was to instil fear among those not preordained to vote for them. It was a lousy political campaign and the BJP, Narendra Modi and Amit Shah ignore this reality at their present (and future) peril.

Surjit S. Bhalla, *Indian Express*



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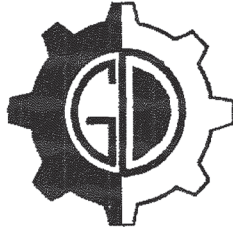
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Nightmare experiences

S. Viswam

looks and begin lives anew.

One can imagine the situation when it is announced by the meteorological department that the rains have broken a century old record for the quantity of water unleashed: one day's rainfall covering a month's average. More rains are yet to come, it says.

Every year, during the monsoon season, and also unseasonally, we hear frightening stories of some part of the country or the other being flooded. Thousands get stranded, rescue has to be arranged on war footing. Though it is not always that the army has to be called for rescue work, the resulting situation following deluges is serious enough to endanger lives. Not to mention severe damage to property. Why should this be so?

Provision of adequate infrastructure ought to engage the highest priority of the so-called "master planners". This goes without saying. If proper attention is paid, and safeguards are provided, there is no call for clogged drains, water-logging, pot holes, loose wires and electrocutions, and flooding in general. These phenomena occur because rules and regulations are flouted with impunity and laws are violated. Investigations invariable

Parts of Tamil Nadu and the Chennai city and neighbouring Puducheri are recovering from a nightmare existence which has haunted them for almost a week. The ordeal is not over, it would seem since heavy rains are predicted for another spell. Even as I write this, which is on Wednesday, the people of Chennai, are living a nightmarish existence without, ironically, water though the skies are pouring down copiously, with no power, no transport, and no amenities. People have gone without power for three days without milk and other daily necessities. This reporter has just returned from a three-day trip to the Tirunelveli district which has just begun to witness condition similar to what the rest of the state had done since November 16 when the rains came down heavily. The state has turned green and looks pleasant but a heavy price is being paid by the people in terms of loss of convenience and ease.

The rains have triggered a deluge and all low lying areas are under feet of water. Normal life has been affected. One can only hope that by the time you read these lines, normal life would have been restored. It will however take awhile before the city and the areas affected regain their lost

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Between the Lines

Is the ice melting?

Kuldip Nayar

show corruption and violation of rules by the staff and supervisors of civic bodies and town planning offices. One of the known features is that there is collusion between builders and town planners and civic bodies. Corruption is rampant. Things are done with an eye on expediency rather than on safety. Palms are invariably greased to get completion certifications, and rules are glossed over. This is but one part of the problem. The other is that no uniform rule is followed for laying down sewage pipelines and storm water drains. Chennai residents for instance have experienced the mixing of sewage pipe waters with clean water pipes. In short, those responsible for civic infrastructure fail to do their duty in the manner prescribed but adopt a casual attitude to work. It is no secret that we do not pay heed to a healthy work culture but resort to short cuts. It is these short cuts that lead to man-made disasters. In this field, India has to learn from both the east and the west. Cities in either region experience floods no doubt, but waters drain away and not linger for days to torment you with mosquitoes breeding in water-logged at street corners. Certain cities in the east, and half of China have low-lying areas that offer ready invitation to flood waters, but waters clear fast. India must adopt superior technologies. We cannot afford a Chennai often enough.

The next stage after a city or a district or a state undergoes the torment of a man-made disaster such as Chennai is for politicians in power to ask the Centre for aid. The demand is usually pitched sky-high on the theory that the Centre will be impressed enough by the declared plight, which disguises the truth, enough to concede the

(Continued on Page 4)

Suddenly there was summer. A chance 160-second meeting between Prime Ministers Narendra Modi and Nawaz Sharif has melted the ice, which seemed frozen beyond change. The about-turn indicates that the differences have been exaggerated. The ego, which is probably the real reason, needs to be tackled.

India was stuck on the stand that it would not talk anything else except terrorism as was the crux of the joint statement issued after their meeting at Ufa, Russia. Pakistan saw no purpose in talking if the “core issue of Kashmir” was not on top of the agenda. That had led to the discontinuation of talks apart from Pakistan’s insistence on meeting the Hurriyat leaders from Kashmir. On similar grounds, the talks had broken after Agra. Then Union Minister Sushma Swaraj had voiced protest.

Apparently, these stances had acquired a crust which had to be broken as the two countries stood distant. Once their Prime Ministers met, the confrontational attitude disappeared, paving the way for a meaningful dialogue between India and Pakistan.

Those who underline the need for a structured dialogue do not seem to realize that such innumerable reasons are adumbrated when there is no will to talk. Once the desire crops up for constructive talks, everything else recedes into the background. The Prime Ministers shed their ego and behaved like normal human beings.

Prime Minister Nawaz Sharif went on say that there would be further developments. That means the earlier stand not to talk until certain conditions were met has undergone a change.

I have followed the events in the subcontinent for more than four decades. My reading is that distrust remains the main reason for the absence of rapprochement. India’s first Prime Minister Jawaharlal Nehru felt that the distrust was a symptom of the disease, not the disease itself. The disease was the anti-India feeling.

Pakistan can say the same thing. Still there is no going away from the fact that until there is trust between the two countries, no talks can fructify. That is the reasons why so many agreements have remained only on paper.

Whether it was an agreement at Tashkent or at Shimla, the pious words of friendship never came true. Both did not trust one another. Even today, the story is no different. We are practically at the same stage as when we were at the time of partition during which period a separate homeland for the Muslims in the shape of Pakistan was established.

In fact, the distrust has got institutionalized in the shape of India and Pakistan. The distrust between the two communities, the Hindus and the Muslims, has not lessened in any way. As a result, we often hear stories of atrocities committed

against the minorities in both the countries.

No doubt, there will be talks between the two countries, although India may be reluctant to begin with because the latent enmity will come to the fore. Both sides will have to close the old chapters of hostility and begin afresh.

However, it looks difficult. Yet, if Pakistan were to follow Qaid-e-Azam Mohammad Ali Jinnah's words after the creation of Pakistan, things could become easy. He said that you were either Pakistanis or Indians and that you ceased to be Muslims or Hindus, not in the religious sense but otherwise.

Pakistan is far from Jinnah's wishes. It has become a purely Islamic state, with religious elements having their say. Hindus are less than two percent, many of whom have migrated to India while others have succumbed to getting converted themselves to lead their life. When the Babri masjid was demolished many Hindu temples and gurdwaras in Pakistan were destroyed too.

Against this background the dispute over Kashmir is understandable. Former chief minister Farooq Abdullah is correct when he says that Kashmir under Pakistan would remain part of Pakistan and the territory under India with New Delhi. Yet, the other part of his speech that both India and Pakistan should vacate Kashmir is neither practical nor realistic.

Good or bad, the ceasefire converted into the Line of Control has become a line, which is recognized as the international border. Any unilateral attempt to redraw the line has resulted in hostilities as

(Continued on Page 4)

What does historical change in education mean?

Sandeep Pandey

Recently the Delhi government has placed full page advertisements in newspapers claiming that it is going to effect historical changes in the state's education policy. What are these changes?

First, they are going to get accounts of private schools audited to ensure that the fees being collected from students are spent on them. They have clarified that they will not interfere in the internal matters of the school. They will not be concerned with how the money is being spent and what activities are being carried out by the school. Second, they will withdraw the provision of not failing any student till class VIII, as this policy has apparently affected the quality of education. Third, at the time of admission to nursery class there will be no donation taken from children's parents nor will they have to appear for any interview.

Half the advertisement has been devoted to the fourth point which will relax the requirement for private schools to pay salaries to their teachers equal to that of teachers in government schools. The education minister Manish Sisodia argues that some private schools don't charge enough fees so that they can pay salaries equal to that of government teachers and hence indulge in corruption where they pay less than what they make the teacher sign on. It is claimed that this step will reduce the exploitation of teachers. The teachers who are getting salaries according to Pay Commission will continue to get so and for the remaining it will be

ensured that they at least get the minimum salary.

Now it should be asked what is historic about these proposed changes? Provisions already exist for some of these proposed changes, it is just that they are not strictly implemented. Can the Delhi government not get the accounts of the private schools inspected? There is also a ban on interview of parents and donations at the time of admission of children to nursery. If the government has publicly said that it'll put an end to these practices, it implies that irregularities are going on at a big scale and the government is unable to do anything about it. Withdrawing the policy of not failing students till class VIII will affect the children from poor families in which parents are illiterate or less educated and cannot afford private tuitions for their children. Children fail to do well in class IX not because they have not appeared for any examination still class VIII but because the teachers, in spite of getting such high salaries, have not performed their duty well. There is not a word about quality of education in the entire advertisement published by the Delhi government. There is no relationship between education and examination. If policy of failing children who don't perform well even before class VIII is adopted, is there a guarantee that teachers will not help the students pass the examinations by using unfair means? The advertisement says it is the parents who are demanding that examinations

should be conducted even in lower classes. Parents may also want their children to be physically punished if they don't study. Will the Delhi government now come up with an advertisement declaring that it'll lift the ban on corporal punishment in schools? The real issue is not whether examinations should be conducted or not. To not conduct examination doesn't mean that the teaching should stop. Rather when the teachers have been freed of the burden to conduct examinations they should spend more time in educating children so that students learn even without passing the examinations. Why should the children have to pay for the negligence of duty by teachers?

The advertisement was actually placed for the fourth proposal whose stated purpose is to stop the exploitation of teachers by private schools. The Delhi government should ask the schools which are not able to pay salaries equal to that of government schools, why are they running the schools at all? Common norms have been implemented after a prolonged struggle through the Right to Education Act, 2009. The Delhi government wants to revert these. If teachers of some private schools will not get salaries equal to that in government schools and other rich private schools, will they not feel an inferiority complex and hence discontentment? Even though they may not be getting full salary now, since the provision is there they are at least hopeful of getting salaries equal to that in the government schools some day. This motivation keeps them going.

If the Delhi government is too concerned about teachers in some private schools not being given salaries equal to that in the

government schools why doesn't it take over these schools and pay proper salaries. This will fulfil the long standing demand of common school system so that every child has an opportunity to get roughly the same quality of education. Countries of the world which have achieved 99-100 per cent literacy rates have accomplished it through the government school system. The decision to implement the 1968 Kothari Commission recommendation of Common School System and its inherent concept of neighbourhood school may be called 'historic'. If the Delhi government is able to take over

(Continued from Page 2)

better part of the relief asked for. Don't please ask what happens to the relief sanctioned, and why the

(Continued from Page 3)

has been the experience in the past. This is unfair to the Kashmiris who remain divided. But they are not agitating for the integration of the two portions, however strong they may be feeling. The ceasefire line seems to keep them satisfied.

Lt. Gen. Kulwant Singh who had led the operation at that time was once asked the reason for his stopping at a point he did when the war was practically favouring India. He said that he was asked not to advance further by the government. Nehru, then heading it, explained that he did not want the forces to take that part of Kashmir which was Punjabi speaking.

Farooq Abdullah should know that the Kashmiri-speaking territory is with India. Beyond the valley, the Punjabi-speaking Muslims live who do not harbor any sentiment for the Kashmiriyat. True, the entire Kashmir should be under Srinagar.

private schools this will put pressure on other state governments and even the central government to adopt the same policy.

If the government doesn't want to take over the entire school, they could at least take over the administrative portion of the school which will allow the entry of education department officials in the school to ensure that all government norms and regulations are followed. The remaining activities of the school may be managed by the private management as before.

Can Arvind Kejriwal take this 'historic' step?

infrastructure remains the same and not improved. It is a familiar story. Money vanishes in thin air in the hands of politicians.

But the events which have unfolded after the state's accession to India have divided the state unrestrictedly.

Undoing the arrangement now will cost both India and Pakistan dear. They have had experiences of two wars. It may not be fair to the Kashmiris but they have to live with it realizing the state of affairs between India and Pakistan. Another war between the two would be that of nuclear which cannot be contemplated because it would destroy all above the Vindhyas.

There is no go other than a meeting between India and Pakistan to sort out all their problems sitting across the table. Only normalcy can bring prosperity to the region. The example of Europe is before us. They fought among themselves for hundreds of years and today there is a economic union which is helping even the sick Greece to recover. India and Pakistan see the example and learn from it.

The Karnataka Panchayat Raj Bill

Nandana Reddy

First they ignore you, then they laugh at you, then they fight you, then you win.

—Mohandas Karamchand Gandhi

On the anniversary of our Constitution H. K. Patil, Karnataka's minister for Rural Development and Panchayat Raj has after several years put Karnataka once again at the head of the pack when his Karnataka Gram Swaraj and Panchayat Raj [Second Amendment] Bill, 2015 was passed by both houses of the Legislature on the 26th and 27th November 2015. Karnataka had fallen in grace to 4th place conceding the lead to Kerala for several years due to the systematic diluting of powers of Panchayats through GOs [Government Orders] until the Panchayat Raj Act of 1993 drafted by one of our stalwarts of devolution, M. Y. Ghorpade, was a mere shell with no substance.

With the tabling of the Karnataka Panchayat Raj [Second Amendment] Bill, 2015; enabling some of the much awaited Recommendations of the Ramesh Kumar Committee to become a reality, the Government of Karnataka has taken a huge step in the journey of devolution of powers to Panchayats.

It is very exciting to see that nearly 90 per cent of the far reaching amendments suggested by the Ramesh Kumar Committee have been accepted. That the Act will be renamed the Gram Swaraj and Panchayat Raj Act, mirrors the spirit of the Mahatma envisaging Panchayats as autonomous units of local self government.

The very fact that many of the recommendations of the Ramesh Kumar Committee have been accepted is a big step forward. Probably for the first time in the history of Panchayat Raj in India, the devolution of the 3Fs [finance, functionaries and functions] to Panchayats has been ensured to such a great extent fulfilling the 73rd Constitutional Amendment and the bringing the desires of Ramakrishna Hegde, Abdul Nazeer Sab and Rajiv Gandhi, to life.

If the Governor gives his assent, though there are still a few short comings, Local Governments in Karnataka will be able to enjoy almost complete autonomy in planning, execution and implementation of programmes and projects as per the desires of their Gram Sabhas and mould their villages closer to the aspirations of their constituents instead of the dictates of line ministries or State and Central Governments.

Here are some of the salient amendments of the Committees that have been accepted. The recognition of Habitation Sabhas, giving voice to the truly marginalised such as Lambani tandas and thereby strengthening grassroots participatory democracy; the concept of the 'Responsibility' or Activity Map that details the roles, responsibilities and functions of each tier of Panchayats ensuring

that what the tier closest to the people [Gram Panchayats] get to hold the responsibilities that should be designed and implemented by the Gram Sabhas - such as the food provided in Anganwadis; plans developed by Gram Panchayats based on the needs of the members of the Gram Sabhas shall not to be altered and bottom-up planning with the proposed establishment of the Taluk Planning and Development Committees including representatives of Gram Sabha Presidents as members and also their inclusion in the District Planning Committees; and the setting up of a State Decentralised Planning and Development Committee.

The contentious issue of horse trading of the post of Adhyakshyas will be resolved with the term of Adhyakshya being made five years and the prevention of any no confidence for 30 months for trivial reasons. The Bill also ensures some level of accountability and transparency at all levels of the administration and will make it mandatory for members to declare assets and liabilities.

The proposed grievance redressal authority with a time bound and effective service delivery mechanism has been accepted. However the constitution of a Commissionerate of Panchayat Raj and Karnataka Panchayat

Administrative Services on the lines of the KAS has been kept in abeyance due to financial constraints.

Besides the 20 per cent untied grant that this Bill provides, Panchayats will be able to frame their own by-laws and raise their own revenue through taxes and cess reducing their dependence on state and central grants that are predetermined sans any flexibility.

The focus on farmers is strategic and a very welcome addition to the Bill. At a time when we are facing a critical agriculture crisis and farmers are taking their lives in droves, this spotlight on them and their concerns will enable their issues to be resolved at the local level and also bring pressure on higher power centres to provide them with the infrastructure and support they so urgently require.

The need for the empowerment of women and the establishment of an environment conducive to their participation has been recognised and the reporting of sexual harassment in the vicinity of all Panchayats and acting to prevent and mitigate such offences. Creditably, the need for a 'Fear Free' environment and efforts to maintain Communal Harmony, respecting and protecting the rights and freedoms of minorities, the backward, women and children is much needed in the present climate of terror and divisive politics.

Yet, to realise true Gram Swaraj, the Bill needed to go all the way. It falls a little short of being the 'game changer' that our Chairperson and members of the Committee desired it to be. The autonomy of Panchayats as recommended has

been diluted across the board. This has been done quite subtly with the replacement of words. For example 'implement' has been replaced with 'supervise' and one word inclusions such as 'the priorities set by Gram Sabhas *normally* shall not be changed', 'Adhyaksha *may* call for special meetings of Grama Sabha' have been made that changes the mandatory nature of the power.

Recommendations that have been dropped are the single member constituency; the primary role of the Ward Sabha – that of ensuring the accountability of the elected member and giving the right to recommend to the Election Commission the cancellation of membership if the said representative fails in her/his duties. Ironically, the Bill suggests instead that Government shall have the power to remove members if it thinks fit on the grounds of misconduct, insolvency, corruption or nepotism.

Only 20 per cent of untied funds have been provided for as against the 50 per cent suggested by the Committee, but is a considerable improvement as now there is no such provision.

The recommendations on general powers of Gram Panchayats related to land reforms, audit and Jama bandi have not been considered. Other amendments dropped are the mandatory holding of Special Gram Sabhas for women, children and backward classes where plans and budgets would have been decided. The role of Habitation/Ward and Gram Sabhas to address children's rights violations such as exploitative child labour, child marriages, child trafficking has also been dropped. In addition, their role to decide the location where Gram

Panchayats may grant licence to shops vending liquor or places of gambling has also been left out.

The Capacity Building of Panchayat Presidents and members, the mechanism for grievance redressal has been provided for only at the District level and the structures for solving of petty dispute have been dropped. So also the provision of emergency budgets for Gram Panchayats and Taluk Panchayats; and the provision of a Private Secretary for Adhyakshyas and the separate toilets for women.

Granting the rank of Minister of State to Zilla Presidents with attended emoluments, but ignoring that fact that the presidents of all three tiers of Panchayats are the Chief Executives of their respective Panchayats and that they are all equal and should be given equal status and commensurate provision, is going to create an un-democratic hierarchy that reinforces a vertical top down power structure that is in contravention to the principles of devolution.

However, the Bill ensures that the functions allocated to the three tiers of Panchayats are based on the responsibility map that determines roles and responsibilities based on the principle of 'subsidiarity'. The principle of 'subsidiarity' determines that tasks that can be done by the tier of government closest to the people should be entrusted to them and not to a tier further removed. However, this shall not deprive the right of the individual and her family to decide issues that affect them whenever and wherever possible as guaranteed to her in the Constitution under her personal liberties or fundamental rights.

When the individual or her family cannot decide or deal with situations, collective decision-making and action becomes necessary. Only such tasks ought to be entrusted to the local government as close to the people as possible. And only those tasks that cannot be handled by the local government ought to vest in State governments, and from there on to the Union government.

By its very nature amongst the various tiers of government, the tier at which the people would have a sense of direct participation or influence is the nearest tier of government, namely, the Panchayat or local government. All governmental actions at other levels get progressively farther removed from the people. The powers exercised by the Union government should be largely peripheral to the day-to-day lives of citizens.

Interestingly, this principle has been virulently resisted by our elected representatives and bureaucracy for decades and that has been the biggest hurdle in bringing about true devolution. This is especially true of our MLAs and MLCs.

People do not get their rights of self-government from the government; government is granted power by the people through transfer of their sovereignty to a limited extent. In this context the elected representatives of the people get their mandate from the people and they cannot be replaced by government appointed officials or bureaucrats. Similarly elected representatives shall not usurp the rights of individuals to govern themselves through their Panchayats and determine

their vision for their villages and themselves.

In this context it is interesting to note that this Panchayat Raj Bill was passed without a discussion. Even though many Congress Legislators were opposed to 'giving' more powers to Panchayats thereby depriving themselves of control over resources, selection of beneficiaries and contracts, they toed the line because their high command made its intentions clear through Rahul Gandhi. The opposition on the other hand chose a clever way out deciding to demand Minister Anjanaya's resignation and sitting in the well of the house allowing the Bill to be passed in both Houses without them, giving them the option to critique the Act at a later stage.

One had hoped for an intelligent debate and in the process a fine tuning of the Bill, refining some of the section and including the omissions. A Bill that promotes grassroots participatory democracy should have been analysed by the House of Representatives especially as many government and opposition members had taken great pains to prepare for this, including Ramesh Kumar, the Chairman of the Amendment Committee. Ample time had been provided and notice given by the Speaker, yet, all parties appear to have opted out.

The saga of realising this Bill has been long and arduous, littered with obstacles mainly from the bureaucracy unwilling to relinquish finance, powers and control to local governments. Fortunately, the extraction of a commitment from our Chief Minister by Rahul Gandhi on his last visit to Karnataka appears to have hastened things along and given our Rural Development and

Panchayat Raj Minister, H. K. Patil, the much needed muscle he required to get the Bill passed by the Cabinet.

Nevertheless, it must be said that this Bill would not have become what it is if not for some really committed politicians in the ruling and opposition parties. Their commitment to devolution and our Constitutional provisions goes beyond party boundaries. These men and women are the true pioneers and we are fortunate that H. K. Patil is one among them and hopefully they will continue to be the guardians and watch dogs of participatory democracy.

If this Bill becomes the Act that we all so eagerly await, Panchayats in Karnataka will be empowered as never before. Despite some of the omissions of the Ramesh Kumar recommendations and some negative additions, local governments can truly assert themselves and carry out the wishes of their Gram Sabhas. One hopes that they will handle this with the respect and diligence it deserves and enable villages to be 'fear free' environments that are devoid of corruption, are truly socialist, secular and democratic, respecting and protecting the rights of all citizens. By doing so Panchayats can be an example to all other strata of government and perhaps even positively influence the way they govern.

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Bhumi Adhikar Andolan

A two day national meeting was held on November 19-20, at Indian Social Institute. Delegates from 22 states representing over 100 mass organisations converged and discussed in detail the challenges facing the land rights movement and people of the country today. Bhumi Adhikar Andolan (Movement for Land Rights) brought together struggles against the draconian Land Acquisition Ordinance brought by the Narendra Modi-led BJP Government and played a significant role in defeating the move. The BJP Government is now trying to push through State level legislations to allow land grab in the illusion that such united resistance would not be possible at the State level.

Representatives of various mass movements Medha Patkar, Hannan Mollah, Satyavan, Ashok Choudhary, Prafulla Samantara, Dayamani Barla, Alok Shukla, Ulka Mahajan, Roma, Anil Chaudhary and others spoke at the event and asserted a broad-based unity that will not only take forward the issue of achieving land rights for the peasantry, agricultural workers, forest dwellers, dalits and adivasis; but also fight divisive forces trying to communally polarize the country.

Ulka Mahajan of Sarvahara Jan Andolan, Maharashtra questioned the government's development policies involving acquisition of large tracts of cultivable land, "There is no planning for the rural population of the country. Where will all those displaced by land acquisition for mega projects like the Delhi Mumbai Industrial Corridor go? Why is there no democratic discussion or Parliament attention

on such important matters? Bhumi Adhikar Andolan is not just a struggle to save land but also to save the environment, the rights of agricultural labour and workers, and most importantly to save our democracy."

"Rights of people are being crushed for corporate profit. Bhumi Adhikar Andolan will take up problems faced by the country's toiling masses today - the farmer, dalit and adivasi. The movement stands in solidarity with struggles against forced land acquisition and extends support to activists facing repression for demanding people's rights. Systematic divisive politics are being used to divide the poor and we will oppose this by broadening the alliance especially at the state-level." said Hannan Mollah of All India Kisan Sabha (Canning Lane).

Bhumi Adhikar Andolan will hold a Chetavani Rally along with Forest Rights Day at Sansad Marg on December 15th, since the Land Bill is with the Parliamentary Committee and NDA government under pressure from Corporates, has not completely given up its plan for corporate grab of natural resources. On February 24th, marking a year of the Andolan all participants will again come together at the Sansad Marg in massive number and demand land rights and restarting of land reforms programme in the country.

Forced acquisition and fascist politics

The joint alliance strongly condemned the NDA's attempts of forcible land acquisition leading to unprecedented displacement of the most vulnerable populations. The

alliance conveyed its strong rejection of mega projects such as industrial corridors, SEZs, manufacturing zones and land pooling schemes for establishing capitals, all of which are nothing but corporate land grab under the guise of development.

Faced with growing protests and unprecedented unity of people against the policies of the BJP Government at the Centre and States the BJP-RSS and their affiliates are resorting to divisive politics and deliberate communalisation. The Andolan condemned the brutal attacks on dalits and minorities, the murders of rationalists and oppression of activists fighting for people's rights and expressed solidarity with mass struggles facing repression in Karchana and Kanhar in UP. An atmosphere of fear cannot prevail and will be opposed by the Andolan to build communal harmony and unity of toiling masses.

Land use and reforms policy

To take forward the goal of land rights Boomi Adhikar Andolan demanded a Land Use Policy to protect farm land from large scale diversion to non-agricultural purpose like industry and infrastructure. Priority should be given to the country's food security and livelihood security, focusing not only on irrigated multiple-crop land but also single-crop land in rainfed areas which form 60 per cent of cultivated area. Gram Sabha and panchayat should have control over the utilization of public lands and have an intrinsic role in development planning. The Andolan demanded the implementation of FRA and PESA and opposed the dilution of environmental laws based on the

recent recommendations of the TSR Subramanian Committee.

Unfolding agrarian tragedy

Over 3.2 lakh farmers have committed suicide since 1995 at the rate of one farmer committing suicide every half an hour according to conservative estimates of NCRB. In reality the human tragedy is of a magnitude unheard of in the entire history of humanity. The Andolan demands income security for every agricultural household through a permanent Farmers' Income Commission. Minimum Support Prices should be declared at 50 per cent above the cost of cultivation in all 25 crops through procurement, market intervention and price guarantee. Farmers' seed rights should be fully protected instead of handing over seed control to MNCs through IPRs and GM expansion into crops like brinjal and mustard. The rights of cultivators, tenant farmers, sharecroppers and women farmers should be upheld. The real cultivators should get full recognition and benefit of all support systems. Comprehensive support is essential for the shift from high-input chemical agriculture to low-external-input ecologically sustainable agriculture and rainfed agriculture. The Andolan opposed privatization of water resources and said that priority must be given to drinking water, domestic use and agriculture.

-BAA

GM Mustard is to tally unnecessary

Vandana Shiva

This 'new' mustard in our kitchen could soon be harmful to us. Mustard oil is an everyday consumption item for lakhs of families across India. Almost all our curries are incomplete without a seasoning of mustard and mustard products find their way into our food in various ways. Don't we have babies massaged with mustard oil? Have we not enjoyed Sarson da Saag on cold winter days?

And now our mustard is getting genetically modified. Shockingly, important information about this new Genetically Modified (GM) Mustard is not being disclosed to us.

The government regulators are planning to meet soon and take a decision on permitting GM mustard to be cultivated across the country. If approved, GM mustard will be the first GM food on our plates and that's disturbing. I am seriously concerned about this move, especially when it goes against the promise of BJP in its manifesto not to allow GM food into the country without fully evaluating it scientifically. Not only are they breaking their promise, they are doing it so quickly and quietly that you and I hardly have time to react. We need to act now to make sure the food we eat everyday is safe and healthy. We cannot allow the government to take decisions about the food we eat in this underhand manner. This is mustard - we all use it, we cannot avoid using it. If permitted, we might have no choice but to use harmful, unhealthy GM Mustard.

And GM Mustard is totally unnecessary especially because there are existing local and hybrid

variety as well as farm practices which give as much or more than the yield claims of this dangerous GM mustard. Contamination from GM Mustard is also fast and irrevocable.

Ask Environment Minister Prakash Javadekar to stop the possible approval of commercial cultivation of GM Mustard.

Several studies show that GM food is not safe for us. Indian government is aware of such studies. Many people have pointed to the dangers of GM food including experts and even the Technical expert committee set up by the Supreme Court itself.

Despite these warnings, GM Mustard is now going to be released in India. However no data has been released about its safety tests. Nor has information been put out on what went into making this GM mustard. This includes the fact that new genes for male sterility and tolerance towards weed-killing chemicals called herbicides have been used to make this GM mustard. The herbicides in question are associated with big MNCs like Bayer.

We don't want GM food. Government knows this. The previous government was forced to revoke the commercial approval for Bt Brinjal, another GM food crop, after safety issues were made public and we protested.

Supreme Court-appointed Technical Committee and a Parliamentary Standing Committee on Agriculture both have recommended against any open

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JP's blunder

This is with reference to Kuldeep Nayar's article in *Janata*, September 20, and comments of Bapu Heddurshetti in *Janata* October 11. Actually, leaders of the erstwhile Socialist Party committed the blunder of merging the party, composing of Jana Sangh, Congress (O) and BJD in 1977 and followers like us, who supported it without thinking of the consequences. As far as Jayaprakash Narayan is concerned, it was his third blunder. His first blunder was to allow the Communists to join Congress Socialist Party in 1936 against the protest of Asoka Mehta, Minoo Masani, Dr. Lohia and others. He believed in the sincerity of the Communists as he believed in the "sincerity" of Jan Sanghis in 1977. JP was often carried away by emotions; he had once said in 1975 that if the Bharatiya Jan Sangh was communal, then he too was a communalist. But he forgot that when he advised to discard "janeu"

(the sacred thread) which was a symbol of Dwijas, he was opposed by BJS and RSS.

After the formation of Janata Party, our leaders at all levels wholeheartedly worked to make it a success. One veteran leader from Thane told in each meeting that they came to know in the prisons during Emergency days, that there was 85 per cent agreement with Jana Sangh, but he forgot that the remaining 15 per cent disagreement was of a fundamental nature. I was advised by a leader – he is now trying to build Socialist Party - to understand that we were working in a bigger party and must forget old affiliations and prejudices. Our leaders did not meet old, local comrades, whereas Jans Sanghis had their separate meetings everywhere and they kept their network intact. Only notable exception to this way of avoiding old comrades was that of

Mrunal Gore. And when she fought parliamentary elections under the banner of "Samajwadi Manch" in January 1990, it was not old Jana Sanghis, but some Socialist leaders, who declared their preparedness to contest against her. Actually, we, old Socialists could have revived our party in 1980. But most of us stuck to Janata Party, while others went over to Lok Dal and ultimately some ended in the company of BJP.

As for the probable victory of Indira Gandhi, if we had not formed a united party, still the parties opposing the Congress would have won a good number of seats in the Lok Sabha, which could have prevented her from imposing a draconian rule again.

The way we are behaving to revive the socialist movement reminds me of the Marathi proverb which means that the bull has already escaped and now a gate is put up.

–**Bhalchandra Rajee**

Bihar outcome

Socialist Party's commentary on the outcome of Bihar elections is most timely. Yes, the caution issued by the Socialist Party to those who are over-simplifying the victory of

Mahagathbandhan as the victory of either secularism or social justice is an invaluable contribution to the emerging discourse on interpreting Bihar Elections. In particular, I

endorse the closing statement i.e., "If the grand struggle to destroy the neo-imperialist stranglehold continues, then the space for communalism will keep on shrinking."

–**Anil Sadgopal**

Digital India

Making digital India is to use Information Technology, which is a powerful tool and used worldwide in this 21st century. We continue to use it to our great advantages in personal and professional lives. Information

technology is a common tool to be used to file taxes and pay bills by internet. We don't have to spend time standing in the long queue to pay for our electricity or other bills. We can pay it from our homes, at any time.

This form of technology is yet to be used extensively in our government affairs, which is directly linked to public. Digital India would be used in Government services. The most common form of this

application is direct link between government bodies and citizens. In a country like India it will be of great use, but to manage such a large population will be an immense task.

The challenge over here is that more than half of our country's population lives in the rural regions. Most of them do not have access to internet and suffer from illiteracy and poverty, and majority of them survive on one meal a day, therefore it is very, very difficult to make Information Technology universal in our country.

The central identifications like Aadhar or UID, voter ID, or PAN Card which contain our confidential data may come under direct threat from hackers.

However, this does not mean that we should not introduce Digital India. On the contrary, the entire population should get the benefits of digital India, and not the narrow, limited sections of society. Therefore it is necessary to address issues of data safety, language barrier, strategic planning and understand our socio-economic before we go digital.

- Anthony D'souza

(Continued from Page 9)

air release of GMOs, including field trials leave alone commercial cultivation, until our regulatory system is revamped. They have also spoken about the growing scientific evidence on the adverse impacts to health and environment from GM crops.

We ask the Environment Minister Prakash Javadekar to ensure no commercial cultivation of GM Mustard is permitted and release all data about the GM Mustard safety tests. This is a fight for the food we eat every day.

(PNN)

Electoral reforms are need of the hour

Sunil Dang

When the Winter Session of Parliament began with the celebration of the 125 years of the birth anniversary of Indian constitution maker Dr. B. R. Ambedkar, I was expecting some electoral reform in the two-day parliamentary debate but in vain. I was expecting some idea coming out from our parliamentarians on how to enhance the voter turnout, throw corrupts out of the active politics, send more woman politicians in the parliament and assemblies and so on. But, what I found in two-day debate is that both the ruling and the opposition parties were busy settling scores over the others to take political mileage.

First and foremost electoral reform that we need to address is enhancing the voter turnout. In this regard, we need to allow online voting so that our armed forces and paramilitary force people should be able to cast their votes. Apart from this, elderly people who find it difficult to commute would be able to franchise their voting rights with ease. Our youth is tech savvy. By allowing online voting, it would ensure highest percentage of the first time voters and Gen-X voters in any poll. Such a reform would make the post ballot system - a costly affair today - redundant. Online voting system would allow our citizens earning their livelihoods overseas and they are to the tune of around 1.6 crores - nearly 21,000 per parliamentary constituency - a number which is enough to change the results in closely fought elections. The Election Commission

or the Government of India should consider penalizing people not casting their votes but taking advantage or claiming other benefits as citizens.

Induction of the politicians (defeated in polls) into the cabinet immediately after the elections is nothing but mockery of the voters. Recently we saw Arun Jaitley and Smriti Irani who were defeated from Amritsar and Amethi constituencies respectively being entrusted with Cabinet berths immediately after the announcement of 2014 Lok Sabha election results. Similarly, Shivraj Patil was made Home Minister in 2004 though he had lost from the Latur constituency in Maharashtra. So, there is need for regulation of such defeated politicians being made ministers in such a hurry. I am not asking for people not part of either of the house (parliament or in assembly) being made ministers, but those who have lost elections should be barred from being made ministers for a particular time span.

In the last two years, it has been found that people convicted in any case are running their politics with their dummy candidates. Lalu Prasad Yadav of RJD in Bihar is a glaring example of this. So, we need to further strengthen our norms to stop such malpractices taking place in the political power corridors. Similarly, lacks of inner party democracy in various Indian political parties are hitting the headlines. Such incidents are mainly happening in the regional parties because they

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Commitment to GATS-WTO *end of education worth its name¹*

Ramesh Patnaik

There is a concerted attempt on the part of the Indian government to abolish whatever space is left for the peoples' struggles in the fields of education, health and other entitlements. Government of India (henceforth GoI) has submitted 'Offers for Market Access' in higher education sector to the Council of Trade in Services (CTS) operating under General Agreement on Trade in Services (GATS), an integral agreement of WTO in August 2005. These 'offers' if not withdrawn in advance would become 'commitments' on the part of the nation as and when the ongoing Doha Round Trade Negotiations are concluded. There is every possibility that the Doha Round Trade Negotiations could conclude in the ensuing 10th Ministerial Conference of WTO to be held in Nairobi from 15th to 18th December, 2015. The GoI will not withdraw the 'offers in higher education sector' on its own unless there is a strong public pressure for the same. As the 'offers' become 'commitments' to the WTO- GATS, the higher education sector of our country comes under global multilateral trade regime. It ceases to be the right of the people and a process of building a democratic and enlightened society and a sovereign nation. The subject needs an urgent attention of the academia and fighting organizations. Here, it is attempted to give an introduction to the General Agreement on Trade in Services (GATS) and the effects of the possible 'commitments' in higher education sector to the regime. It may be noted here that WTO includes three multilateral

trade agreements namely GATT 1994, TRIPS and GATS. Before we discuss these let us briefly survey the evolution of WTO.

GATT-1947 to WTO: WTO is a radically expanded version of General Agreement on Tariff and Trade (GATT). The GATT was signed by 23 countries in October 1947 and is in force from 1st Jan 1948. As one could note, the GATT was established along with the other Breton Woods institutions, the World Bank (WB) and the International Monetary Fund (IMF). The GATT was concerned only about international trade and tariff on industrial goods when it was established. There were eight rounds of negotiations among the member- countries of the GATT during the whole period between 1947 and 1994 and the tariffs on international trade in industrial goods was progressively reduced through these rounds.

Agreement on anti-dumping measures was included in the sixth round (1964-73) and Non- tariff measures were included in seventh round. Over the period so-called restrictions for the international trade were gradually reduced liquidating all protections for the relatively weaker nations. The membership of the organization kept on increasing with changing international scenario (See Table 1). The well publicized Uruguay Round Trade Negotiations (1986-94) was the eighth round negotiations which lead to formation of WTO. The Uruguay Negotiations not only expanded the scope of trade in goods to a great extent

but also opened new dimensions to the multilateral trade regime by including trade in agriculture, textiles and services, activities in investments, and 'intellectual property rights'. However, the legal scope of the GATT was very limited to incorporate all the above said multi-pronged trade. On the basis of the agreement pushed through in 1994 as a conclusion of Uruguay Round Trade Negotiations, World Trade Organization (WTO) was established to come into force from 1st January 1995 with Geneva as headquarters. Many political analysts attribute the success of the Uruguay round of negotiations to the liquidation of resistance to its imperialist agenda due to collapse of USSR, east European regimes and policy shift in China. While the GATT had 23 members at the time of its founding, the membership of WTO at the time of its formation was 149 and now it has 161 countries (as on 26th April, 2015). The trade operations of WTO are organized into three major groups as 1) Goods, 2) Services and 3) Intellectual Property Rights.

Agreements in WTO: Agreement on Agriculture (AoA), agreement on textiles (Multi Fiber Agreement -MFA), agreement on investments (Trade Related Investment Measures-TRIMS) and other related agreements were included in expanded version of GATT, now called GATT-1994. The GATT- 1994 is also called as Agreement on Goods. As is stated earlier, two other agreements were also concluded, one on services (General Agreement on Trade in

services - GATS) to regulate or deregulate trade in services and another on intellectual property rights (Trade Related Intellectual Property Rights - TRIPS). All the three trade agreements, GATT-1994, GATS and TRIPS are multilateral and integral agreements of WTO and it is a must for every member-country of WTO to implement all the three agreements as long as it remains a member. However, a member country can make use of the limited flexibility provided within the agreements for its purposes. The WTO also includes two legal instruments (Dispute Settlement Understanding - DSU, and Trade Policy Review Mechanism - TPRM) and the legal instruments also are binding agreements on all member countries as do the multilateral trade agreements. Again there are two effective plurilateral agreements (Agreement on Civil Aviation and Agreement on Government Procurement). These plurilateral trade agreements are not integral agreements and are not signed by all members. However, the two legal instruments (DSU and TPRM) are also applicable to these plurilateral agreements to the extent agreed upon by the signatories. The goal of all agreements is not only to completely liberalize international trade in all sectors but also to reduce all human activities into tradable services. The agreements will be progressively changed for the said purpose through further rounds of negotiations like the ongoing Doha Round Trade Negotiations.

Operationalisation of GATS:

As noted earlier The General Agreement on Trade in Services (GATS) is a multilateral and integral agreement on services under WTO regime. As it is an integral agreement, the member countries do not have option to avoid it. However, as this agreement

is only a framework agreement, it cannot be operationalised unless the member countries make 'Specific Commitments for Market Access' in their respective national markets in different service sectors. The level of the operation of the GATS depends upon the quantum of 'commitments' made by the member countries. A Council for Trade in Services (CTS) is established under WTO regime to expand and to operate the GATS. The GATS is under operation from 1st January 1995 on the basis of few commitments the CTS received from member countries during the Uruguay round, but the actual services negotiations round started in the year 2000 with an ambitious

agenda of securing commitments from member countries across all services (12 Sectors including 160 Sub-Sectors) and in all modes of trade. The response was lukewarm and it was discussed in Hong Kong Ministerial meetings of the WTO in December, 2005. There were resolutions on furthering of agreements in 2005 Ministerial but could not be implemented both because of the popular opposition in different countries and also because of the conflict of interests among the imperialist countries. Recently in July 2008, there was special conference on services conducted by CTS styled as 'Services Signaling Conference'

Resistance Camp

AIFRTE campaign against 'Committing Higher Education to WTO' initiated in June is spreading widely. The first phase was concluded with observance of 'WTO, Quit Education and Quit India Day' on 9th of August. It was observed in around two-thirds of the states in a decentralized mode at district level or university level. Then, the second phase campaign culminated with observance of Pledge Week against 'Committing Higher Education to WTO' from 28th Sept (108th Birth Anniversary of Shaheed Bhagat Singh) to 2nd October (146th Birth Anniversary of Mahatma Gandhi). Many more states joined the campaign in this phase which was also observed in decentralized way. In month of November, AIFRTE member organisations are organizing state-level rallies in majority of the states. The campaign touched every state, either extensively or marginally by now in the country.

The peaking programme of the campaign, the 'All India Resistance Camp against Committing Higher Education to WTO' will be organized in Delhi from from 7th to 14th December. Thousands of students, teachers, activists and intellectuals from all over the country are going to join this camp jointly organized by many organizations. All India Students' Federation (AISF) will mobilize students on 7th, All India Students' Association (AISA) will mobilize participants on 8th, Rest of AIFRTE on 9th and 10th, Krantikari Yuva Sangathan (KYS) on 11th, Rashtra Seva Dal (RSD) and its associates on 12th, Progressive Democratic Students Union (PDSU) on 13th and All India Federation of Elementary Teachers' Organisations (AIFETO) on 14th Dec. This resistance camp is timed such that it just precedes the ensuing 10th Ministerial Conference of the WTO to be held from 15th to 18th December to create pressure on Government of India not to give any 'Commitment' for 'Market Access' under WTO-GATS regime.

for rejuvenation in services negotiations. However, further enhancement of GATS depends up on outcome of Doha Round because; Doha Round undertakes negotiations for expansion of trade in all areas (agriculture, industrial goods, intellectual property rights and services) and follow a single undertaking approach.

Sectors of services and modes of trade (Article I): According to the 'central product classification', which is followed by GATS, every service is divided into several sub sectors. GATS recognized five sub sectors in education service and they are: 1) Primary education, 2) Secondary Education, 3) Higher Education, 4) Adult education and 5) Other Education. So also, GATS recognizes particular modes of trade in services. Trade in services is different from trade in goods and the negotiators know it well. They recognized four modes in trade in services in this agreement and the four modes of trade are applied to the field of education as discussed below. The phrase 'Trade in Education' is officially in use under WTO regime. It is worth noting here that the Department of Commerce of GoI also named its consultation paper for on-going service negotiations' as 'Trade in Education Services'. So, the author cannot help if the reader is not comfortable with application of trade language to entitlements like education.

Mode 1 - Cross Border Supply: in which neither the student ('consumer' in parlance of the agreement) nor the teacher/institute ('service supplier' in parlance of the agreement) move from their respective countries. This mode is actually a correspondence education mode and in the present scenario the delivery of education service takes

place through internet. The consumer pays the service charges to the supplier. If India commits 'market access' in this mode to WTO, the rest of 160 member countries can export correspondence education to India. As on date, many students of India are receiving correspondence courses from foreign lands but, that is taking place under the rules and regulations of Government of India. But, when we give commitment to GATS, this will have to be done under its rules.

Mode 2 - Consumption Abroad: In this mode, the student (consumer) moves from his country to another member country ('supplier') to receive education ('service') and pay the service charges there. If India commits 'market access' in this mode to GATS, the suppliers in the rest of 160 member countries can admit students from India on commercial lines. On this score also, as and when commitment is given to GATS, GOI rules and regulation, essentially speaking, will be replaced by the provisions of GATS.

Mode 3 - Commercial Presence: In this mode, educational institutions of a country (suppliers) establish their branches in another country, i.e. make their commercial presence in another country to 'provide' education. Academic community of India has got genuine apprehension on this mode. It is apprehended that the coming of foreign universities to India (under this mode) is detrimental to Indian universities and to the students of poor and middle class and disadvantaged families. It shall also be realized that allowing foreign educational institutions is detrimental to cultural diversity where the strength of India lies and to the very sovereignty of the nation. The domination of foreign educational standards leads

to the so-called standardization of education stifling the space for diversity. The utilitarian approach to educational and cultural aspects of life, which will be prompted by trade in education leads to de-socialization of education both in access and content. Entry of foreign universities creates a need for comparative quality assessment between foreign and domestic universities and the actual problem lies in selecting a yardstick for such an assessment. The yardstick essentially will be western and the native knowledge will lose all its charm. Educational opportunities may increase as a whole but when seen social category-wise, poor and disadvantaged would be further denied of opportunities. Social Justice will be the first causality. Not only that there will not be any reservations in the foreign universities but also that public universities and professional colleges which provide reservations will be in great danger. We shall discuss these in more detail later in this essay.

Mode 4 - Presence of Natural Persons: In this mode, teacher/trainer of a country moves to another country, stay there temporarily and supply services (teach or train) to the consumers (students) there and collect service charges. Under this mode, teachers of first rank from public colleges and universities may go to foreign lands and services of teachers who may come from advanced countries to India may prove costly. In both cases, poor and disadvantaged students will be put to further disadvantage. This is what is happening in China now.

'Offers' and 'Commitments': According to the present Doha Round negotiations, every country can make 'requests' to all or few of other WTO member-countries

to open their respective markets in all or few listed services for commercial activities. It is natural that every country also receives such 'requests' from other countries. A country, in response to the received 'requests', can make 'offers' to open up its services market. It is not must for a member-country to open its market in all services. Even within a service, a country can be selective sector-wise and mode-wise in opening its market. The member-countries, through mutual bargain in special sessions of the Council of Trade in Services would modify their 'offers' suitably and when an agreement is arrived at, the 'offers' become 'commitments' on the part of the respective countries. The present GATS negotiations are integral part of Doha Round Trade Negotiations and can only conclude as a part of the round. A point may be noted here that US, UK and Australia have made requests to India to open its higher education sector and GoI has already submitted 'offers'. If not withdrawn well in advance, these offers can become commitments on the part of the nation irrevocably.

The point to be noted here is that while every member country has got a choice either to allow or not to allow foreign traders in its education service (for that matter in any service), it has also got the choice to be selective both in sector-wise and mode-wise dimensions. Actually, both the 'requests' and 'offers' are made in sector-wise and mode-wise dimensions. However, the said choice is limited by the Article 19 of GATS which pursues the member countries to open up increasingly. More important thing to be noted is that while a country has got right to give or not to give commitment in a particular sector it has no right to withdraw a commitment once given. It is

bartering one's sovereignty for once and all. In preparation to Hong Kong Ministerial, December 2005, India had submitted its 'offers' in 'Higher Education Sub-sector' to GATS Council in August, 2005. If Doha Round is 'completed successfully' and if the 'offers' are not withdrawn well before conclusion of the round, the 'offers' automatically become 'commitments' on the part of India and the education system of India would be bound to the regime for eternity. Further, while giving 'offers' or 'commitments', a country can make limitations on two dimensions i.e. 1) Market Access and 2) National Treatment.

Provisions of GATS: The GATS has many dangerous provisions and it is not possible to detail all of them here. Here, it is only attempted to give a brief overview of few provisions and their possible affect on Indian education system.

Most Favored Nation (Art II): According to the 'Most Favored Nation' provision, all member-countries are considered to be 'Most Favored Nations'. Actually this provision created a great pressure on the countries outside WTO to join it at the risk of being isolated. This provision aims at closing all opportunities to develop any parallel world market to it. According to this provision all member countries are to be treated on par. It is not possible that we open market to South Africa and not to US. When a country opens its market in a particular service, it is opening it to all member countries ("favor one, favor all"). This provision, effectively, come in the way of co-operative development of developing and underdeveloped countries with necessary common protections from imperialist countries. Though there is a provision to make some exemptions to this MFN, the records

of the WTO show that it is the developed countries which could use the clauses of exemptions to MFN, not the developing and underdeveloped countries. The Article V which provides for such cooperation among few interested countries, when analyzed in detail, proves to be only useful for advanced countries.

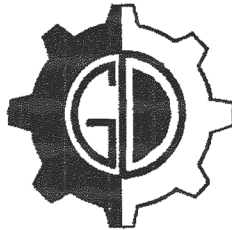
(to be concluded)

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are one man show. So, there is need to fix the number of consecutive times a person can become party president. Similarly, politicians barred from contesting parliamentary or assembly elections shouldn't be allowed to become a party president or hold any other party post in their political outfit.

It is more than 68 years of our independence. But, still we have failed to increase women's participation in mainstream politics. Women occupy just 66 seats in the 543-member Lok Sabha, which is a mere 12 per cent. The scenario for women Members of Legislative Assemblies across all state assemblies in India is even worse, with the national average being a pitiable 9 per cent. It is happening because majority of the political parties realize that women candidates can be overshadowed by the male candidate of the opposition party. So, to make more women enter the Lok Sabha or Legislative Assemblies, we can make half the seats reserved for women and half reserved for men because women are half the population of the country. Then after five years we can flip the male constituencies into female one and female constituencies for male ones. This can lead to higher women parliamentarians or MLAs into our political set up.

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New doors open

S. Viswam

Experience has taught us that there is a golden rule to be evoked when talking of India-Pakistan bilateral relations and/or developments relating to them. The rule is this: never pitch your expectations from any bilateral interaction too high, and never despair too low over failures or lack of progress. The last fortnight has opened some new doors to welcome and assess the latest status of the relations. Let us therefore proceed to greet those developments and see if the new doors lead deep into the premises or like in the past encounter unexpected hurdles in the way. At the outset, we need to acknowledge that anything that seems and sounds positive deserves to be welcomed even if for the simple reason that dialogue is always preferable to talk of war and conflict.

The people of India and Pakistan have good reason to hail, with a sigh of relief, the new developments that have indicated a potential for not only a sustained dialogue but also a possible breakthrough with long-time projections. Statements from both sides of the border have shown that the desire for an improvement in relations is shared. This is a good augury

After a long interval, signs of a thaw first emerged at the sidelines of

an international conference in Ufa, Russia. The atmosphere improved somewhat but neither side capitalized on the good vibes generated at Ufa to attempt an interaction at lower bilateral levels. The Ufa meeting was in July this year but we are now close to entering another year. As if to demonstrate continued mutual goodwill, the prime ministers of India and Pakistan happened to run into each other at the climate conference in Paris, and thereby hangs a tale.

All of a sudden, in the first week of December we learn that the national security advisers of India and Pakistan have had a surprise meeting in Bangkok. India's Ajit Doval and Pakistan's counterpart Naseer Khan Janjua met in a third venue, the Thai capital Bangkok. After the meeting they let it be known that they had discussed the two subjects with which the two nations are usually preoccupied during exchanges. This meeting was important because since 2014 the NSAs have been unable to meet even though arrangements were made: the first meeting could not be held because Pakistan insisted on meeting leaders of Kashmir Hurriyat Conference. The second did not take place as India wanted Kashmir kept out of agenda, Pakistan insisted it must be included.

The dialogue process initiated in Paris and continued through Bangkok entered a third and crucial phase with India's foreign minister Sushma Swaraj reaching Islamabad primarily to represent India at the Heart of Asia conference on Afghanistan but also to carry the dialogue process face-to-face a step further. Swaraj interestingly is the first minister in the Modi cabinet to talk face to face with leaders in Islamabad. The visit, successful as it turned out to be, was the logical fall-out of the opening of new doors to bilateral interaction.

Sushma's statement that she was there armed with the message that ties between the two neighbours should be good and move forward spoke for all the people of India since it reflected the general mood and sentiment of the nation. Incidentally, the United States which claims to be the well-wisher of both countries issued a statement from the White House welcoming the Indian foreign minister's brief visit to Islamabad.

This is where we invoke our golden rule. The Sushma Swaraj visit has undoubtedly the potential of activating the ties which currently are at the dormant state. The national security advisors' meeting was good and welcome in itself. But for ties to get elevated and ungraded, more confidence building exercises are necessary. What has begun on an optimistic note has to be sustained and enabled to move forward. The composite dialogue process was halted midway. It is vital to renew this so that the whole gamut of topics that needed to be discussed and sorted out are awaiting a reference and analysis with a view to a solution. Sushma's counterpart Sataj Aziz has said that the focus of the latest interaction would be

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India's contradictory positions on Nepal and Sri Lanka

Sandeep Pandey

Nepal's deputy PM Kamal Thapa has requested Sri Sri Ravi Shankar to convince the Indian government to lift the unofficial blockade of Nepal and end the diplomatic impasse indicating how seriously it is affecting his country. Recently when some Indian soldiers belonging to Sashastra Seema Bal entered the Nepalese territory following some smugglers from the Kishanganj district in Bihar and several more went to retrieve them, all of them were held hostage by the Nepalese police and released only after intervention at a higher level. Earlier, during the post-earthquake relief work the Indian media earned the wrath of Nepalese people and they were asked to leave because of the perception that India was claiming more than what it was actually doing, especially in comparison with China. Why have things come to such a pass with a country which culturally, geographically and historically should have been India's closest ally?

When Narendra Modi became India's Prime Minister the first country that he visited was Nepal indicating he gave much importance to Nepal compared to other bigger and powerful countries since it had majority Hindu population and possibly in the belief that Nepal would play second fiddle to India. But the reality today is that Nepalese government and people are peeved at India because of what is perceived as India's big brother attitude towards Nepal. There is a feeling in Nepal that Indians in general and Indian

media in particular is insensitive towards the sentiments of Nepalese people. India complains about Pakistan and China occupying its territories but never talks about the Nepalese territories of Kalapani and Lipulekh, bordering China, which it continues to occupy. It is not just Nepal, most of India's neighbours are apprehensive about India given its size and military might. Its neighbours hold India in a view similar to what most world has about the US, a hegemonic power. India may consider itself to be a very peaceful country but clearly it has not done enough to win the confidence of its neighbours.

It is no secret that India was not happy with the Nepalese Constitution and that it communicated its feelings in those many words to Nepalese leaders even though 90% of the elected representatives of the Constituent Assembly of Nepal, entrusted with the task of drafting it, endorsed it. On the other hand China, by approving of the Nepalese Constitution, has signaled that it is ready to fill the space vacated by India, even with its cultural affinity as well as easy geographical access, as Nepal's closest partner. An economic blockade of Nepal has been going on which has seriously hampered supplies of fuel, cooking gas, medicines and important items to the Himalayan nation. Nepal claims this blockade is inspired by India. India says it is the Madhesi who're responsible. India's position is untenable as India can easily overcome the Madhesi resistance if

it really wanted to end the economic blockade and help Nepal. Madhesis are distinct from the hill people of Nepal and are closer to people in UP and Bihar states of India ethnically as well as in their interaction. Cross border marriages are fairly common.

India has often blamed Pakistan for interference in its internal matters whenever Pakistan raises the issue of Kashmir on any international fora. It may be argued that Kashmiri people are ethnically different from any Pakistani population and hence Pakistan has no right to speak on behalf of Kashmiris. Madhesis are closer to Indians than Kashmiris are to Pakistanis.

But what about Sri Lankan Tamils? It is a well known fact that Tamils were butchered by the Sri Lankan army in 2009. They are fighting for a separate state, Tamil Eelam. The majority Sinhalese have had a strained relationship with Tamils since its independence in 1948. Over a lakh people have died in the civil war, about the same number sought refuge in India, two lakhs sought refuge in Canada, thousands have disappeared and close to eight lakhs are internally displaced. There have been demands from UN Human Rights Commission to institute an international enquiry in the massacres of Tamils in Sri Lanka but the successive governments have stonewalled it. Report of the UN Secretary General's Panel of Experts on Accountability in Sri Lanka found credible allegations of war crimes, crimes against humanity and violation of international law by the Sri Lankan military as well as Liberation Tigers of Tamil Eelam fighting for the Tamil cause. 40,000 civilians are believed to have been killed just in the final phase of civil

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Commitment to GATS-WTO-II *end of education worth its name*

Ramesh Patnaik

National Treatment (Art XVII): "...each member shall accord to services and service suppliers of any other member, in respect of all measures affecting the supply of services, treatment no less favorable than that is accorded to its own like services and service suppliers." It only means that the foreign traders are to be treated on par with native traders. If government gives land, aid or reimbursement to any of native private providers as a part of support to small scale industry, it is apprehended that the same support should be extended to all foreign providers. In India, lot of support is extended to aided schools and colleges which were established by people way back with non-profit motive. But, they do not come under government procurement clause as they collect more fees than government institutions for the same courses. They can be treated as competitors and the foreign suppliers may demand the same support. Government of Andhra Pradesh in 1980s encouraged qualified post-graduate teachers to form associations and to start co-operative colleges on self-financing basis and assured all possible support like land, buildings, water and electricity. But no government will be able to take up such policy after India makes commitment on higher education. One may differ with this policy of the then A. P. Government, but one has to oppose GATS dictating terms to governments not to make policies of its choice. National Treatment clause binds the hands of the

governments of member countries against supporting its own people and their establishments.

Government Procurement (Art XIII): Supply of a service by government to its people is considered Government procurement and the same is 'provided for' in GATS! There is no problem if a government institute is not collecting any fees from students. Such an institute gets protection from the clause of Government Procurement. But, if a government institute is collecting some fee from the students, it is widely apprehended that the same is considered to be a private supplier. If the apprehension proves to be real, the government either will have to provide same facilities to all native and foreign private suppliers (educational institutions) or withdraw support to public institutions. We know our government may ultimately do a mix of it through PPP benefiting native and foreign private providers. This provision may lead to transformation of all government colleges and universities into self-financing institutions and only get support in the form of reimbursement of fee against the admission of some students. So, they will not make much difference from private colleges run on commercial lines. In effect, government colleges will be changed to private colleges and right to equality and right to social justice will find no place. So, not only the foreign universities will not implement reservation policy but also the public universities will find

it increasingly difficult to implement reservation policy.

Do Protections Count?: European Union made ‘commitment’ in education sector way back in 2003. But the commitment was limited only to private education (not covering public education). This was because of the strong opposition from academic community. EU did not proceed after that. However, the journal ‘Observatory’ expresses strong apprehensions as to the usefulness of the noting of limitations in the Schedule of Commitment by EU.

Domestic Regulation (Art VI 4): “...with a view to ensure [that the domestic regulations] do not constitute unnecessary barriers to trade in services, the Council of Trade in Services (CTS) shall, through appropriate bodies it may establish...develop any necessary disciplines ...such disciplines shall ensure that they [domestic regulations] are not more burdensome than necessary to ensure the quality of the service...” (Note: The words in the square brackets are contextually added). So, it is the Council of Trade in Services which would develop necessary disciplines for member countries. It only means our domestic affairs would be regulated by CTS. And the CTS has no time to protect students, teachers, educational professional and knowledge needs of the people and its appointed sub- committees would only consider the questions of quality as can be seen from the above quoted provision. The concept of quality, of course, would be decided by WTO forums, may be by involving NGOs, essentially to produce human resources for corporate houses.

Domestic regulations are to be gradually changed to trade-friendly and global trade-friendly regimes. A sub-committee (Working Party on Domestic Regulation) is appointed under the aegis of Council for Trade in Services to prepare reports on regular basis on rules and regulations of trade in different countries. These reports lead to ‘reforms’ in different countries. The Trade Policy Review Mechanism (TPRM), one of the legal instruments under WTO regularly review the trade policies of different countries and suggest the countries to change their respective policies. In a word, domestic regulations of different member countries would be supervised and changed suitably for the benefit of global trade by WTO secretariat.

Ministry of Commerce and Industry issued a consolidated FDI policy in May 2015. According to it, FDI is permitted in education service up to 100% on the automatic route, subject to applicable laws/regulations; security and other conditionalities. This position is taken in year 2000. However, the conditions in education service are not favorable for trade because, 1) schools and colleges that are established and run by a society or a trust are not permitted to receive FDI; and 2) while the “not-for-profit” company incorporated under section 25 of the Companies Act, 1956 can receive FDI, it cannot apply its profits or other income towards the payment of any dividend to its members. So, as on date the conditions are not favorable to FDI in education. However, if GOI ‘commits’ education to WTO-GATS, it will have to change the existing policy and allow profit and repatriation.

Transparency (Art III) (3): “... Each member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any change to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under the agreement...” It only means that nothing shall move in member countries without the knowledge of the WTO. As many persons believe it, the RTI Act is not brought in the interest of the people (individuals and organizations are using it and government is trying to liquidate it is a different thing). It has come as one of the compliance measure with WTO-GATS. Multinational corporations require that all information is available to them. They want to know the position of a file and the comments made on it by different officials. They want that bureaucracy do not come in their way. We find this RTI is enacted in many countries and NGOs lobbied for it everywhere. The point is that the corporate houses are opposed to corruption at executive level. They prefer corruption at policy level. The corporate houses prefer to bribe policy makers and get a deregulating Act passed in their favor rather than bribing officers at all tables to bypass regulations. Government of India has already started moving in the direction of transparency in education ‘service’. The ‘Right to Education Act’ is an example of that. It clearly allows the private providers to increase fee to be collected from the students as they like it. It only requires transparency from the management which has to put a notice of fees structure before admissions every year and follow it. Now, the private operators need not give bribe to government secretaries and D.E.O.s in districts to allow

them to increase fees. A Bill (The Prohibition of Unfair Practices in Technical Educational Institutions, Medical Educational Institutions and Universities Bill 2010) that is now lapsed was introduced in the Parliament in 2010 to achieve the same in higher education. It sought transparency in fee structure, infrastructure and staffing in private professional colleges and universities. Independent Regulatory Authorities (IRAs): So is the case with Independent Regulatory Authorities (IRAs). In the recent times, we find IRAs are established in many a service sector. We have IRA for power, insurance, telecommunications and many other services. Sam Pitroda suggested an IRA for higher education (IRAHE). Yash Pal Committee Report also suggested, unfortunately, establishment of one IRA to be known as National Council for Higher Education and Research (NCHER) which could only subserve the interest of corporate trade in education. These IRAs can only be understood as a compliance of GATS. These IRAs are established only to bypass the political process. IRAs are not accountable to people in any form. If government is controlling a sector directly, people can bring pressure on it and achieve their legitimate demands. But, when a sector is independent from government, it only plays into the hands of corporate establishments in the present neoliberal situation. The new generation IRAs are independent from the people and regulate respective sectors in the interest of corporate. The concept of independent regulation promoted by

World Bank circles have nothing to do with concept of the autonomy the educators cherish. While the Bill introduced in the parliament by

UPA - National Council for Higher Education and Research Bill - got lapsed, the present NDA government is preparing a new bill 'National Higher Education Authority in the same lines. This Authority will prove to be a single window with all necessary powers that subserve the domestic and foreign corporate houses in the field of education. Foreign Universities, Tribunals and Accreditation Mechanism: See Article VI 2 (a), "each member shall maintain or institute as soon as practicable judicial, orbital or administrative tribunals which provide, at the request of an effected service supplier, for the prompt review of, and where justified, appropriate remedies for, administrative decisions effecting trade in services". It was only to attend this need that Kapil Sibal was hasty in bringing a legislation to establish a tribunal system for higher education sector. The Bill also lapsed and the present dispensation will not prove lesser friend of the corporate capital. So is the case with the need to establish an accreditation mechanism to recognize the capacity of Foreign Service suppliers and the quality of the service they supply. Article VII of GATS requires establishment of such mechanism. The Bill introduced by Kapil Sibal in the Parliament with respect to establishment of National Accreditation Authority speaks volumes about the compliance of the Indian government to GATS provisions. This Bill also got lapsed and the present government may take some time to find an occasion to bring a similar legislation. The attempts of our governments to establish 'single window', 'tribunal system' and 'accreditation mechanism' only show us that there is serious preparation of ground for 'Committing Higher Education

to WTO'. On the top of all, UPA government introduced Foreign Educational Institutions (Entry and Regulation) Bill in 2010. That is also lapsed. The present government has already initiated measures to bring a new Bill on the same lines but with a new critical step of allowing 'for profit' foreign providers.

Abolition of non-NET scholarship: The measures of the present NDA government like abolition of Non-Net scholarship for PhD and MPhil scholars and introduction of Choice Based Credit System (CBCS) to add to the previously introduced Semester System and Four Year Under-graduate Programme (FYUP) in Delhi University are only intended to prepare ground for the operationalization of GATS. While the semester system, FYUP and CBCS bring our education system in conformity with the design of US system, the abolition of non-Net scholarship is to provide level playing field for foreign universities by making public education equally costly. This is why neither the UPA government yesterday nor the NDA government today are ready to listen to the opinions of students, teachers and learned people of the nation on these questions. They are bent upon implementing policies to prepare ground for GATS. GATS seek bureaucratization of campus, centralization of administration and ultimately straight jacketing the whole education system to render it a commodity. The measures that are being taken by GOI clearly show the amount of pressure GATS applies on member countries and pursue them to follow dictated policies. Find an example in China from the following excerpt. Let us see what International Association of Universities has to say on the diversified needs of countries and

localities and followed by the experience of China which has 'committed' education to GATS and which is under great pressure now in making a public policy of its choice. China was highly protective in its commitments by applying many a 'limitations' on both counts of 'Market Access and National Treatment'. But, the protections are not proving useful.

If it is agreeable that education can be traded with and if one believes that world is flat as Friedman likes us to believe, there is nothing wrong with the GATS and WTO. If world is understood as full of diversities and inequalities and if goal of the mankind is understood as democratizing the diversities and liquidating inequalities, if education is understood to be a civilizing agent and a process to prepare a new generation for the nation, both to sustain democracy within and liberty from possible domination from external forces, then education cannot be subordinated to trade rules and least can it be brought under global trade regime. Trade in education does not only deny education to the poor and disadvantaged, even those who get it by paying don't get it worth the name. Trade in education gives market orientation to courses, content of courses, teacher student relations and orientation of research and the purpose of education stands vulgarized. Trade in education aggravates the inequalities and demolishes diversities and beauty of life. Trade in education delinks the youth from history, individual from society and dehumanizes men and women. The danger is increasingly felt by academic community world over and opposition is growing against listing of health and education as tradable services.

Do we mind?: The Government of India, as is said earlier, has already submitted its 'offers' to Council of Trade in Service operating under WTO-GATS with respect to higher education without listing any exemptions to the clauses of 'Most Favored Nation' and to 'National Treatment'. The 'offers' are submitted in all of the four modes. It means, that India has agreed to consider education a tradable service. Further, it means that India has agreed for a global trade in education without any barriers. This agreement is not any bilateral agreement that can easily be reviewed; it is a multilateral agreement between all member countries. The provisions of the GATS (Article XXI) would only prove that the withdrawal of commitments would be costlier than continuation. This agreement is not an educational and cultural agreement. It is a hardcore trade agreement. No flexibility provided in the agreement allows a nation to protect and continue its education system for its own social and developmental interests. The GATS is a single agreement for all 'services' which include universities, recreation centers and massage centers and like. The concept of equality, the concept of social justice and the concept of autonomy all would perish. The sovereignty of the nation will be at stake in the long run. But the government of India does not mind this all that. The question is: Would the academia and polity take these concerns seriously and bring pressure on the Indian government to withdraw the 'offers' lest they become 'commitments' on the part of the nation for posterity?

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on the resumption of the composite dialogue process. Let us keep fingers crossed over the future of India-Pakistan relations with a prayer that both sides remain committed to talking to each other and shun hostility.

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war, mostly due to shelling by Sri Lankan army. All political parties in Tamil Nadu have supported the cause of Sri Lankan Tamils and have objected to India's position in support of Sri Lankan governments.

India was also involved in the misadventure of sending Indian Peace Keeping Forces to Sri Lanka during Rajeev Gandhi's premiership with the aim of establishing peace between the Tamil nationalists and Sri Lankan Army but it ended up fighting a bitter battle with LTTE. Ultimately it was asked to leave Sri Lanka after three years. Rajiv Gandhi had to pay for this move with his life.

Sri Lankan Tamils are as close to Tamils in Tamil Nadu as are Madhesis to people in UP and Bihar. The simple question is if Indian government is sympathetic towards Madhesis why doesn't it take a similar position with respect to Tamils in Sri Lanka openly, especially since Tamil people in India identify with them?

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Surendra Mohan

Qurban Ali

A renowned socialist thinker, activist, ideologue and writer Surendra Mohan was born in Ambala (United Punjab) on December 4, 1926. If he was alive, he would have been ninety. He was educated at the S.A. Jain College in Ambala City, Banaras Hindu University, D.A.V. College in Jullundur City and D.A.V. College in Dehradun.

His romance with the socialist movement started in 1942 during the *Quit India Movement* when he was still a student of eleventh standard at the Banaras Hindu University. Later he was the General Secretary, District Students Congress, Jullundur from 1945 to 1946. For higher education, Surendra Mohan went to Dehradun from where he obtained a master's degree in Sociology. He was an investigator at the Agra University from 1955 to 1956 and was a lecturer in Sociology at the Kashi Vidyapeeth in Varanasi from 1956 to 1958. He later resigned and opted to be a full-time political worker.

After the formation of the Socialist Party in 1948, he devoted much of his time to the party work at his native place, Ambala and later became the District Secretary of the party. In July 1952, he became the Chairman of the reception committee of the state conference of the Punjab Socialist Party held at Ropar (now Roop Nagar) which was inaugurated by Dr Rammanohar Lohia. A lecturer by profession and political worker by choice, Surendra Mohan took part in student, peasant and political agitations and went to jail several times in 1950, 1957, 1973, 1974 and during Emergency in 1975-76.

He proved his mettle in the Praja Socialist Party and rose to become the first General Secretary of its youth wing, All India Samajwadi Yuwak Sabha, in 1960, Joint Secretary, PSP, 1965-71, (he was also the Joint Secretary of the Samyukta Socialist Party for a brief period in 1964-65) and later the General Secretary of the All India Socialist Party, from 1972 to 1977.

He was one of the General Secretaries of the Janata Party in 1977 (from January 23, 1977 to April 30, 1977) and played a vital role in its historic victory. He was elected to the Rajya Sabha for a term from 1978 to 1984. He was again appointed the General Secretary of the Janata Party in September 1979 and held this post till February 1981, and was a member of its National Executive till October 1988.

He remained with the Janata Party, Janata Dal, Janata Dal (Secular) and was finally the President of the Socialist Janata Party till his death in December, 2010. He was a conscience keeper for the various factions and parties that emerged from the Janata family.

Surendra Mohan had been a school teacher, a college lecturer, entrepreneur, a trade union leader, an environmental activist, human rights and civil liberty activist and a Parliamentarian. He participated in many national and international seminars on youth, workers associations and agricultural labour and attended the Socialist International, Hamburg and IUSY in Vienna in 1959. He organised social

education among weaker sections, and was involved in programs of rural development. He lent himself to several movements including the one in recent times against mega dams.

A political leader who believed in the power of ideas, Surendra Mohan was a prolific reader and a regular columnist in Hindi and English for many newspapers. He was also the editor of the socialist journal *Janata*. Four collections of his essays in Hindi were published, besides three books authored by him. He was associated with the Yusuf Meherally Centre and also with Peoples Union for Civil Liberties ever since its foundation and was very active in promoting human rights. During the last six decades of his life, he spent much of his energy with the youth, social movements and people's organizations like the Nikhil Bharat Banbasi Panchayat, Khet Mazdoor Sabha, Hind Mazdoor Sabha, National Alliance for Peoples Movements, Socialist Front and Rashtra Seva Dal. An internationalist at heart, he was active with the Socialist International and supported Nepal's democratic struggle.

A friend of all the pro-people initiatives in the country, he is missed by a wide range of followers and admirers across the political spectrum, socialist workers, pro-people intellectuals and people's movements across the country.

Surendra Mohan was admired for his intellectual honesty, moral uprightness and personal sacrifices. He was imprisoned during

A Gandhian Socialist

K. K. Panda

Emergency and when Morarji Desai-led Janata Party came to power, he declined the job of a Union Minister. He was the spokesman of the Janata Party during 1977 general elections and played a crucial role in the formation of the first non-Congress government at the centre.

He was widely respected for his simple life and political integrity and honoured during 1996 to 1998 by United Front government when he was appointed the Chairman of Khadi and Village Industries Commission.

In 2009, he was elected the president of the Dr Rammanohar Lohia Birth Centenary Programme Committee. His close associates used to describe him as an “encyclopedia of Socialist movement” in India as well as abroad. He had good connections with socialists in other countries and had personal rapport with Gandhians, civil society movements and intellectuals. He was an ideal socialist. Till the end he struggled for the deprived and the downtrodden. He made it a point to come to all programmes, big and small, for the causes he believed in.

During the Emergency in 1975 to 1977, Surendra Mohan had suffered a heart attack in jail and needed medical attention. Jayaprakash Narayan asked him to come out on parole and get medical treatment but he refused. He then was treated at the All-India Medical Institute as a prisoner.

So committed was he to the cause of socialism that for several years he did not pay attention to getting married. One day his worried mother asked him when he would marry. Finally he married Manju Mohan in 1974 and had a son and

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At a time when the Indian political system is moving incoherently but somewhat surely towards a period of political uncertainty, what is referred to by some political analysts as a “period of freezing hypothesis” leading to a steady unhealthy growth of regional power structures and an insuperable atmosphere of inequality that does not allow the captive population to have an access to a fraction of its rising expectations, there is indeed a need to remember the mood, method and message of a lovable and multidimensional personality with world vision like Surendra Mohan, a Gandhian socialist, environmental activist, political columnist, a visionary parliamentarian and a human rights and civil liberty activist, and, above all, an inclusive personality with an

everlasting compassion. He was not simply a socialist thinker and political leader of transparent honesty and integrity, he was also an ardent humanist and dedicated parliamentarian, always wedded to the ideals of democracy, secularism, socialism and humanism. His humanism combined with a modern and scientific outlook and objectivity made him the most sought after socialist theoretician. His utter simplicity, sincerity and his universal identification with the lowest of the low persons had always impressed everyone who had ever come into contact with him at any stage of his public dealings. There is indeed need to remember the mood, method and message of this lovable and multidimensional personality actuated by the higher ethics of life.

During the late 1970s, I had the privilege of meeting Surendra Mohan, then a member of Rajya Sabha, and a key figure in the Janata Party, as a sweet, charming, unassuming dynamic parliamentarian in his small parliamentary accommodation which was then the nerve centre of socialist thinkers and activists of the day. Later on as the director of the Institute of Constitutional and Parliamentary Studies which was housed near his residence, I had the opportunity to work with him from a very close quarter. He was an institution builder of transparent honesty. He was one of the rarest human beings I have ever come across during my more than four decades of active life who taught me that to remain ever young and meaningful is to have hope, passion, vision and freedom, and a strong belief in oneself.

At a time when almost all political institutions are moving slowly but surely towards a climate of political uncertainties and an unethical equations between ruling elites and their external counter parts are bent on creating a new correlation between economic power and political process, and above all, our understandings and approaches to national issues are slowly getting colored by chauvinistic, caste and communal moorings, there is need for socialist philosophy of Surendra Mohan to guide us for the creation of a political system as a conscious, critical and creative participation for the ultimate attainment of an individual as a moral being. John Stuart Mill, the political philosopher, once said, “Human nature is not a

machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides according to the tendency of the inward forces which make it a living thing.” Moral self-development of individuals in a political system could alone bring about a meaningful participation in the political system. As the culture of tolerance is intrinsically linked with moral self-development process, how could we ensure a “meaningful living” and “enhancement of the quality of life” without proper mental and spiritual training? Surendra Mohan said, “Drawing upon the experiences of the past and the present, socialism of the future will be democratic, decentralistic, egalitarian, eco-friendly and nurtured on solidarity. Its technological profile will ensure that it does not emit poisonous gases in the atmosphere, nor does it centralize expertise and specialization in a few persons or at a few places. The economic relations it builds upon will be non-exploitative, and in the name of abolition of classes it will not create a new class of stacnovites. Its democratic polity will ensure the fullest freedom of expression to individuals, cultural and other groups as also regions, and therefore, it shall be pluralistic, in both content and form.”

Surendra Mohan considered gender equality as a part of larger vision of total social equality of religious communities, regional groups and linguistic minorities. He said that “with such simple structures education and administration will be conducted in the languages of the people themselves. As for such divisions as castes, all kinds of inequities in such institutions will have to be eliminated.” He rightly believed that in the contemporary political climate, both the media and

the parliamentarians have to play a serious role in promoting the value of humanism, secularism, rationalism and democracy. The media being the powerful instrument of information and education, has a far-reaching role to play in educating people regarding the struggle against communalism and in the promotion of language of secularism. As we have observed over the decades, any meaningful attempt towards communal harmony and cooperation must start with an attempt to secure the common ideal of securing social justice to the lowliest of the low structures of our social system transcending consideration of community, caste or creed. He advocated for creating a socially oriented development framework in which sub-national consciousness would be integrated with national planning. Throughout his long political career starting as a teacher, professor, then a political activist, a member of parliament, a socialist visionary, Surendra Mohan always remained as the beacon of hope and aspirations to the emerging generations.

Throughout his career as a Gandhian socialist, Surendra Mohan always pleaded, like his illustrious mentor Jayaprakash Narayan, that the issue of empowerment of people and human rights was central to both social justice and economic growth of a nation. He emphasized that without strict adherence to certain human values and standards of conduct one can never reach the goal of socialism. Jayaprakash Narayan said, “a society of well fed and clothed and housed brutes is a far from socialism.”

Political leaders and social activists like Surendra Mohan have always given a new sense of direction to the political debates in the contemporary India. They

have taught us that our vision of development, human rights, electoral reforms, and women empowerment must be grounded in values of equity, partnership and shared responsibility. Surendra Mohan advocated that the marginalized majority of the citizens must be integrated into the mainstream of development dialogue of social justice and human rights. The best tribute to this great Gandhian socialist would be to commit ourselves to work for the creation of a socialist society. Rabindranath Tagore once wrote to Gandhi : “ We have a duty to liberate man from the net he has knitted around himself.” The universalization of the individual self - “I am nothing but the masses”- is the spirit, Surendra Mohan taught us, behind every socialist movement.

Justice Rajindar Sachar (Retd.), former President, Peoples Union for Civil Liberties was presented with first **Justice V. R. Krishna Iyer Human Rights Award, 2015** and a cheque of Rs. 1 lakh for his work for Human Rights by Justice Sukumaran of Kerala High Court at a function organized by Forum for Democracy and Communal Amity at Kochi (Kerala) on 4th December, 2015.

Rajindar Sachar while speaking on the occasion recalled his warm association and emphasized the deep commitment of Justice Krishna Iyer to the human Rights and commitment to the cause of minorities. Justice Sachar announced that in the same spirit he was donating the reward amount (Rs. 50,000/- each) to the two organizations with whom he has had long association: Socialist party (India) and Peoples Union for Civil Liberties, Delhi.

Socialists-Communists: need for a continuing dialogue*

Surendra Mohan

The parliamentary General Election in 1967 was contested by the non-Congress parties with limited electoral adjustments. Dr Lohia's strategy of non-Congressism was more or less accepted in practice, if not in theory. After the election, Samyukta Vidhayak Dals (SVDs) formed their coalition governments in UP, Bihar, Haryana, Punjab, Madhya Pradesh and Orissa. In Tamil Nadu, the DMK, having secured majority on its own, formed its single-party government, while in Kerala and West Bengal, the Left Democratic Front and the United Front respectively came to power. In the latter States, the Jana Sangh and Swatantra Party were not represented in the State Assemblies. While the CPI joined the SVD coalition governments wherever it had its MLAs, the CPI-M gave them outside support.

In West Bengal, the extreme Left appeared in Naxalbari and took to the 'Left adventurist' ways. It had broken with the CPI-M and disowned the parliamentary path. The CPI-M took its own time in analysing this new phenomenon. The result was the creation of the CPI-ML, which, however, got its own sweet time in making its response clear, and for almost the whole year of 1967, there was lot of confusion. Socialist leaders S.M. Joshi, the Chairman of the SSP, and S.N. Dwivedi, the Parliamentary Party leader of the PSP, jointly toured the troubled area to build public opinion against it, as also to pressurise the United Front to make its stand clear. Both

these parties were partners in the UF coalition government.

The CPI-ML was in the meantime undergoing splits, with the concomitant logic of increased adventurist fury at every split. On the other hand, Dr Lohia had advocated that if the SVD governments do not implement some basic reforms within six months of their assuming power, they should be pulled down. He wanted to show the difference between a Congress Government and the governments of the SVDs in a short time. Since most of these governments had conservative elements as constituents like the Jana Sangh and Swatantra Party, the only consequence of his insistence could be instability. It then appeared to some people in the PSP that while the CPI-ML wanted to destabilise the whole system, Dr Lohia's advice would create instability within parliamentary politics. It is a fact that all SVD governments were out by 1968, which led to the mid-term General Election held in 1969.

In the National Executive of the PSP, in its first meeting after the 1967 General Election, those of us who desired democratic stability with peaceful radical social transformation, suggested that there was need to discuss the emerging situation. In this context, we pleaded for a discussion with the CPI, but not with the Jana Sangh or the Swatantra Party. The Executive therefore asked Nath Pai and me to contact the leadership of the CPI. We met Krishnan and Mohit Sen

in the central office of the CPI, and meetings between senior leaders followed.

This was the time in West Europe when Euro-Communism had started to show its head, though it took concrete shape only after the march of the troops of the Soviet Union into Csechoslovakia in 1968 ousted the new regime led by the Communist Party leader, Dubcek, who had proposed communism with a human face. That event created a lot of furore within the CPI, though the CPI-M supported the Soviet action fully. The Central Committee of the CPI also later supported the Soviet action by a majority. C. Rajeswara Rao, the party General Secretary, explained to me that several generations of its cadres had learnt Communist politics by studying the publications of the People's Publishing House, Moscow, and did not relish any criticism of the Soviet Union.

Socialists in West Europe were also facing revolts from their youth and student sections. The SPD in the Federal Republic of Germany and the British Labour Party were compelled to reorganise their youth and student factions. The French youth had sought to stage a real revolution and some youth groups in West Germany were also active in the same direction.

The process of dialogue between the CPI and the PSP got disrupted when the CPI made a solid alliance with the Congress party in Kerala in 1969 against the CPI-M. In West Bengal, the two Communist Parties

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were in two rival alliances. Then, after the Central Government rigged the general election for the West Bengal State Assembly in 1972, the CPI-M, on the one hand, and the Congress party and the CPI, on the other, became bitter enemies. The PSP had by then, that is, 1971, united with the SSP, and the name of the new Party was the Socialist Party. The draft of the Policy Statement of the party, prepared by Madhu Limaye, was provisionally adopted by its Foundation Conference held in Bulandshahar in UP on the first week of 1973. It characterised all the other Opposition parties critically and warned against alliances and power sharing with any one of them, while proposing only electoral adjustments and simultaneous agitations. However, in June 1973, Madhu Limaye, in the meeting of the National General Council held in Bangalore, moved an amendment proposing to delete the whole paragraphs pertaining to the above, and their replacement by paragraphs proposing the creation of a federal party together with the Congress-O, Bharatiya Jana Sangh, Swatantra Party and Bharatiya Kranti Dal, with a common election manifesto, common election symbol and common leadership.

The Council, however, rejected this plea for the creation of a 'viable' alternative to the ruling Congress party, and adopted an amendment proposed by K. Chandra Shekharan for the creation of a radical alternative together with the Left parties. The adoption of this amendment resulted in a sustained dialogue with the Left parties, other than the CPI, and in June 1973, after a three-day joint meeting of the Socialist Party with the CPI-M, an agreement was signed in which the only disagreement was on the caste policy and the

policy of political and administrative decentralisation. After JP launched the movement for Total Revolution in 1974, the party convened a joint meeting of all the Left parties, including the CPI, in order to mobilise support for it. Nevertheless, after the failure of that meeting, there was again a meeting between the Socialist Party and the CPI-M, to discuss the political situation. It was followed by a meeting in Patna in September of the same year in which Promode Dasgupta and M. Basavapunniah of the CPI-M and Madhu Dandavate of the Socialist Party were present along with JP. A joint statement was agreed upon, which called for strengthening the people's opposition to the policies of the ruling Congress party. However, the leaders of the CPI-M refused to support the JP-led movement.

In September 1975, after the declaration of the National Emergency in June in the same year, I was deputed by the Jan Sangharsh Samiti, which was coordinating the resistance to it, to contact the Left parties. I went to Kolkata, incognito, and secretly met with the leaders of the CPI-M, the Forward Bloc, the Revolutionary Socialist Party and the Socialist Unity Centre, namely, Promode Dasgupta, Ashok Ghosh, Tridib Choudhuri and Shibdas Banerjee, respectively. Additionally, I met the leaders of the Congress-O and the Jana Sangh. In fairness, I must testify to the friendly warmth with which the Left parties received me. However, there was no agreement on their supporting the movement against the Emergency. Before the parliamentary General Election in 1977, and after the creation of the Janata Party, an agreement on electoral adjustment was arrived at with all the Left parties, barring the CPI.

Some party colleagues in Kerala were thinking of separating from the main party on the question of unification in the Janata Party, as they were apprehensive that the CPI-M might not include them in the Left and Democratic Front in that State. I met E.M.S. Namboodiripad and asked him whether his party would adopt a separate attitude in Kerala, while cooperating with the Janata Party everywhere else, and requested him to properly advise these colleagues. EMS was forthcoming on this and these comrades remained with us.

The Janata Party toughened its bargaining position after it had come to power at the Centre, in respect of the general elections to the State Assemblies in Jammu & Kashmir, West Bengal and Tamil Nadu. We, in the erstwhile Socialist Party, and the then President of the Janata Party, Chandra Shekhar, favoured a continuation of the policy adopted in the parliamentary General Election. Yet, Morarji Desai, Choudhry Charan Singh and Jagjivan Ram were adopting a rigid bargaining position. EMS invited me for a discussion of the situation in West Bengal, and suggested that the Janata Party could offer 125 seats to the entire Left Front. It was obvious that he did not want to be quoted. I tried hard, and Madhu Limaye, in particular, was quite insistent that an honourable settlement be made with the Left Front in that State. Some prominent Socialist colleagues like Prof Samar Guha and H.V. Kamath, however, did not like this position.

It is well-known that in all three States, the Janata Party contested on its own, and fared very badly. The loss which it inflicted on itself then was a permanent one. However, in the general elections for the

Maharashtra, Karnataka and Andhra Pradesh State Assemblies, Chandra Shekhar and General Secretaries Madhu Limaye, Rabi Ray and Ramakrishna Hegde (and I as coordinator of the party for these elections) prevailed upon the party to enter into electoral adjustment with the CPI-M, the CPI, the Congress-S and the Republican Party of India. The leaders of the erstwhile Jana Sangh supported our stand. On this occasion, I met P. Sundarayya and Basavapunniah to discuss electoral adjustment in Andhra Pradesh. Hegde took the same initiative in Karnataka, and we were successful. In Maharashtra, on the other hand, the People's Democratic Front was formed at the initiative of S.M. Joshi.

The unification of the Bharatiya Lok Dal in which the SSP had merged in 1974 and the Socialist Party in the Janata Party left no party with distinct socialist objectives. On the other hand, Socialists who had left the PSP in 1955, 1964 and 1970 and those colleagues who had left the Socialist Party led by Dr Lohia in 1960 and 1973 to join the Congress party, and a large number of followers of JP came together under one banner in the Janata Party. Madhu Limaye suggested to me that I should get together with Raj Narain and Chandra Shekhar so that an effort for their coming together could be initiated. Hence, a meeting was held in the end of April 1978, and another in the middle of May. A largely attended meeting of comrades in Madhya Pradesh was held in Pachmarhi towards the end of May. This process was put an end to when, on the bidding of Choudhry Charan Singh, Raj Narain started to challenge the leadership of the party. Nevertheless, the keen desire for socialist unity was clearly expressed.

When a vote of no-confidence was moved against the Janata Party's government in 1979, Hegde, Krishan Kant, Ram Dhan and I called upon EMS to appeal to him that the CPI-M should support the government. While he promised that his party would not lend support to any breakaway group from the Janata Party, he could not make good that promise. It might be recalled that Jyoti Basu, the Chief Minister of West Bengal, had advised the party to support the government. After the fall of the government, I had occasion to confront EMS and the CPI's Bhupesh Gupta on their strategy. I pointed out to them the assured return of Indira Gandhi in the forthcoming mid-term General Election, arguing that before the motion of no-confidence, she was terribly isolated, as the Karnataka Chief Minister Devraj Urs had also deserted her and had been left with only 146 members of the Lok Sabha, but, in the General Election, owing to the split between the Janata Party and Choudhry Charan Singh-led Janata Party (Secular) with which they had aligned, her return to power was definite.

When the general elections for the State Assemblies in Kerala and West Bengal were to be held, some elements in the Janata Party again revived the controversy about joining or opposing the Communists. By that time, the CPI had, in its National Congress at Bhatinda, revised its policy of aligning with the Congress party and had joined the LDF in Kerala and the Left Front in West Bengal. In both the States and the National Executive of the Janata Party, most of the former colleagues from the erstwhile Socialist Party, but not all, were for making common cause with the LDF and LF. A Congress leader from West

Bengal wrote to Chandra Shekhar that the party should not obstruct the victory of the Congress party as A.K. Antony was leading it. He and Antony had been with Chandra Shekhar, during the time when as a 'Young Turk' in the Congress party, the latter was opposing the Kamaraj-led faction, and later had contested for the Central Election Committee against the wishes of the then Prime Minister, Indira Gandhi. While that letter did not have much effect, the party decided not to align with the Left parties. However, in 1984 Chandra Shekhar was keen that common understanding between the party and the Leftist parties should emerge. This happened in a large number of seats except that of Chandra Shekhar himself, owing to some leaders at the State level. However, when V.P. Singh, after his expulsion from the Congress party, formed the Janata Dal, and later the National Front with the regional parties in Andhra Pradesh, Tamil Nadu, Punjab and Assam, both the Leftist parties and the BJP agreed to make electoral adjustments with them. The Leftists generally supported the policies of the National Front Government, including the reservation of jobs in the control of the Central Government which the BJP opposed. It had made significant gains in the General Election in 1989, because of its fundamentalist policies and was set to advance further as its anti-Babri Masjid agitation brought out the anti-Muslim sentiments among the Hindus in North and Western India.

As a reaction to these policies as also the 'New Economic Reforms' introduced by the Congress party's government led by P.V. Narasimha Rao, the NF and the Leftist parties came together, and the result was their success in forming the United

Front Government with outside support of the Congress party. But, this government had a short duration, and after that, the regional parties parted with the Janata Dal and the Left parties, and joined hands with the BJP.

During this period between the fall of the NF Government and the installation into power of the BJP-led National Democratic Alliance Government, efforts to start a dialogue with the Communists continued, as also those which could unify the Socialists. After the developments in Eastern Europe in 1989-91, Madhu Dandavate and I felt that the time had come to resume a dialogue with the CPI, in particular, and also with the CPI-M. On the one hand, we encouraged the leaders of the Hind Masdoor Sabha to achieve unification with the AITUC, a proposition heartily welcomed by the then General Secretary of the AITUC, Indrajit Gupta. On the other hand, three outfits, each belonging to the Socialists, the CPI and the CPI-M: the S.M. Joshi Socialist Foundation, the Joshi-Adhikari Foundation and the Social Scientist held a three-day seminar in Pune (Maharashtra) on the Economic Policies, that is, mainly, the Structural Adjustment Programmes. Indrajit Gupta and Madhu Dandavate were thinking together of creating the base for a broad Democratic Left party. The elder Socialist leaders, S.M. Joshi, N.G. Goray and Prem Bhasin, agreed with this proposition. Goray had, in fact, circulated a paper on the need for such coming together on the occasion of the National General Council meeting of the Janata Party, held in Bangalore in 1987.

The next meeting of the three outfits was held in New Delhi in

1993. While the agreement was that the political situation would be discussed, Sitaram Yechury of the CPI-M met me to suggest that we again discuss the economic issues, as his party was not in a position to join in a discussion of the political-ideological policies. Since I was interested to continue with the process, I agreed and urged others also to agree. Nevertheless, the CPI-M comrades did not join the seminar. Thereafter, during the last ten years or more, I repeatedly reminded leaders of the two Communist Parties to continue the process. The response was lukewarm. However, after we launched the Socialist Front in June 2002, Prakash Karat and A.B. Bardhan showed interest in it. Colleagues in general were, keen on it. But, Shishir Dhar in Kolkata and some other valued colleagues were greatly put off by this prospect. The Socialist Front has now active units in about thirty districts, and some State units are quite active. Much more requires to be done in this behalf, though.

The need for a broad-based democratic-Leftist platform, if not a united party, has been expressed by several friends who find the economic policies of the Congress party and the Bharatiya Janata Party congruous with each other. Without doubt, some of our colleagues are wary of the United Front tactics of the Communists, though they represent a minority. The Communist Parties, on the other hand, are still suspicious of our links with the Socialist International, something which influenced even Indrajit Gupta, in later years. That was mainly because of the role played by the SPD Government in Germany, in particular, as, after the break-up of Yugoslavia, it quickly recognised Croatia as a separate state. These

suspensions were unfounded because the Socialist International does not function as the Comintern or its successor, the Cominform, did. It never lays down particular policy lines for its member parties and forces them down the throats of all its affiliates. Moreover, the Indian Socialists had helped to found, as early as in 1953 in Yangon, the Asian Socialist Conference which had its second conference in Mumbai in 1956. However, it failed to function after the suppression of democracy first in Indonesia, then Nepal and finally, Myanmar in 1962. Moreover, as recently as in January 2004, the Socialist Front and the Socialist International held a joint seminar at the World Social Forum in Mumbai and there our differences on globalisation came out sharply. The Indians were surprised that, apart from a delegate from Tanzania, another developing country, no one else from the SI was critical of the ruination of the economies of the developing countries, including India, by the WTO. Unfortunately, the former Prime Minister of Spain, Philip Gonsales, referred to internationalism of the socialist tradition. I had to regretfully request him not to reduce this noble sentiment to a joke.

The prospect of the unification of the two Communist Parties is dim, indeed, as the CPI-M is not at all interested in it. The CPI has been proposing it for almost two decades. The ML groups are no less disparate, even though some of them claim to have come together. On the occasion of the Asian Social Forum in January 2003, my colleague Vijay Pratap of the Socialist Front helped the Front in convening a seminar of certain Leftist groups, with Kanu Sanyal of the CPI-ML and me in the chair. Among the participants

were Prof Vinod Prasad Singh of the Samajwadi Jan Parishad (and the Socialist Front), A.K. Roy of the Marxist Communist Party, Dr Vinayan of the Maoist Coordination Committee and Sudhakar Reddy, State Secretary of the CPI in Andhra Pradesh. There has been no progress in this dialogue, however. As the National Convener of the Front, it was obviously my responsibility which I failed to discharge.

Nagbhushan Patnaik of the CPI-ML (Liberation) attended the National Congresses of the CPI and the CPI-M in 2002, and suggested the creation of a Left Coordination Committee. His passing away and that of Vinod Mishra, General Secretary of that party, in quick succession, brought that initiative to an end. Vijay Pratap, Dr Yogendra Yadav of the Samajwadi Jan Parishad and I had interacted with Vinod Mishra. Later, I discussed the matter with A.B. Bardhan, General Secretary of the CPI, to suggest that some discussion should be held on the proposal. After talking over with the CPI-M, he said that if this process was to go forward, then the CPI-ML (Liberation) must not organise agitations against the Left Front Government in West Bengal. On Vinod Mishra's insistence that, in that case, his party should be free to criticise the anti-people policies and actions of the government, which I conveyed to Bardhan, it appeared that common ground could be developed on these points and the idea mooted by Nagbhushan Patnaik could be fructified. But since the new leadership of the CPI-ML (Liberation) showed no interest, there was no point in pursuing the matter.

A small incident brought home to me the differences of approach

between the CPI-M and CPI-ML. In March 2001, efforts were made to organise a strong resistance against the WTO. Dipankar Bhattacharya, the new General Secretary of the CPI-ML, and S.P. Shukla, a respected ex-bureaucrat who was India's ambassador to the GATT, asked me to join in a consultation for it. I enquired whether the CPI-M and the CPI were not to be involved. On their willingness to do so, I, along with Vijay Pratap, approached Prakash Karat of the CPI-M. He pointed out that recently, two workers of his party from Punjab, one of them an activist of the CITU, who had been expelled from the party and the CITU, had been eagerly invited to join the CPI-ML. In fact, I had met one of them in the meeting I have referred to. Karat said that if such practices of poaching among the Left parties were to start, then mutual cooperation in joint activities was impossible. He was perfectly right, and I therefore conveyed his sentiment to Bhattacharya. He agreed that these two comrades would not attend the anti-WTO conference that was being planned. The conference drew a large number of intellectuals and social activists from among the Left parties, the Gandhians and Socialists and set up a coordination committee with Shukla as its convener. This effort culminated in a big rally in November on the eve of the Doha Conference of the WTO, and another, much smaller, rally in August 2003 on the eve of its Cancun Conference.

The reader might wonder that when I personally do not accept the Communists' beliefs or their policy prescriptions, why I persisted in this effort. Moreover, when I had discovered that the Communists were not keen on a dialogue between them and the Socialists,

there was hardly any meaning in my efforts. I would like to refer to the hope expressed by the late Acharya Narendra Dev, the doyen of Indian socialism, in the end of 1955, that with sufficient technological progress, the Soviet Union would adapt Democratic Socialism, for human beings' love of freedom must ultimately assert itself. At that time, the international communist movement held the Soviet Union as its model. Gorbachov, after coming to power in 1985, wanted the Soviet Union to pursue the direction that Acharyaji had predicted. He failed. Unfortunately, Yeltsin followed the capitalist model, and the main reason was self-aggrandisement. However, some of the other East European countries have lurched towards the Democratic Socialist model as available in West Europe.

Secondly, in Indian conditions, the Communists have had to adopt parliamentary democratic means, whatever the rhetoric that they indulge in. This is true of the CPI-M and the CPI. The CPI-ML (Liberation) also contests elections, and could gradually inch towards the acceptance of parliamentary means. The various Maoist groups are showing lot of resilience these days, but they are so disunited and faction-ridden that they cannot pose much challenge, particularly at the ideological level, and in a country of India's size. At present, the repression of the state strengthens them and reinforces their appeal. Under the combined pressures of the civil society and progressive political groups, they, too, could undergo change. If the Socialist movement gets together and projects a healthy choice, or a broad democratic Left platform comes about, that too will have its own effect.

Moreover, the social questions related to the caste system and gender discrimination have to be sorted out and one cannot say that the class struggle and the victory of the proletariat in it will resolve these social contradictions. The CPI showed some recognition of it when Indrajit Gupta, its then party General Secretary, said in 1992 that a conscious effort was necessary to promote the Dalits, the Adivasis and the OBCs in leadership positions within the party. When the CPI-M said in a resolution in its last conference that party cadres would take up constructive work, then I had suggested to its General Secretary, H.S. Surjeet, that the ten-point programme of Gandhiji, modified to suit the present conditions, could help. That programme asked for working to remove the practice of untouchability, promote Hindu-Muslim unity and engage in rural reconstruction. I am not aware of the views of other Communist Parties or groups, or whether the CPI-M itself has moved in that direction, seriously.

Another issue relates to religion. In 1990 C. Rajeswara Rao, the eminent leader of the CPI, addressed a conference on communal unity and expressed disagreement with V.M. Tarkunde, the eminent Radical Humanist thinker and activist, on the issue that one must give up one's faith in religion or any kind of supernatural power totally if one had to embrace secularism. Rao said that faith in religion was a personal matter and that secularism required that it does not interfere in public life nor define civic morality. I found, however, that the party did not agree with this view. Nevertheless, the steep rise of communalism in 1991-92, and the demolition of the Babri mosque in Ayodhya in

UP made most Leftists aware of the challenges of the distortion of religion and culture and of the need to appreciate that they could not be left uncared for their exploitation. When the RSS could misuse the teachings of Swami Vivekananda, an exponent of the unity of all religious faiths and a staunch campaigner against the caste system, because the Swami found no place in the secular pantheon, then it was a very abnormal situation. Yet, barring the Sahmat and later the Anhad, which organise cultural activities, nothing concrete had been done to remedy the situation. But, while the Sahmat's attempt to liberate Rama from the utter commercialisation by the RSS was laudable, it created a strong negative reaction by showing a historical parallel which depicted him and his wife Seeta as brother and sister.

The CPI-ML (Liberation) has been able to attract the rural poor and the educated youth and students in cities on account of its comparatively open politics among the ML parties and groups. It is a model, on the one hand, for these groups, and can radicalise Left politics. However, it follows the orthodox communist philosophy, and has no answers to the issue of unemployment in the present industrial society. This is a paradox of all the parties which desire to pursue the technology of modern industrialisation, and concern themselves only with the transformation of its ownership and control of the means of production. The Chief Minister of West Bengal, Buddhadeb Bhattacharjee, brought out this contradiction recently by making a statement that the economic policy which he was pursuing was not socialism but capitalism. Capitalism, he said, produces wealth which socialism cannot. He

forgot, however, that capitalism also produces unemployment and economic disparities. In the developing countries, which are obliged to produce wealth as well as distribute it, this problem has become a serious one. Those countries which own a particular commodity like oil as Venezuela does may not be faced with this problem, but others are facing it. For, their basic raw materials like chromium or bauxite are under the control of the MNCs, and unless this imperialist scheme of the international economic order is snapped for good, they cannot build self-sufficient and independent economies, though even then the issue of employment generation would not go away.

Production of goods of mass consumption by the masses themselves by harnessing local resources over which the local communities should have ownership and control, with the use of small unit technology, improved and modernised to suit the essential requirements of the people, is a strategy that prevents centralisation of ownership and control of the productive processes, reduces the possibility of economic disparities and requires no bureaucrats or managers. The degradation of the physical environment is also prevented. Decentralised technologies have been and are being perfected in various regions and sectors and can be exchanged mutually. Massive tree plantation, mini-watershed development and electricity generation by the use of non-conventional methods and at local levels, the adoption of organic agriculture and the construction of the physical infrastructure by the local communities are to be joined with them. Wherever extremely

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Equal democracy *electoral system needs a change*

Hippu Salk Kristle Nathan

The 42nd general elections to the House of Commons of the Canadian parliament in October, 2015 could well be Canada's last elections on the basis of first-past-the-post (FPTP) system. Three national parties including the winning Liberal party and to be Prime Minister Justin Trudeau have promised electoral reforms in which the country is expected to move decisively towards proportional representation (PR) system. In September 2015, the Republic of Nepal gave itself a new Constitution. With this it has reinforced a parallel voting system of election to its House of Representatives. Of the 275 members of the House, 60%, i.e., 165 members are to get elected from 165 one-member territorial constituencies through the FPTP system of election and the rest 40%, i.e., 110 members get elected by the PR electoral system based on contesting political parties' vote shares. Compared to an exclusive FPTP system which is in vogue in India, this mixed voting system in Nepal is an improvement in terms of fairness of representative democracy.

The FPTP system is based on the winner-take-all form of simple plurality. The term FPTP has its origin from horse-racing where the owner of the horse that finishes first goes away with all the money gambled on all horses. On the face of it, this system is undemocratic. Applying the same principle in elections, it can lead to large

discrepancies in shares of votes and seats secured by different parties. On the contrary, in the PR system there is a close match between the vote share and seat share. With the skewed translation of votes to seats, the FPTP system betrays the very essence of democracy which is based on the principle of equality and justice edified in the motto 'one person one vote'. In India we have been experiencing such political injustices in all Lok Sabha and Vidhan Sabha (Legislative Assembly) elections.

Let us look closely into India's Lok Sabha Election results of 2014. The discrepancies are readily noticeable in the top two national parties. The Bharatiya Janata Party (BJP) with 31% of vote share has secured 52% of seats (an excess of 114 seats from a PR situation). On the contrary, the Congress party with 19% of vote share got 8% of seats (61 seats less from a PR situation). The darker side of the FPTP system is all the more visible if one considers the case of two smaller parties, the Biju Janata Dal (BJD) and the Dravida Munnetra Kazhagam (DMK). The BJD and the DMK have polled 95 and 96 lakh votes with vote shares of 1.71% and 1.74%, respectively. With almost similar number of Indian voters voting for both the parties, any representative democratic system is expected to award similar number of seats to the two concerned parties. However, the reality has been strikingly different. The BJD has walked away with 20

Lok Sabha seats whereas the DMK has got none. If one compares the Bahujan Samaj Party (BSP) and the Trinamool Congress (TMC), the political injustice meted out to the BSP is all the more shocking. 229 lakh voters voted in favour of the BSP while 213 lakh voters cast their votes in favour of the TMC candidates. With 3.84% vote share the TMC has bagged 34 seats. But with a higher vote share, i.e., 4.14%, the BSP has drawn a blank.

The story was not much different in 2009 elections expect that instead of the BJP, the beneficiary was the Congress. With 29% vote share, the Congress party got 38% of seats (an excess of 51 seats from a PR situation). The Janata Dal-United (JDU) and the Praja Rajyam Party (PRP) faced a situation similar to what the BJD and the DMK faced in 2014. The JDU with 63 lakh votes got 20 seats, whereas the PRP, with 66 lakh votes, got none.

The same trend is observed in all the state assembly elections. For instance, in 2012, Uttar Pradesh assembly elections, the Samajawadi Party (SP) with 29% of votes won 224 seats out of a total of 403 (an excess of 107 seats from PR situation), whereas the BSP with 26% votes could manage to win only 80 seats. The same BSP had taken the advantage of the system and had won 206 seats (an excess of 83 seats from PR situation) with just 30% votes in the previous Assembly Election held in 2007.

This is not a new trend. The political injustice planted and propelled by the FPTP system of election was evident from very first Lok Sabha elections of 1951-52. The Praja Socialist Party, i.e., the then Socialist Party and Kisan Mazdoor Praja Party together polled 16.4% of the popular vote but they got only 3.8% of the seats. Had there been the PR system of elections, they would have got 89 seats and this 'intellectually gifted' political party could have emerged as the strongest Opposition to the Congress. In 1984, the BJP won 7.7% of popular votes, but could secure only two seats, i.e., 0.4% of seat share. In 1996 in Tamil Nadu Assembly elections, the All India Anna Dravida Munnetra Kazhagam (AIADMK)-Congress alliance polled 27% of votes, but got only four seats, i.e., 1.7% of seat share.

With the FPTP system, a supposedly fair election results in what Churchill once remarked, a 'fluke' representation. A slight swing in vote percentage can lead to a landslide change in seat share. Parties victimized under this system of election don't oppose as they themselves have got benefited from such a system in the past and wait for their luck in the next election.

One might argue that in the FPTP system a voter votes for the candidate and the candidate getting highest number of votes in the constituency represents the same. However, it is not hard to recognize that the vote cast in an election is not only for the candidate, but largely it is for the party. Candidates get ticket from the party and fight the election on the party-symbol. The campaigns delve into issues relating to parties' leaderships, past performances, and manifestoes. Votes cast for the

candidates, excepting those for the independent candidates, are in a way votes for the party to which the candidates are affiliated. So, under the FPTP system of election, though every voter is given equal vote, the final representation of political parties in the House, make the votes get differently valued. Some votes get over-valued and some get under-valued. Some political parties, in spite of polling substantial vote share go unrepresented. For instance, in the present Lok Sabha, those who voted for candidates of certain parties including those of the BJP, AIADMK, Trinamool, BJD, Shiv Sena have been overrepresented, whereas those who voted for candidates of certain other parties including those of the Congress, SP, Communist Party of India (Marxist), and Aam Aadmi Party have got under-represented. Certain political parties such as Communist Party of India (Marxist-Leninist) Liberation, All India Forward Bloc, Marumalarchi Dravida Munnetra Kazhagam, Jharkhand Vikas Morcha (Prajatantrik), Desiya Murpokku Dravida Kazhagam, DMK and BSP though polled 10,12, 14, 16,21, 96, and 229 lakh votes, respectively, went unrepresented.

The FPTP system is particularly unfair to smaller parties as they can only find representation when any of their candidates can get highest number of votes in one of the constituencies. Also, the system is biased against those political parties whose support base is scattered across constituencies rather than concentrated in a few constituencies. The system also discourages the voters to vote for their favourite candidate if the candidate has less chance of winning. Even the possibility of a convincing win discourages the voters to vote as the

margins of win do not matter under the FPTP system. Both literature and evidences show that the voter turnout is lower under the FPTP system of election compared to the PR system.

It is not that our Constituent Assembly was not aware of any form of PR system of election. We have one of the most appropriate electoral system i.e., PR system by means of the single transferable vote for the election of our President and Vice-President. For the members of Lok Sabha and Vidhan Sabhas we inherited the FPTP system from the British. The Constituent Assembly did discuss two alternative systems—PR with single transferable vote and PR with multi-member constituencies by means of cumulative vote. The PR with single transferable vote was rejected as it was not practical to expect the voters in India with only 14% literacy to rank the candidates on a ballot papers with numerals. The idea of multi-member constituency also did not find acceptance as this would increase the size of the constituency (assuming four-member constituencies the size would be increased by four times) and it would become practically difficult for the candidates to approach all voters.

Our Constituent Assembly went ahead with the FPTP system expecting that this system would result in more often a majority government - even with minority vote - leading to better decision making and greater accountability. This argument is less convincing in the eras of coalition politics and government. But, the arguments put forward by the Constituent Assembly for not going for the two specific forms of PR were apt and

justified. However, unfortunately, the Assembly did not think of any out-of-the-box alternative PR method to uphold the equality of votes and thereby to ensure fair representation and political justice. In the same year as our Constituent Assembly debated on the PR system, i.e., in 1949, West Germany invented the Mixed Member PR (MMPR) system which preserves the territorial representation through single-member constituencies (as in the case of FPTP) and combines it with compensatory representatives drawn from a list to maintain overall proportionality.

In India, there was a proposal in 1977 for a parallel system of voting, like the current system of Nepal, mooted by S L Shakhder, the then Chief Election Commissioner. This proposal was endorsed for serious examination by both the 1999 and 2015 Law Commission Reports on Electoral Reforms. Some of the enthusiastic advocates of the PR system of election include J M Lyngdoh, former Chief Elections Commissioner and Dr. Jayapraksh Narayan, the founder president of Lok Satta Party and a sitting member of the Andhra Pradesh legislative assembly.

There are three primary criticisms of the PR system of election. First, this includes a list-based system which further concentrates power with the party high command which decides the names of the candidates to be included in the list. The second criticism lies with fragmented legislatures often emanating out of PR system and that of stability of government - a concern raised by the Indian Constituent Assembly, particularly, Dr. B R Ambedkar. Thirdly, compared to the FPTP, the PR system seems to be more complex.

To overcome the above limitations a modified MMPR is proposed here where the compensatory representatives need to be drawn from the party candidates who got the highest votes among those who failed to win in the territorial elections. This way, one can get rid of any list system and prevent any dilution of relationship between the candidate and voters. This also prevents anybody creeping into the House of Representatives by a route over which people cannot stand on guard.

In order to address the issue of stability, the leader of the House of Representatives must get elected by the representatives themselves. This election must have the run-off component (election of top two candidates if no candidate manages to win more than 50% of the votes) to ensure that the leader enjoys the confidence of majority of the representatives. This way, in a scenario where no party wins majority of seats in the House - which may be a more frequent case under any PR system compared to the FPTP - a realignment of parties is most likely to happen at the run-off stage. The stability can further be ensured by having the provision of constructive vote of no confidence, which allows a House to withdraw confidence from a head of government only if a prospective successor has absolute majority support.

For simplicity, India can initiate the MMPR method with single vote. The usual MMPR method has two votes - one for the candidate and one for the party. This provides flexibility to the voters in evaluating the candidate independent of the party and vice-versa. Even without the provision of second vote, the

party share of votes can be calculated based on the total votes polled by the candidates contesting on behalf of the party. In this way, all the votes, other than the votes cast for independent candidates, can be utilized for compensatory 'top up' representatives.

To make the territorial representation foolproof and to ensure that the representatives have majority support in their respective constituencies, we can go in for run-off election at the constituency level (for the constituencies where no candidate manages to win more than 50% of votes). The 2002 report by the National Commission to Review the Working of the Constitution did recognize that the task of run-off elections is manageable. It is like a re-poll with the same electoral rolls and without any fresh nominations or campaigning. The report also indicated that with the run-off election, the need to appeal to the majority of the constituency can make parties to be more universal in approach than sectarian. Also, run-off elections can prompt pre-poll alliances among political parties leading to the much needed stability in government.

In the Handbook of Electoral System Choice, the author and editor Prof. Joseph Colomer has reasoned how political parties choose a particular system of election to strengthen their position. A political configurations dominated by one or two parties choose exclusionary system like the FPTP, whereas balanced multiparty pluralistic settings opt for inclusive systems based on PR principle. As per the electoral system design database of the International Institute for Democracy and Electoral Assistance, currently exclusive FPTP system of

election is in practice in 46 countries, of which three-fourths were once British colonies. This system used to be more prevalent, but some countries have abandoned it for a more proportional system. For example, Sri Lanka did it in 1978; New Zealand in 1998; and Nepal in 2008. (There is no instance of a country moving to an exclusive FPTP system from a more proportional system).

John Stuart Mill, one of the most influential thinkers of all time, had regarded disproportionality in representation to be 'contrary to the principle of democracy, which professes equality as its very root and foundation'. In his 1861 book entitled *Considerations on Representative Government*, he wrote "In a really equal democracy, every/or any section would be represented, not disproportionately, but proportionately. A majority of the electors would always have a majority of the representatives, but a minority of the electors would always have a minority of the representatives. (Hu)Man for (hu)man, they would be as fully represented as the majority." This condition laid down by Mill one and half century back has still remained as the last word on the test of a representative system.

The FPTP system may be regarded as the simplest. But, by compromising on the representative character of democracy, the system deprives the citizens of political justice – an important ideal pledged in the Preamble to the Constitution of India. The proposed method of no-list MMPR with single vote remains as simple as FPTP in terms of voters choosing their best option in the ballot. It preserves the equality of votes which translates

into proportional seats and fair representation. Unfortunately, this important issue relating to the system of election is missing from the public

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a daughter. He was a common man but when he spoke he stood out as an extraordinary person. Surendra Mohan passed away on 18th December 2010 in Delhi.

On his passing away on December 18 2010 in Delhi many political and social leaders and political parties paid rich tributes to him and termed him a fighter of socialist ideals for an egalitarian and just society.

The CPI said "he was a friend of the Communists and always took initiatives in building bridges for broad based struggles. Not only did he stand all his life for the causes of the downtrodden, vulnerable and poor people of the country, but also remained active to these causes till the last."

(Continued from Page 15)

necessary, large-scale technology can be introduced, and workers' or cooperative ownership and control may be employed to remove the growth of inequality. Local communities can easily plan to remove poverty and unemployment as also other problems of industrial societies. By creating community chests they can look after the security and welfare of the mentally and physically challenged.

These issues have been discussed for years within the local people's action groups like the National Alliance of People's Movements. Issues of water scarcity, environmental degradation and production of energy are easy to resolve by the use of these technologies. Marxist scholars

discourse in India. It's time we must move towards proportional system of election to make our largest democracy more meaningful.

The Samajwadi Party said, "He was the modern link of the old socialist movement. His thought and writings are a great influence on the new generation. Not only in words, he was a true socialist in action and deed as well. He had no wealth and lived a simple life full of personal sacrifices. The country has lost a true socialist".

He was a prolific writer and contributed hundreds of articles on political and sociological questions in daily papers and periodicals in Hindi, Urdu and English. He started writing for *Janata* in 1958, and was its editor till his death.

like Parameswaran and several unorthodox Gandhian scholars have advocated this line of thought. The pattern of ownership of land must change at the earliest and the actual tillers must become the owners of the lands they cultivate, along with service and credit cooperatives to help them.

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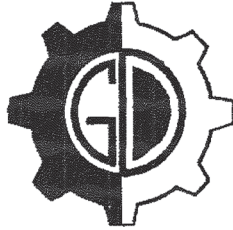
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New low in politics

S.Viswam

Things can really be said to have come to a sorry pass when the office of a state chief minister is raided by the Central Bureau of Investigation, when a chief minister of a state calls the prime minister of the country “a coward and a psychopath” and accuses him of master-minding the raid and when rumours float about that two more chief ministers may have their offices raided. What on earth, one is naturally tempted to wonder, is happening and why has politics suddenly sunk so low?

The short answer, of course, is that after the advent of the BJP in New Delhi, politics has taken a highly partisan dimension and certain traditions in political interactions which cast a gentlemanly aura on politics have been given the go-by. The real answer is that the most bizarre things are likely to happen if institutions like the CBI are denied autonomy of decision and action.

The amusing though interesting aspect of the unprecedented political storm that broke out last week in Delhi is that the CBI declared that the target of the raid was not chief minister Kejriwal but the principal secretary of his office, and that

subsequently statements were made by the chief minister himself that the real purpose of the raid was to “spirit away” files relating to a scam in which Finance Minister Arun Jaitley had a role enacted when he headed the Delhi and District Cricket Association for 14 years. Even more interesting, if not intriguing was Kejriwal’s announcement that he was on the point of setting up an inquiry commission into the alleged scam when the raid occurred. Equally interesting that allegations of a DDCA scam involving Jaitley was dismissed by the gentleman as “total rubbish.”

Kejriwal was quick to rebut the CBI’s charges of corruption against his principal secretary Rajendra Kumar, arguing that if the latter was the target the offices of the VAT Commissioner, where Kumar was working during the alleged period, ought to have been raided. Kejriwal insisted that the real target was himself and that when Prime Minister Modi could not handle him politically he (Modi) resorted to cowardice. Modi, said the CM, was a psychopath. “The PM should apologize to the nation for his misdeeds. Only then I will apologize

for calling him a coward and a psychopath,” said the CM.

Between the Lines

Mrs. Gandhi's Daughter in Law

Kuldip Nayar

The fall-out of Kejriwal's outburst was even more interesting. Finance Minister Jaitley said that the CBI raid had nothing to do with Kejriwal and his tenure in Delhi as chief minister. Union Minister Ravi Shankar Prasad said that a text book case of corruption was being given political colour. Bihar Chief Minister Nitish Kumar reacted by describing the episode as “unbelievable”, West Bengal CM Mamata Banerjee as “unprecedented” and the Trinamool Congress as an “undeclared emergency”.

The CM-Centre stand-off was in full form, with the CM declaring that the Centre did not scare him through its actions. “You do not know what I am made of,” he boasted.

Three points need to be made here. First, whatever the issue, it does not behove leaders occupying constitutional positions to use impolite and uncivil language in public interaction. The Delhi Chief Minister was clearly out of order in resorting to uncivil language against the prime minister, especially in a case where the latter played no direct role. All institutions do work under the prime minister technically but this does not mean that the PM is directly involved in their actions. To call the PM names is not serving anybody's cause, least of all Kejriwal's.

Secondly, it is high time that institutions like the CBI are made fully autonomous. At present, the CBI is autonomous only in name. The supreme court famously described it as a “caged parrot”. Much of the ills of the CBI will

(Continued on Page 10)

‘I am the daughter-in-law of Mrs Indira Gandhi’. I have not been able to comprehend this remark by Congress President Sonia Gandhi even after two weeks. The question is that of Rs. 90 crore which the defunct National Herald, had obtained from the government and had not paid back. A court has adjudged the non-payment as an act of ‘criminality’.

Sonia's son, Rahul, has gone to the extent of characterizing the court judgment as a ‘political vendetta’ by the Modi government against them and the Congress party. It is a court judgment. How does the government come in the picture?

Because of public horror, the Congress is changing its stance and delinking Rahul's remark with the Court's judgment. Former Congress Law Minister Kapil Sibal has given Rahul's irresponsible observation and has called it as the government vendetta by the BJP against the Congress. He is not convincing because Rahul's remark came a day after of the Court judgment.

Indeed, both Sonia and Rahul have politicized the loan which they apparently do not want to repay. Both, the mother and the son, have dragged in the Modi government and the BJP unnecessarily. How do the party and the Prime Minister come in the picture?

Sonia Gandhi is behaving in the same manner as her mother-in-law did. Had Sonia been in power she would have followed her mother-in-law's footsteps and

imposed the emergency to suspend the constitution, to gag the press and to detain one lakh people without trial? After losing at Allahabad High Court, which disqualified Indira Gandhi for six years for having used the government machinery, Indira Gandhi went berserk. Instead of submitting her resignation from the Lok Sabha, she imposed the emergency and had the law relating to the election amended retrospectively so as to cover her illegal election. She got it endorsed by Parliament which practically had no opposition because she detained the opposition members without trial so as to have a smooth sailing in Parliament.

What the Congress party has not yet realized is that the opposition is as important in a democratic polity as the ruling party. The basic question which needs to be answered is that the independence of institutions gives strength to the democratic structure. An attack on them is an attack on the institutions which protect the rights of people.

Whatever the sins of Modi government, it cannot, however, be blamed for the laws which were passed earlier to dilute the concept of pluralism. The real culprit is the Bhartiya Janata Party (BJP) which has the Hindu Rashtriya as its aim. This damages the very concept of secularism, which the democratic India has enshrined in the constitution.

The Modi government is influenced by the extremist RSS. BJP is afraid to take any step that may challenge the basic structure

of the constitution. For example, it dare not touch the concept of pluralism because the party realizes that the majority of Indians would not tolerate the Hindutava which is the anti-thesis of secularism.

It is, however, unfortunate that the Modi government should bring about an era of intolerance, which is hurting not only the Muslims but the intelligentsia on the whole. The effort to push the country to the Right does not in any way help the nation which requires more and more investment by the government in different sectors so that the pace of development picks up.

In this context, Foreign Minister Sushma Swaraj should be congratulated. She has broken the stalemate with Pakistan. True, she has taken the initiative to change

India's stand not to talk to Pakistan unless it stops terrorism. But her step is in the interest of India. One wishes it should have been taken earlier. Many years have been wasted unnecessarily.

Her initiative has been applauded throughout the country. New Delhi respects the people's wishes and wants to live with Pakistan like normal neighbours. The problem is with Pakistan which is dominated by extremist religious elements and the armed forces. Islamabad is under pressure not to take the path of friendship. Yet it should be realized that there is no other option. Whether this happens tomorrow or day after, this is the only way available to both countries. The sooner they realize the better it would be for the people of India-Pakistan. Some elements on both sides realize this. But their

strength is nowhere equal to the radicals and therefore, do not count.

Almost seven decades have passed in fruitless estrangement. Unfortunately, it is taking the shape of hostility. The two countries have fought two full fledged wars and a short one at Kargil. Thousands of soldiers have died on both sides. Kashmir is the symptom, not the disease. The disease is the absence of trust. Now to bring about an atmosphere where they live like normal neighbours if no friends is the crud of the problem.

Pakistan has to change the text books and circulars in schools and colleges so as to do away with religious intolerance. Radical Muslims are as bad as radical Hindus.

The challenge of black economy

Arun Kumar

At the G20 summit in Turkey, the PM talked about the need to address excessive banking secrecy and sought international cooperation for the return of illicit money to the country of funds to continue to flow? Is there a case for a complete transparency in banking?

Banks, especially those in tax havens, have often denied information about their clients on grounds of banking secrecy. This enables those who use illegal means to earn illicit incomes to escape detection by the authorities. Thus, secrecy in banking has encouraged the proliferation of illegality in the world - drug trafficking, illegal fishing, terrorist financing and so on. The Financial Action Task Force (FATF) has said looking for dirty money is like looking for a needle

in a haystack. There are various electronic mechanisms to transfer money across nations like, SWIFT. Software devised from time to time to detect suspicious transactions has failed.

Trillions of dollars are moved daily in financial transactions in derivatives trade or stocks and bonds. Illegal money moving daily is not even 1 per cent of these amounts. origin. It is a plea for moderation and not ending of banking secrecy. Is this meaningful given that 90 tax havens exist which thrive on various degrees of banking secrecy and/or low tax rates? Further, many of them belong to advanced countries. Would the partial end of banking secrecy result in loopholes that would enable illicit Mechanisms are available to hide the trail of the

flow of these funds, like 'placement' and 'layering'. President Obama mentioned that from one house in a tax haven, thousands of companies operate. These are shell companies used to transfer money around the globe between various tax havens and finally to the destination where the money is parked. The PM has, therefore, rightly flagged the need to tackle the complex legal and regulatory frameworks in financial markets.

Various banks have been caught helping individuals hide their dirty money or helping them evade taxes. There is also the case of Rudolf Elmer of Swiss Bank Julius Bar who stole bank data and passed it to Julian Assange. Elmer was arrested by the Swiss authorities and Assange did not make the list public.

Stealing data from banks in secret jurisdictions has been an important source of getting information about entities that hold accounts there. This has been the case with the LGT Bank of Liechtenstein and HSBC in Switzerland. In the former case, Kleibe of LGT sold stolen data to the German government for 4 million euros in 2007. The Germans offered the names free of cost. While other governments took the lists and started prosecution, the Indian Government refused to take it. Later, under court pressure, it accepted the list and started investigation but the inordinate delay didn't help.

Hervé Falciani stole data from HSBC and offered it to the French government in 2008. Again, India refused to take this data till the court pressured it to do so. Initially, 627 names came. Double Taxation Avoidance Agreement (DTAA) was invoked to argue that secrecy prevented the lists from being made public. But this was an invalid argument.

In neither the LGT nor HSBC cases the DTAA is relevant since the data did not pertain to incomes in either of the two countries. LGT case was about accounts in Liechtenstein and not in Germany or India. HSBC case was about accounts in Switzerland and not in France or India. Further, it was not income in the countries concerned but assets held in a third country. Finally, it was about stolen data being offered by whistleblowers and not data that was obtained officially by Germany or France. Both the UPA and NDA governments stalled the revelation of names. The SIT was ordered by the Supreme Court in 2011 in the Jethmalani and others case but was not set up till May 2014. More than a year later, it is not clear what impact the SIT has had on the Indian black economy.

Falciani kept mentioning that only 1 per cent of the names had been released but the government did not get further names. Journalists of the ICIJ revealed another list containing 500-odd names. The 1,150 names that India received from the two lists is just a teaser since lakhs of rich Indians hold funds abroad. As the Bank of Baroda case reveals, even Indian banks have been indulging in such practices. Clearly, the government has not been proactive in seeking names. On the contrary, the government has been seeking to dilute protection to whistleblowers by amending the relevant Bill in Parliament.

This is in contrast to the Birkenfeld UBS case in the US. Birkenfeld used to travel routinely between Switzerland and the US. He was tracked by the IRS of the US and information collected on his activities. He was found to be acting on behalf of UBS, enabling US citizens to defraud the income tax authorities. He was caught and both he and UBS were prosecuted in 2007. The Swiss government argued that action against UBS could lead to the collapse of the financial system of the world. They also characterised the demand of IRS for the revelation of 52,000 names of US citizens holding accounts with UBS as a fishing expedition. The court rejected these arguments and threatened to order the US government to take over the bank. Immediately, UBS settled and agreed to pay \$780 million fine and release names of 4,500 accounts. Thus, the US authorities succeeded because they were proactive.

The Indian Government's plea that DTAA and TIE will help in revealing names of those with accounts abroad does not hold water. The first DTAA was signed in 1990 but not one name has come under it till the stolen data came. It is also

not expected because DTAA is about white incomes and not undeclared black incomes. Similarly, TIE can only be about declared incomes.

Thus, while the PM's statements on banking secrecy are welcome, they will carry little weight unless the government shows the will to tackle the problem in India head-on. It has been soft in tackling the black economy because of political considerations and essentially indulges in diverting public attention. No wonder the black economy has grown from 4-5 per cent of the GDP in 1955-56 to the present over 60 per cent.

The HSBC case is an example of the government's passivity. Evidence exists that HSBC indulged in havala operations in India but it has not been prosecuted. Instead it is now closing its operations in India. Other MNC and Indian banks also indulge in the same practice in the name of catering to their high net worth individuals. Recently, the strange case of SGFX Financials has surfaced. Its assets jumped in five months from 0.7 million pounds to 70 billion pounds. Pawar's name has been dragged in but he has challenged it.

There is need to end banking secrecy but India has not done so. UBS was found to be involved in the Hasan Ali case but it has escaped prosecution. Businesses can have secrecy about their business but not about incomes which is a public issue because of taxation. Similarly, banks should not be allowed secrecy about deposits and depositors. So, action is needed in India while expression of hope in G20 will yield little.

A travesty of the anti-corruption statute

Yogendra Yadav

The other day someone caught hold of me in the Metro and said, “This Lok-pal debate is very confusing. By now I don’t know who stands for what and who is right.” He was right.

The way the Janlokal Bill has been debated in the public domain is a comment on how simple truths can be obfuscated in our public life. An extraordinary economy of truth and distracting cacophony by the AAP government along with the absence of a culture of non-partisan but brutal scrutiny of public claims, has created a haze around what should be seen as a case of daylight robbery.

The facts of the case are pretty simple. The demands of the Ramlila Maidan movement were codified in the form of a draft Bill (final version 2.3) by India Against Corruption (IAC). A slightly modified version of this draft was presented by the 49-day AAP government in the form of Janlokal Bill, 2014.

Indeed, Arvind Kerjriwal resigned on this issue and said he would rather let his government collapse than compromise on this sacred Bill. On a plain reading of these documents, it is clear that the present Janlokal Bill, 2015 goes against the spirit of the Janlokal movement, violates the Janlokal draft presented at Ramlila Ground, and reverses many key provisions of the Janlokal Bill of 2014.

First of all, the present Bill violates the basic demand that the appointment of the lokpal

should be through a transparent and participative process by a body in which the political class does not enjoy a majority. The present Bill does away with the idea of a search committee and public disclosure of names under consideration. (Both were incorporated in the 2014 Bill.) Worse, it provides for a selection committee where politicians enjoy a majority of three against one, as opposed to a balance of two politicians against seven in the IAC draft and two against five in the 2014 Bill.

The AAP government has tried to sidetrack this debate by quoting Supreme Court observations on “eminent persons” in the National Judicial Appointments Commission (NJAC) judgment. This is simply irrelevant, for nothing prevents the Lokpal Selection Committee to have ex-judges, ex-chief information commissioners (CICs) or ex-chief election commissioners (CECs) as specified in the 2014 Bill.

Second; the present Bill also violates another basic demand that the removal of the lokpal should not be left in the hands of the government or the political class that it is supposed to investigate. That is why the movement insisted on judicial inquiry and pronouncement by the Supreme or the high court for the removal of lokpal. This provision was duly incorporated in the IAC draft, 2014 Bill and even the Congress Bill of 2013. The present Bill provides for removal by two-thirds majority of the assembly without any judicial

process. Again, AAP spin doctors are trying to obfuscate the matter by calling this “impeachment process” conveniently forgetting that impeachment involves judicial scrutiny as well.

Third, the present Bill dilutes the principle that the lokpal should have an investigative agency of its own, or have full control over any of the existing agencies. This was provided for in the IAC draft, 2014 Bill and, indeed, in the Uttarakhand Lokayukta Act drafted in consultation with the IAC. Its absence was one of the key reasons for the rejection of the Congress Bill of 2013. Under the present Bill, the Lokpal will mostly depend on the state government for deputation of officers and for its administrative and financial provisions.

Finally the present Bill redefines the jurisdiction of lokpal in a strange way that can only be described as a self-destruct button. The IAC draft had brought all categories of public servants under the central government under the jurisdiction of janlokal. The 2014 Bill of Delhi had retained this provision specifically including all government servants, including those on deputation, those serving in the Delhi Development Authority (DDA), Municipal Corporation of Delhi (MCD), Delhi Police as well as the chief minister, ministers and MLAs. The present Bill replaces it and defines the jurisdiction to include any corruption “occurring in the NCT (national capital territory) of Delhi”.

This provision suffers from multiple infirmities. It does not specifically name all the public servants including officers on deputation and the CM, ministers and MLAs. It also appears to leave out acts of corruption committed outside the territory of NCT of Delhi by officials and public representatives of Delhi. It would overlap with the jurisdiction of the central lokpal over

public servants working under the central government.

Worst of all, it could provide the perfect alibi to the Narendra Modi government to hold back its assent. No doubt the CM will have a field day in playing victim. But the end result would be little more than political theatre.

The tragedy is not that the ruling dispensation is getting away with this daylight robbery or that the people of Delhi are being denied the lokpal they deserve. The real tragedy is that the next time a political reformer walks in with the promise of changing the system, she would encounter a smirk. It breeds cynicism, perhaps the worst enemy of democracy.

Rural Point of View

Why not for workers and farmers?

In order to see the recommendations of the 7th pay commission to increase the salaries of central government employees by over Rs. one lakh crore per year in the right perspective, we must also look at some other aspects of the economy.

Firstly, a huge part of the country faces a serious drought situation. Millions and millions of farmers are struggling for survival.

Secondly, in the name of labour reforms, several important rights of the working class are increasingly threatened. A large number of workers are still unable to get the legal minimum wage.

Thirdly, millions of artisans, particularly weavers and potters as well as other self-employed persons are passing through very difficult times.

Fourthly, budget cuts have been imposed in several priority areas such as health, nutrition, agriculture, women and child development so that even lesser resources are available than before for highly vulnerable sections and for tasks of great priority.

In such a situation, isn't it necessary to first prioritise the urgent needs of the most poor and vulnerable sections. In such a situation relief is needed first and foremost by farmers, workers and artisans. But politicians and officials went to priorities their own needs, fill their coffers to the brim and only then they think of providing any leftovers to the genuinely needy sections. Of course the elite sections also gobble a huge amount in the form of corruption, apart from their ever increasing sanctioned hikes in salaries and various allowances, etc.

The hike in central government employees' salaries will no doubt be followed by similar hikes in various states. At a time when urgent development expenditures are being slashed, how much resources will then be left for real priorities.

And will the ruling classes even think of the survival needs of workers, peasants and artisans?

Turmoil in the Social Sector

Those familiar with the functioning of various Ministries in India dealing with priority social sectors (such as health, nutrition, women and child development,

education, panchayat etc.) have been painfully aware in recent times that there has been great uncertainty regarding the availability of adequate funds for priority social sector programmes.

Firstly, for many such sectors the actual expenditure for financial year 2014-15 were found to be less than the original budget estimates, while the revised budget estimates were also lower than the original budget estimates.

On top of it, arbitrary and heavy budget cuts were made in the Union Budget 2015-16, on the plea that these will be made up by the state government budgets.

When the state budgets started coming up, in several budgets there was no indication of any such adequate make-up for union budget's heavy cuts.

Although actual expenditure data will become available much later there are several indications from grassroots of actual low spending in priority areas like rural employment guarantee scheme (at any rate, in conditions of widespread drought and farmers' difficulties, the work

provided was much less than the need and the demand).

It is clear that critical social sectors were thrown into avoidable turmoil by the Union Government's unseemly haste in imposing cuts without preparations, resulting in immense distress to people. The government can partly and belatedly make up by compensatory additions to social sectors in 'REs' or Revised Estimates.

Reducing distress of drought-affected

At present a large part of the country is in the grip of a serious drought situation. Crores of farmers and farm workers who feed the nation are themselves suffering from very serious hunger as the stocks of grain and other staple food crops grown by them and which existed in their storages have dwindled and finally vanished. Millions of them are being forced to become migrant workers leaving behind old parents in very difficult conditions.

However in many cities normal life goes on as if nothing serious has happened. This is even true of some cities and towns located close to the drought affected rural belts.

At the time of big earthquakes and cyclones urban people are known to respond with greater sensitivity. But as the tragedy of a drought unfolds more slowly without any catastrophic, one time destruction, drought conditions do not evoke the same sensitivity. However a prolonged and serious drought is very cruel for farmers and farm workers as well as for farm animals. This is particularly true when one situation of adverse weather follows another in quick succession as is happening at present in many rural areas - a manifestation and part

of climate change accentuated by local ecological ruin caused by deforestation, indiscriminate mining, overuse and misuse of ground water, highly distorted agricultural (and other) policies.

As a result of this what we see in many areas, such as Bundelkhand, in these days is the accumulated impact of many adverse factors resulting in very high levels of hunger and malnutrition, drinking water shortage, hunger deaths, farmers' suicides, many kinds of simmering tension, many farm animals struggling for survival and other such situations.

While this serious situation certainly calls for policy changes and higher budget allocations for remedial actions on the part of the government, clearly there is also a need for greater sensitivity on the part of people in urban areas which should be linked to very specific and clear steps for providing immediate relief to the suffering people. For example, a grain bank can be started in a village with just 2 quintals of wheat costing Rs 3500. A local

village committee of women and men mainly (but not only) from weaker sections should supervise the grain bank regarding which needy families should get the grain and when further supplies are needed. Similarly a fodder bank can also be started but this may require quicker distribution.

A community kitchen can be organized for old people from very poor families (particularly parents of migrant workers). It should be possible to provide 10 such persons a nutritious meal once a day at a cost of about Rs 600, the cost of a restaurant dinner for a single person.

Also urban citizens should get together to study the real situation in villages and act as a pressure group to motivate the government to accord adequate priority to these issues. The government should start large scale MGNREGA works and for drought relief programmes while improving all its development and nutrition programmes. Plans should be prepared for eco-friendly development and minimizing the impact of adverse weather.

–Bharat Dogra

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Bihar impacts polls in 2016

Mrinal K. Biswas

Bihar elections re-establish caste agency being the principal factor in determining poll outcomes putting an end of politics in critical phases of Indian political scenario. Minority cards are lurking close by. This phenomenon will continue to influence hustings in the coming State elections of West Bengal, Assam, Kerala, Tamil Nadu and Puduchery where the battles of ballots will take place in 2016.

Mahaghtbandhanor Grand Alliance comprising Nitish Kumar's Janata Dal (United), Lalu Prasad's Rashtriya Janata Dal and Congress by garnering 41.9 per cent votes in the recent Bihar elections and winning 178 Assembly seats humbled BJP-led front which gained 34.1 per cent of people's support with 58 seats in the bag. Grand Alliance resulted in unification of votes among multiple parties against BJP chiefly due to coming together of backward, other backward and extremely backward castes apart from Muslim minority communities under the magically built-up leadership duo of Nitish Kumar and Lalu Prasad. Jadavs, Kurmis, Koears, Muslims and motley marginal castes voted solidly while BJP audience was numerically low with weaker caste-based support. Caste arithmetic worked well for the Grand Alliance.

No less important was the political chemistry which worked beautifully by way of allegiance transference of voters among the alliance parties which prompted one caste support to another in the hustings in favour of Nitish-Lalu combine with Sonia

Gandhi's Congress providing the anchor.

There was hardly any clash of ideas of Narendra Modi's "One India and Great India" which failed to move the voters who were more in tune with the theme of sons of soil - *Biharis* against outsiders termed *Baharis*. BJP became the suitable target of attack as its star campaigners, Prime Minister Modi and party chief Amit Shah, both were outsiders. The Biharis prefer identities of caste than anything else. This State in fact presents the quintessence of Indian politics where castes matter and politics becomes subservient to it.

Ideology, as political ideas given effect through action programs, has hopelessly weakened after disappearance of socialist parties, continual dismemberment of communist parties, dynastic preference in Congress and BJP leadership becoming shy with Hindutva fearing heavy costs in elections. Indian polity's main ideological reference point now rests with Constitution of India in which everybody pays allegiance but attempts to flout it whenever convenient. Steady decline of ideological ferment with consequent emphasizes on politics of convenience inevitably engenders regionalism, ethnicism, religious biases, even extremism with casteism as leering blot on the political and social fronts.

What then is in store for State elections which are not very far

off. West Bengal, Assam, Kerala, Puduchery, Tamil Nadu are on the cards. Everywhere every party is desperately seeking to form winning combinations by looking back to the success of Bihar venture where Nitish Kumar and Lalu Prasad Yadav overcame irreconcilable animosities to form *Mahaghatbandhan*, some say Congress leader Sonia Gandhi acting as midwife.

In Kerala, permutations and combinations will remain confined among Congress-led United Democratic Front (UDF) and CPM-sponsored Left Democratic Front (LDF) with smaller parties switching on or off with either of the fronts based mostly on their highly stratified caste considerations or religious biases. BJP may have only nominal presence.

Similar situations prevail in Tamil Nadu and Puduchery with major combatants being Jayalalitha's AIADMK and Kurunanidhi-led DMK. There, both Congress and BJP are expected to make smart efforts to align with either of the major regional parties to take slices of electoral cakes.

Assam poses a complex situation. BJP with recent acquisitions from the ruling Congress party is sure to give a tough fight to the grand old party of India. Linguistic divide arising out of 10 million Bengali-speaking residents and allegedly cross-border illegal immigrants mingling with the local minority groups forming thereby a strong 30 per cent vote bank have undoubtedly complicated

the situation. Enrolment under of *National Register of Citizens (NRC)*, completed in August last, threatens to exclude a large number of people who could not provide *Legacy Data* or legal proofs of their ancestral residence even before 1951 in Assam. People *sans* Legacy Data are liable to be deported. While BJP is strongly favouring this measure Congress is for softer alternative. This is a controversial issue complicated by strong presence of a Muslim-based All India United Democratic Front regularly winning a good number of Assembly votes. Politics of convenience at its extreme form is evident as not only the Congress but even the BJP has deployed one of its star campaigners to have meaningful dialogue with that party showing minority cards.

Permutation and combination game seems to enliven West Bengal which is also going in for State elections in 2016. Mamata Banerjee's Trinamul Congress (TMC) appears invincible but not unappetizing as it continues to poach political figures from other parties with promises of goodies. Even then TMC will not be cool to the grand old party if Congress becomes ready to figure in the Mamata poll platform with a subservient role as that of Bihar's Congress under Nitish-Lalu dispensation. But Mamata has alienated, if not antagonized, her supposed kindred spirits still surviving in Congress so much so that the State Congress leadership has floated the idea of a Congress-Left alliance setting at naught the art of impossible in politics. If this finds favour with the decimated State

CPI(M) leadership, the party all-India Secretary, Yechury will leave no stone unturned to dumb the policy of equidistance from Congress and BJP to take on Mamata's TMC which has destroyed the Left bastion in Bengal. Interestingly, caste bias being weak in Bengal, all three forces project themselves as the best friends of the sizable Muslim communities which constitute 27 per cent of the State population. Hence the politics of convenience has an upperhand. BJP, on the other hand, on the upswing with the Modi wave in 2014 lost ground and is bound to remain a loner political entity. It does not have either muscle power or numerical strength to venture into things like polarizing politics. Its presence will be insignificant in Bengal, in the foreseeable future.

Dr. B. D. Sharma

Dr Brahma Dutt Sharma (known to many of us as Dr Sahab), passed away on December 6th in Gwalior. He was not keeping well for some time and was being looked after by his son and daughter-in-law.

He led many battles in his life and worked tirelessly to achieve the constitutional rights of the adivasis, dalits, workers and farmers, over five decades of his working life beginning with the troublesome days in Bastar (1968) and being the last Commissioner for Scheduled Castes and Scheduled Tribes (1986-1991). He also served as the Vice Chancellor of NEHU, Central University and on numerous committees of Planning Commission and National Advisory Council.

He was a bureaucrat, a contemporary of late S R Sankaran,

B N Yugandhar and others who stood for the people, just a way government servant should. As SC/ST Commissioner, he not only authored seminal reports on empowerment of SC/STs but also played a key role in authorship of the Bhuria Committee report, enactment of PESA and Forest Rights Act. As Secretary in the Minister of Tribal Affairs, he initiated the idea of Tribal Sub Plan. Until as late as 2014, he continued to collaborate and help Government in its various initiatives with the tribals and adivasis, but also challenged them on every front, for their continued betrayal and non-implementation of various plans and governance failure in the scheduled areas.

Dr. Sharma was extremely disturbed by the violence and war-like situation in the tribal

areas, and in a letter, dt May 17, 2010 to the President of India, he wrote: *I am constrained to state at this critical phase of the history of tribal people that the Union Government is guilty of abdicating its Constitutional responsibility by allowing the situation to degenerate from that of stray revolts in 1960s to 'warlike situation' at the moment. It has remained unconcerned with the simmering discontent from day one with the adoption of the Constitution. It has not issued a single direction to any State in 60 long years. You as head of the nation, at a critical time must ensure that the Union Government accepts unequivocally its Constitutional responsibility with due apologies for the decimated, shattered and disinherited tribal communities whose irretrievable loss - physical, economic and emotional - is an un-*

washable blot on the fair face of our nation that still stands by equity and justice.

He stood for the rights of the people, for implementation of the self-rule in the Gram Sabhas as mandated by the Constitution and championed the cause of the *Hamare Gaon me Hamara Raaj*. Even while serving as the SC/ST Commissioner, he filed the first case in the Supreme Court, demanding the implementation of the Narmada Water Dispute Tribunal (NWDT) award. SC ordered the implementation of the NWDT award by the governments, which paved the way for allotment of land for land to thousands of the project affected families. Unfortunately violating the SC order and order of numerous Tribunals and Commissions and in face of continued struggle of Narmada Bachao Andolan, the NDA government is pushing ahead the construction of the Sardar Sarovar Dam, leading to submergence of nearly 2 lakh plus people in the Narmada Valley.

Dr Sharma was a visionary and was troubled by the growing inequity in the society in the wake of the neo-liberal reforms pushed by the government. He worked tirelessly to implement the laws, policies, programmes and schemes of the government using all the means available with him, but he knew the real *swaraj* will come only if people themselves organized and fought for it and took control of their own life, means of livelihood, control over natural resources, had a say in the development plan and became a beneficiary in the process of development. He founded Bharat Jan Andolan and lent his voice and support to Narmada Bachao Andolan, National Alliance of People's Movements, Kisani Pratishtha Manch, Campaign for Survival and Dignity and many more people's struggles and movements.

He travelled throughout the country and propagated his views and solutions to the farmers' and workers' distress, advocated for their rights and kept stressing the

fact that we are headed towards a agrarian crisis and something which stemmed from the fact that farmers and workers were not getting their due. They were not being compensated for their efforts and hard work. He would often ask at the gatherings, *bata mere yaar, meri mehnat kaa mol hai kya ?*

He wrote extensively and also published for which he set up his publishing unit, Sahyog Kutir Prakashan. He lived frugally and minimally, travelled across the country as a simpleton, wearing his dhoti kurta and remained accessible to everyone. Even when he was not keeping well, he joined us all at the completion of 20 years of NAPM at its biennial convention in Pune, last year.

He will be missed for his courage of conviction and dedication to the cause of the marginalized. In his death we all have lost a great teacher and a comrade, who was always there for us in times of crisis and in struggle.

– NAPM

(Continued from Page 2)

vanish if it enjoys full autonomy and ceases being a parrot, caged or free.

Questions have been raised over protocol issues. Is the CBI bound to inform the CM, which ever state may be, aprior to a raid on his office. In the instant case, the CBI has denied that the Delhi CM was a target. But it is in the interest of all if a rule was laid down in this regard. Raiding the CM's office is one thing, raiding his colleagues' office quite another.

Since the name of the Union Finance Minister has been dragged

into the controversy, it will be nice to hear the CBI's response to the

charge that the raid was targeted against Mr. Jaitley also.

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Bridging the rural urban divide*

B. D. Sharma

Village-India is passing through the worst crisis ever faced including under the British. A reasonable state of well-being of victims is ironically essential for *loot* in perpetuity that Raj had aimed. But scene has changed in the era of free market and versatile machine with profit as the moving force. *Kisani* is redundant. A handful of 'slaves' can operate agriculture-industry of '*Mohalla Hindustanava*' in the Global Village. The elimination of *kisani*-associates (farmer, agricultural workers and artisans) is being done with *finis* in the Grinding Mill (US Patent 1930s) fitted with two stones - '*High Cost and Low Price*'. The rulers are beating their breasts about its effects - mounting debts and unrelenting suicides. Yet the root cause, contrived non-viability of agriculture, has been subsumed in the Conspiracy of Silence

Open plunder in the colonial era

Raj in perpetuity: The hoary tradition of 'Village Republics' was eclipsed by legal regime of the Raj that proclaimed *eminent domain* of the Crown over territories that came under its control. The great turbulence that appeared in the wake of structural change in command over resources reached its zenith in 1857. It was followed by peace of graveyard as steel frame of British Raj consolidated its hold. The new laws of slavery enacted there after governed all aspects of people's life to total exclusion of their tradition of self-governance and even the very 'being' of community. The aim was to create conditions for Raj-in-perpetuity with no chance of revolt after natural decay of community through 'non use' of its authority.

De-industrialisation of India

The open *loot* of Indian farmers accompanied by rampant de-industrialization of Indian economy served as capital for industrialization at home. This was done through levy of heavy land revenue. Moreover, cultivation of commodities like indigo was made obligatory in selected areas. Opium cultivation was promoted to bridge the income gap. It was thrust on China in protracted notorious 'opium war' (1813-1857) for boosting industrial revolution at home. The land revenue was so high that it forced farmers to sell three-fourth or even more of their produce for its payment. The defaulting farmer could be jailed for nonpayment. Some of them abandoned their land and fled from the area to escape its ignominy. The jail-term ironically enhances the liability because even cost of capture and travel of absconder and food during custody are added thereto.

The Open Loot: The great plunder of 19th Century under Company/Raj pauperized farmers. The Raj had to accept the bitter truth: '*Farmer is born in debt, lives in debt and dies in debt*'. Two laws on agricultural credit, *viz.*, the Land Improvement Loans Act, 1883 and the Agriculturist's Loans Act, 1884 and rules made thereunder envisaged: (i) No compound interest, (ii) Simple interest around 4% per annum, and (iii) Recovery ordinarily in not more than 35 years so that borrower can repay the loan *in his lifetime*. The State took a conscious decision to levy simple interest, instead of compound on agricultural loans. It recognised a basic difference between agriculture

and commerce/industry. Credit is essentially a civil liability. But Imperialists made even civil transactions of the State and their banking allies risk free. Their dues were made recoverable as '*arrear of land revenue*'. Accordingly recovery of loans attracted stringent proceedings of revenue collection including civil jail. The liberal legal provisions about agricultural credit for helping indebted farmers proved inconsequential.

Radical Provincial Laws about Usury (1937) sabotaged: The first elected Provincial Assemblies were formed in 1937. They were deeply concerned with the bane of *sahukari*. Stringent laws were enacted to regulate money lending. The Bihar Money Lender's Act, 1938 declared as void (i) compound interest and (ii) interest more than the principal amount. The Madras Assembly amended the Indian Usurious Loans Act, 1918 in 1939 to the effect that compound interest on agricultural loans shall be deemed to be 'excessive'. Uncivil behavior in recovery, or 'molestation', was made a penal offence in many Provinces beginning with Bombay in 1937. The protective legal measures by elected assemblies shook the financial world. In Bihar, the Governor, as saviour of 'lost causes', exempted Imperial Bank, Tata Enterprises, Banks and Cooperatives from the purview of Moneylender's Act. Some other States followed a devious path. They excluded credit institutions and their loans from the definitions of 'money lender' and 'loan' respectively. The Imperialists created duality in law concerning money lending. The Banks and

cooperatives comprise a privileged group. They can levy compound interest with no limitation of *'dam dupat'* ostensibly because they deal with trust money of depositors. On the other hand, *Sahus* handle their own money. Therefore they can be jailed if they violated even simple interest norms set by law.

Treachery with Village India

Capital intensive agriculture: The rulers adopted, on purpose, profit-centered 'capital-intensive model' of agricultural development in a labour-surplus economy. They even ignored the rustic experience that *'other things being equal, smaller the farm higher the per acre productivity'*. The subsidy to farmers for capital investment was really a trap. Once their dependence on exotic inputs reached a point of no return, phasing out of concessions was a part of their game plan. The process is continuing with notional palliatives to stall a breaking point, if any. The faith of founding fathers in 'little lights', as guiding spirit of new India, was belied. Ironically 'community development' was imported from US with a scheme of doles to utter bewilderment of simple folks. These alms as *'anudan'* ravaged community spirit and mauled sense of honour of honourable citizens. Now doglike expectation and scramble for doles in countless forms like free Awas, free meals, and free funds is so common that even allusion to honour and dignity is blasphemy. Most promises/measures for equitable distribution of land, abolition of intermediaries and ceiling on holdings have failed rather miserably. The landless assignees soon realized that *'they were better off as footloose labourers than as farmers tied to tiny holding'*

Mechanisation of agriculture: Mechanisation of agricultural

operations has led to secular reduction in labour input in agriculture since independence. The per acre labour employment level of 1947 has dropped to about one-thirds in 2005. In this process, the profit of a few, especially capitalist farmers increased substantially but at the cost of massive unemployment and underemployment in Village India. The ruling wage of agricultural labour in extensive regions in India is around Rs 50-100 per day, which is virtually 'starvation wage', notwithstanding the minimum national wage of Rs 100 per day. In retrospect, it is clear that if capital that was used for displacing labour in pursuit of personal profit in favoured areas under the banner of Green Revolution, had been used for promoting labour-intensive small-farm-centered development such as land development, soil conservation, water harvesting, minor irrigation, *'per acre productivity'* would have soared across the county. It would have ushered in *'Inclusive Greener Revolution'*. Its benefits would have been equitably shared by happy farmers in all regions. Agriculture would have regained its *'uttam kheti'* status and served as firm foundation for establishing an egalitarian social order.

Silent tsunami of spatial economic polarisation: The capital-intensive model in agriculture has led to an extreme form of spatial economic dualism. The better off Green Revolution areas greatly benefited from increased production *albeit* discounted by state-managed depressed prices. The substantial increase in farmers' income led to significant rise in agricultural wages. The story in other areas is quite different. They had to mangle with virtually stagnant production and 'depressed' prices in an era of incessant general price-rise.

The increasing non-viability of agriculture depressed wages. Thus, spatial dualism in agriculture is accentuating unabated pauperising extensive non-Green Revolution tracts. There is widespread distress-exodus especially in the Gangetic plane in States of Bihar and central/eastern UP.

Insidious expropriation: The irony is that Indo-Gangetic plane, fabled as *'sone ki chiria'* from time immemorial, remained at the top in the national economy until independence. It had braved even the Great Plunder of rapacious Raj. Its front line freedom fighters naturally became national leaders after transfer of power. This leadership, imbued with a Grand Vision of Industrial West, accepted insidious expropriation from agriculture as inevitable for creating capital base for economic development. The worst affected people of this expropriation comprising Gangetic *Plane* were denied even the opportunity of principled dissent about the unstated policy of insidious expropriation from Village India for national cause, because their own leaders were in command.

Inequality unbounded

The ruling daily wage in extensive rural areas remains around Rs 50-100. The minimum *per diem* entitlement of the lowliest in organized sector like a peon is about Rs 500, of a teacher or skilled worker in Public Sector Undertakings (PSU) Rs 500/1000, of Collector Rs. 2000, MLA Rs 3000, M.P. Rs 5000, a Senior Advocate in the Supreme Court Rs 2,00,000. And it may be astronomical at Rs 1000 per second for elks of Ambanis. We have the dubious distinction of achieving a differential of 1:10,00,000, all in assiduous 'honest' pursuit of socialist goals. The abysmal wage in

rural and unorganized sectors forces all members of a family to work. This fact is used for keeping wages low even in government work. Taking advantage of overcrowding in employment market, a direct attack has been launched on even the privileged organized sector. Bulk of regular work is being transferred to contractors. Contract appointees are replacing regular professionals in education, health, etc. at a fraction of regular rates. The industrial sector has entered a virtually irreversible phase of development with negative employment. As people remain unaware about machinations behind growing inequality, Political Establishment has dishonestly acquiesced and even bestowed on it the aura of 'essential condition of development'. It has ignored the fact that this is a basic premise of Capitalist-Imperialist Paradigm of Development and is in gross violation of egalitarian value frame. 'Why envy good luck of others?' is the natural response of victims of perverted premise.

Unpardonable deception with *kisani* as unskilled: Agriculture that sustains humanity is the most dexterous work in the world. India has great tradition of *Uttam Kheti*, that is, '*Agriculture, Most Exalted*'. The rulers have knavishly devalued it through crafty misclassification as 'unskilled' with no questions asked even after independence. This treacherous deception is beyond the comprehension of Indian farmer. The very concept of 'unskilled' is alien to our tradition which perceives '*kaushal*' in all activities of human beings, high and low. Unskilled is an Imperialist concept of industrial era irrelevant for Village India. There is no native word for 'unskilled' in Hindi, perhaps in any other Indian language as well.

Whither family wage? UN Declaration of Human Rights 1948 envisages just remuneration that assures '*worker and his family*' a life with dignity. India signed this covenant as founding member. Yet 'family' is missing from Article 43 of Directive Principles of State Policy dealing with 'living wage, etc., for workers'. Nevertheless '*family principle*' is adopted by Pay Commissions. The National Labour Conference 1975 has also recommended adoption of this principle for determination of minimum wages in general, *albeit* with jinxed definition of family and retrograde norms for computation of family expenditure. *The principle has remained ignored in determining entitlements in agriculture for reasons not honourable.*

Jinxed Support Price: The computation of support price in agriculture is highly biased, nay dishonest, notwithstanding State's show of benevolence. It totally ignores vital capital investment such as in lift irrigation and farmer's dexterous management inputs. To cap it all, valuation of labour is '*jinxed cube*'. Firstly, it is treated as 'unskilled'. Secondly, wage-entitlement ignores 'family principle'. Thirdly, computation of labour input follows industrial-frame. It is limited to some specific jobs and ignores incommensurable total involvement of farmer and his family. Therefore, assessed labour input is very low, say, 100-150 days in a year branding farmer as 'idler' and 'under employed'. *This Himalayan fraud is responsible for abysmally low 'support price' in agriculture.*

Precipitate fall in share of agriculture in GDP: The twin phenomenon of (i) declining share of agriculture and allied sectors in GDP and (ii) amassing of wealth at the

top have been accepted as insignia of development and remained unquestioned. The agricultural production has increased 3.5 times from 60 million tons in 1947 to 210 during 2005-2006. But the share of Agriculture and Allied Sectors in GDP in the same period has nose-dived from 65% (70% people) in 1947 to less than one-third at 18.5% (65% people) in 2007. Swaminathan Commission on Agriculture (2006) has noted the steep decline of the share of Agricultural Sector in GDP stoically. The Political Executive has remained totally unconcerned about it. 'Vision 2020' celebrates this precipitate decline as insignia of development. *The Vision has proudly projected its share in GDP in 2020 at 6% (60% people), a virtual death warrant of *kisani* that is taken as ordained with no questions asked from any quarter.*

'Grinding Mill' spectacle: This state-sponsored deception acquiesced by the entire Political Executive has led to contrived 'Grinding Mill' spectacle in agriculture. The farmer is being mercilessly crushed between two stones of the Mill - *Rising Cost and Falling Income*. The haunted farmer is ridiculed as *sarkari Jamai* by the elite for '*he pays no tax yet demands everything free*'. They are conceded in the form of subsidies unending. No one has cared to note that (i) all these favours put together are just a fraction of insidious expropriation from agriculture that has forced the farmer to the brink and (ii) this subsidy in the hands of Master-Farmer whose wage-entitlement is Rs 50-100 or so is really meant for his 'servants' in supporting industries. For example, his labourer-servant in a fertilizer factory is paid Rs 500 per diem. His *Sethia-servant* enjoys bonanza of Rs 35 crores per year of Rs 1,000

per second. Let Wise Men from the East decide 'Who is *Sarkari Jamai*'?

Jinxed Rule of Law

Debt Trap: The implementation of development programmes is governed by a maze of laws and rules. They are beyond the comprehension of common man. A simple query serves as veto leading to heavy cuts and rampant corruption. The benefits of development are lost in the jungle of so-called 'Rule of Law' leaving a mere '15 out of 100' for the people as confessed by late Rajiv Gandhi. The absence of built in mechanism for risk coverage renders agriculture doubly nonviable. The farmer has to borrow for everything including cost of cultivation and inputs, social needs, health and education. *About 80% farmers are heavily indebted. They have been caught in debt trap, nay 'death trap' irretrievably.* The colonial law that allows usurpation of liberty in the form of civil jail for inability to pay government dues continues even after Constitutional mandates about liberty of a citizen inviolable.

Nationalisation of banks counter-productive: The State undertook a massive programme of promoting cooperatives after independence for serving credit needs of Village India. It gradually withdrew from direct financing in the form of *taccavi*. The final break, however, came after Bank nationalisation in 1975. The declared objective was to raise the share of Village India in institutional credit to 40% and meet farmers' needs in full. All nationalized banks formally covered entire Village India with 'Lead Banks' in charge of specified areas. This move engendered a milieu of Great Expectations amongst the farmers. Notwithstanding the historic decision about institutional agricultural credit, both the Union

Government and Reserve Bank of India failed to appreciate that the new task assigned to banks is qualitatively different from their normal beat. Accordingly none of them cared to issue guidelines about terms of agricultural credit in keeping with the spirit of century-old anti-usury laws. *Their acquiescence with Banks/Cooperatives charging compound interest has virtually legalised usury.* A defaulter can land up in civil jail for his inability to honour a civil contract. The flagrant violation of citizen's liberty and honour in this deal has not claimed the attention of 'honourable legislators', nor of academicians and human right activists. Even Hon'ble Supreme Court acquiesced with this duality. It has struck down the practice of civil jail for recovery of dues of 'moneylenders'. But the verdict specifically excluded banks, cooperatives on the ground that they deal with trust money of other citizens and maintain regular accounts.

Slamming the doors of justice: Notwithstanding State's acquiescence with usury, a farmer could still get relief, though rare, from Courts especially in South where compound interest on agriculture loans is legally deemed as excessive. The Union Government 'plugged' this loophole by amending Companies Act in 1984 to the effect that 'notwithstanding anything in any Usurious/Money Lenders Acts, terms of credit cannot be challenged in a Court'. *No one protested even as doors of all Courts were slammed against hundred million farmers.* Institutional credit in principle is a lesser evil compared to horrendous usury practiced by informal moneylenders. But an ordinary farmer is perplexed with associated formalities of institutional credit. His loan-adventure turns into horror tales with soaring liability

without even receiving full amount. Moreover institutional credit structure especially cooperative has virtually collapsed in Village India leaving ordinary farmers to vagaries of informal money lending.

Leaking pots: The universally maligned local *sahukars* have been exploiting farmers to the hilt. But proceeds of that sin remain within the village. It can be relied for meeting crisis situations. But proceeds of institutional credit are incessantly siphoned off. Out of every 100 rupees deposited by village people, only 30 are invested locally while 70 flow out. The total debt liability of Village India in 2007 stood at about Rs 50 lakh-crores. The annual interest liability of this loan is 50,000 crores. It is more than total budgetary allocation for Village India making net investment of State in Village India negative.

Sky-rocketing interest rate for informal loans: The annual interest on '*Kangal Bank*' loans with weekly recovery installments comes to 375% compound; informal monthly rate at 10% is 214% and 'easiest' monthly rate at 5% is 90%. Gunnar Myrdal's plea in 1960s to align interest rate in India with ruling cost of money at 30% went unheeded. Money that emanates from countless sources at 'stifling' rates, say 8-18%, spreads out rate rising at every step unto 90-214-375 mark. The recovery back wash leaves nothing with victims in blinding dazzle at the top. The term 'simple' is unknown in 'lawless' expanse of 'dark continent' of usury with shattered community and blindfolded '*Sahibs*' devoid of moral authority even to question usury in any form.

Interim agenda for bridging the The crucial starting point for organising an effective and decisive counter attack is whether victims of

countless crimes can come together around a common agenda, howsoever small, cutting through all sorts of dividing lines. This coming together itself will be the greatest feat and most dependable signal of moving in right direction. Such mobilisation by itself can become instant target of sabotage by Capitalistic Imperialist Gang including our own 'Top 10'. Certain items that *prima facie* are incontrovertible are identified here as a tentative starting point subject to changes, if any, as the situation may demand. Economic inequality, projected as 'essential condition of economic development', is now an iconised demon. It is hitting every eye, yet no one is speaking. It is so ostensibly for fear of being dubbed as anti-development idealist. But in reality, some exceptions apart, it is because everyone in the 'gadfly group' has a vested interest - personal, filial or fraternal. And, everyone in Village India is being mercilessly crushed in the 'grinding mill' even as drumbeaters are eulogizing fiction of double-digit growth, fabulous wealth of neo-rich, glittering entertainment hubs, SEZs and Malls. This vulgar contrast naturally places Inequality at Number 1 position in Interim Agenda.

Ignoble destiny of pauperised peasantry: As corporate control over the resource base including land becomes pervasive, peasantry as a class will fade out and bulk of the labour force will be rendered redundant. *The farmer's 'useless' son will end up inebriated by the side of a gutter; his 'usable daughter' in flesh-market, especially in 5-Star dens will be the only reliable support in destitution at the end.* Lest this destiny be challenged by the victims, the rulers are all set to ensure that inebriation is accepted as natural concomitant of development. The

old debate about 'Wages of Sin' has been buried. The States are competing to raise revenue from excise for meeting basically cost of establishment. It ranged from 7.5% of total State revenue in Maharashtra to 18% in Karnataka during 2006-7.

Universal denials of village India: The agricultural and allied sectors, or *kisani*, are the worst victims of conspiracy of insidious expropriation that is at the root of vulgar inequality. The final objective of the Gang is *CREL*. The four incontrovertible causative factors of this phenomenon are: **(i) denial of honour:** Classification of agriculture ('*Uttam Kheti*') as unskilled; **(ii) denial of family wage:** The family-wage norm enshrined in U. N. Declaration of Human Rights is still alien to unorganised sector including agriculture; **(iii) denial of protection of law:** State money-lending laws either prohibit compound interest on agricultural loans or deem it as usury. Nevertheless banks/cooperatives are charging compound interest with impunity. Slamming of door of justice in the face of farmers in 1984 is adding insult to injury; **(iv) denial of right to liberty:** Countless farmers in debt face insult and specter of ignominy including civil jail and loss of liberty. Suicide is the only honourable escape route from colonial recovery process of slaves that is still extant; and **(v) denial of right of self-governance:** The malfunctioning of the System including the '*wages of Sin*' can be traced to colonial laws of slavery and authoritarian system with no place for self-governing System in the true image of '*Village Republic*'.

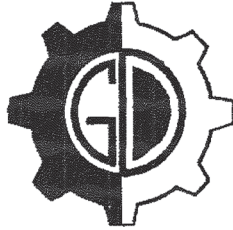
Denials at the root of structural inequality: *These Denials (5Ds) that are at the root of structural inequality, out to finish farmers and destroy VIND, can serve as interim minimum agenda for people's mobilisation. The hidden agenda*

of 5Ds, severally and collectively, is to eliminate farmer and pave the way for corporate takeover of agriculture. Any attempt to deal with 5Ds severally is bound to become dysfunctional. It is already happening, for example, in areas of rising wages due to MNREGA. The farmer cannot afford wage hike because computation of support price is based on treating agriculture as unskilled. Similarly, opening up of alternative micro-finance channel for credit, without tackling issue of compound interest and civil jail tend to legitimise those horrendous practices. The attack on 5Ds to be effective has to be planned simultaneously and in unison with one another.

Denial of family wage: The 5Ds are so subtle that all concerned - victims, beneficiaries and the Guardian - accept them virtually as natural. The hidden agenda is so slimy that its exposure itself will be a major task in any struggle. *Nevertheless phenomenon of inequality has become so bizarre and its end-results are so shocking that its mere mention in open along with its contributing factors can become a powerful message. Systematic exposure of basic contradictions with concurrent action at mass roots can assume torrential dimension. The first 2Ds concerning honour and family-wage may be taken as mere rhetoric so long as their implications for distribution of national pie are not presented in concrete terms. The ruling wage in agriculture is about Rs 50-100 per day. If family-wage principle is accepted revised wage cannot be less than Rs 250. This insidious denial of family wage to toiling millions in Village India alone reduces the share of agricultural sector in Gross Domestic Product by about one-thirds.*

(to be concluded)

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Glorious Tradition Of Communal Harmony In India
Chandra Bhal Tripathi

Bridging the rural urban divide
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Ominous portents

S.Viswam

Forewarned, it is said, is forearmed. Certain developments around the Ayodhya-Faizabad complex in the last few days are sounding the alarm bells. The tension in the region is palpable. So much so, the Uttar Pradesh Chief Minister, Akhilesh Yadav, has asked some senior officials to maintain a vigil in order to ensure that the tension does not escalate. The intelligence department of Uttar Pradesh is being asked to monitor the activities of the Vishwa Hindu Parishad. All this has ensued due to the sudden arrival in the complex of a fresh consignment of stones for the construction of the intended Ram janam bhoomi Mandir.

Normally, any new activity in the complex area ought not to provoke fear of the disruption of communal harmony. By its last order, the Supreme Court has made it unlawful to engage in any sort of construction in and around the 67 acres of disputed land. Since the VHP has warned that the supply of stones would increase in the coming months, a sense of fear and insecurity appears to have seized the Muslims of the area. Ostensibly, the escalation of tension is part of the run-up to the 2017 UP assembly polls. The elections are long way

off but the VHP is active well ahead of the times! Mr. Zafaryab Jilani, Babri Action Committee Convener, has said what perhaps, is the current sentiment of the minorities: Our worry is not so much the arrival of stones for the Mandir. That is a sub-judice matter and nothing can be done about the Supreme Court order. We are concerned about the inflammatory speeches of the VHP and its affiliated leaders. Such comments spoil communal harmony.

Mr. Jilani has wisely counseled his community members not to get provoked by the arrival of the stones. All sane-minded sections of the people will heartily endorse this advice. The VHP seems to mean business despite the Supreme Court ban. Reports say that 35 tonnes of sandstones from Gujarat have been unloaded and more consignments are on the way. The VHP claims that work of carving the stones is progressing well, and that it has already collected 1,00,000 cubic feet out of the 1,75,000 cubic feet needed for the construction of the Ram Mandir.

The VHP has, for whatever reason, become the prime source of tension. What is the motive in

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Kuldip Nayar

raising an issue which is covered by legal bindings? It claims that the Modi government at the Centre is sympathetic to the VHP plans. This is propaganda since the government is equally bound to inactivity on this front.

While it may be that the Centre may be sympathetic to the idea of a Ram Mandir because the BJP is part of the saffron brigade and Modi is a BJP man. But the Centre cannot afford to be complacent or smug when law and order is involved. In the instant case, communal harmony is also at stake. What is really provocative and also alarming is that each time a consignment is brought to the site the VHP celebrates the occasion with “band and baaja” as if a victory procession is being taken out on the path to the Babri Masjid site where the intended site is located. The VHP perhaps fully realizes that it is whipping up communal passions and tensions over the dispute. The VHP is hoping to reap rewards in the shape of community support, but if the BJP is hoping to reap a political harvest, it may find that a heavy price may have to be paid for such windfalls. The situation is so tenuous that even a casual prank by any mischief-monger or a stray utterance can set off a violent reaction and cause breach of peace.

It was the recklessness of the right-wing elements that resulted in the demolition of the Babri Masjid. Now, the VHP is building up the same kind of disdain of established authority in master-minding a crisis situation in Ayodhya. It is playing with fire.

The best course, which can eventually produce a peace plan

(Continued on Page 3)

I am amazed at the silence of the Prime Minister Narendra Modi’s government and his Bhartiya Janata Party (BJP) on the return of awards. Engrossed in petty politics they do not seem to realize what an award in literary, scientific or other fields entails.

Heights are not easy to scale. The awardees must have walked an extra mile to reach the place of distinction. Their charge is that an atmosphere of intolerance prevails. Modi who speaks at the drop of a hat is conspicuous by his silence.

The charge of intolerance is not made by an individual. Some 500 eminent scholars, scientists and artists from all over the country have returned their awards. They have not consulted one another but have felt choked in the same way in the atmosphere of intolerance. When all of them, from different climes, feel that they cannot express themselves freely, the Modi government should sit up and find out why such a feeling has cropped up.

There can be many reasons. One is because of the increasing say of extremist RSS in the affairs of the Central government. To dismiss the feeling of intolerance as a ‘manufactured response’, as Finance Minister Arun Jaitley has observed, is closing eyes to the realities. By this time, the BJP should have realized that its emphasis on religious differences between Hindus and Muslims has given rise

to parochialism and intolerance and have kept the two communities distant.

One writer, who has returned the award, has said in his letter to the Akademi that the current trend of curbing the views of dissent, freedom of expression, has forced them to take the step. He has cited the example of the murder of intellectuals like Narendra Dabholkar, Govind Pansare and M. M Kalburgi because of their writings.

I believe that the awardees will march on the streets of Delhi on Jan 26 to voice their protest. What has happened to the tolerant nation is beyond my comprehension. It fought a fierce battle against the British. Both Hindus and Muslims had waged the independence movement. Among those in the Muslim community were leaders like Maulana Abul Kalam Azad and Frontier Gandhi Khan Abdul Ghaffar Khan. The BJP was not even born at that time. It is tragic to see those in power who did not contribute a bit to the independence struggle.

What is happening today is worse. There is a thickening atmosphere of communal polarization, hate crimes, insecurity and violence. People occupying constitutional posts seem to be promoting or patronizing the hate campaign.

And one can see that the government is not functioning

independently. RSS is in-charge. Things have come to such a pass that the government-owned Akashwani disseminated the views of RSS chief Mohan Bhagwat. He did not say anything objectionable. But the country knows how strong his belief in Hindutava is. It is apparent that the extreme fringe of Hindus has taken over the government. It assumes that what it says or does is what constitutes the will of people. It is the judge and plaintiff rolled into one.

Leave the liberal elements among Hindus aside, none in the Jamaat Islami can afford to be liberal. One, he would never be allowed to air his views from the Akashwani. Two, if he were ever to do so he would be as extremist as the RSS chief.

Still we talk about pluralism. If it has to have any meaning, the minorities have to enjoy equal rights. The constitution says so. But there is no implementation because those in power have their own parochial agenda.

With 80 per cent Hindus in the country, we could have become the Hindu Rashtra, the destination of the RSS. Yet, being midnight children of

partition, we in India have preferred secularism and do not to mix religion with the state.

True, Pakistan has become an Islamic state. But this is despite the stand by its founder, Mohammad Ali Jinnah. He said, after the establishment of Pakistan in the wake of the British rule that we were either, Indians or Pakistanis, not Muslims and Hindus. But the Maulvis took over Pakistan. After a long time and with great difficulty, people there have brought a bit of liberalism.

Where we in India have slipped is the pro-Hindu sentiment which has come to prevail with the advent of the Modi government. This has meant the denial of secularism, which is written in the preamble of our constitution.

The stand of the Muslim League before partition was for a separate state of Muslims. True, the Islamic Republic of Pakistan came to be constituted. But the fallout, I think, has not been favourable for the Muslims. They have got divided in three countries, India, Pakistan and Bangladesh. Imagine if the Muslims

had been together, they would have been some 35 per cent, which is a large number in a democratic polity.

The frightening part, as the experience of last 70 years shows, is that the line drawn on the basis of religion has institutionalised the enmity between Hindus and Muslims in the shape of India and Pakistan. One can see how the enmity between the two countries has come in the way of the region's development. Not only that, both are at each other's throat all the time. They have had two wars and the Kargil adventure. There is no prospect of permanent peace between the two even though India's foreign minister Sushma Swaraj has said that war is no option.

Pakistan goes on saying that Kashmir is the core issue which, if and when solved, can bring about a fruitful friendship. But my contention is that Kashmir is symptom, not the disease. The disease is mistrust. Unless that is removed, no agreement or pact can bury the hatchet between the two countries.

(Continued from Page 2)

for Ayodhya, is to let the highest court of the land handle the matter. Law courts are best equipped to adjudicate the dispute in a calm and reasoned manner and give a conclusion that protects the public interest. Where politics promotes tension and differences courts may generate goodwill and offer a solution that will serve the best interests of the maximum number of people. We must give the judiciary a chance to settle the dispute out of the compulsions and pressures of day to day politics.

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Manohar Somayya

The Smart City Obsession: A Critique

Neeraj Jain

Pune will also become a Smart City. After a marathon 11-hour debate on December 14, 2015, the General Body of the Pune Municipal Corporation (PMC) gave its approval to the Smart City Plan prepared by the civic administration of Pune city.

The earlier plan proposed by the PMC had pegged the total cost of implementation of the Plan at around Rs 3,500 crore. The final Plan approved by the city corporators has cut the Plan size to Rs 2,932 crore. Only around 23 percent of this is going to be spent on the development of the entire city; within that, the focus is going to be on development of a smart public transport system and a 24x7 water supply system. The major chunk, 75 percent, of the expenditure is going to be for development of the Aundh–Baner–Balewadi area as a Smart City (Rs 2196 crore)—including spending on smart grid and solar energy projects, smart metering, rainwater harvesting projects, solid waste management, e-governance, establishing network of roads–footpaths–cycle tracks, parking, e-rickshaw, electric bus facility, and so on.

Of the Rs 2,932 crore, only Rs 500 crore is expected to come from the Centre, while the state government and the PMC are to give Rs 250 crore. The major chunk of the expenditure, nearly Rs 2,000 crore, is expected to come from user charges, like increased water and electricity charges, increased taxes, and other such means. The Plan would be implemented by a Special Purpose Vehicle (SPV)

which will be headed by a CEO. The SPV will have complete control over planning, implementation, operation and even evaluation of the Plan.

Our Position on the Smart City Plan

Socialist Party (India) and Lokayat outright oppose the ‘Smart City Plan’ of the PMC administration headed by Commissioner Kunal Kumar and approved by the General Body of the PMC. In fact, we are of the opinion that the entire plan to build 100 ‘Smart Cities’ across the country as proposed by the BJP Government of Narendra Modi is the continuation of the skewed development model being pursued by the present Central government. Under this model, development has become a sinister word for the people. The government is reducing its welfare expenditures aimed at providing essential services like food, education, healthcare, electricity, transport and even drinking water to the poor at affordable rates; not only that, these essential services are being privatised and handed over to big business houses for their naked profiteering. The economy is being run solely for the profit-making of giant foreign and Indian big business houses. Governance now only means providing investment opportunities for big corporations to make huge profits. The BJP government is unashamedly giving, thousands of crores of rupees of public funds as subsidies to corporate houses! But let us leave such generalities aside, and discuss the specific reasons for our opposition to the Smart City Plan.

The first reason for opposing the Smart City Plan is that it is a complete negation of democracy. The PMC will no longer have any control over the projects to be executed by the SPV; their control would now be with a private body, the Special Purpose Vehicle (SPV). As per the final plan approved by the General Body of the PMC, SPV would be headed by a Chief Executive Officer (CEO) to be appointed by the Governing Board of the SPV. The CEO would be appointed by the Board from the “open market”, in other words, he would be a private person, not an elected representative. The Municipal Commissioner would be the Chairperson of the Governing Board of the SPV, and the leader of the House and the leader of the Opposition would also be the members of its Board. Nevertheless, it still means that the elected representatives will have no control over the SPV. It is in fact a violation of the Constitution. It is something like saying that the country’s Finance Ministry is to be handed over to some financial corporation like Tata Finance, with Modi, Jaitley and a few other Parliamentarians appointing some corporate executive as its CEO.

The second reason for our opposition to the Pune Smart City Plan is that it is actually not a ‘development plan’ for Pune city (if at all it can be called a ‘development plan’)! The Smart City Plan for Pune shows that even on paper, the major part of the investment is going to be on Aundh–Baner–Balewadi (ABB) area, which constitutes only a very small part of the city

and is actually on the outskirts of the city. It has a population of just around 40,000, basically being an area where software professionals reside. This means that an area with a population of just 1.3 percent of Pune city (Pune's population as per 2011 Census is 31 lakh) is going to corner 75 percent of the investment. Only 23 percent of the total fund allocation is for the area where the remaining 98.7 percent of the population resides. This basically means that the plan is not to make Pune a 'Smart City', but make a small enclave, the ABB area, 'Smart'. And yet the ruling BJP and its henchmen and toadies are claiming that those opposing the Smart City Plan are opposed to Pune's development, when the entire Plan is not oriented to 'developing' Pune!

As mentioned earlier, the ABB area is inhabited mainly by the city's elites, the software professionals. The entire orientation of the development plan for the ABB area is to transform it into a hi-tech city, and give these upper classes a quality of life similar to a European city. But the costs of this are going to be borne by the entire population of Pune city, since on paper the Smart City Plan is a plan for the development of the entire city! That is, the ordinary Punekar is going to subsidise the luxury living of the elites in the ABB area!

The third reason for our opposition to the Plan is that it is against sustainable and holistic development of the entire city. Even the limited investment that is going to be made for so-called development of Pune city is not going to solve any of the major problems of the city, such as the worsening waste crisis, the traffic congestion, the worsening

pollution, the poor quality of life of the city's poor who constitute the majority of the city's population and live in shanties, and so on. There will be no investment in providing affordable healthcare for the poor by measures such as opening new government hospitals; there will be no investment in providing affordable education for the city's children and youth by opening more good quality government schools and colleges. The Smart City Plan has nothing to do with all this, as we shall explain below. All that is going to happen is that in the name of making the city 'Smart', the private sector will get an opportunity to invest in exotic projects like setting up ultra-modern bus stops and sensors to monitor traffic congestion on roads, and thus make huge profits.

The fourth reason for our opposition to the Plan is that it is going to result in privatisation of essential public utilities such as water supply. The smart metering proposal is only a guise to privatise the city's water supply and hand it over to the private sector for profiteering. The private sector will get an opportunity to invest in huge projects, like building enclaves for the rich, where they will have all the facilities, of course at high costs, but then they can afford that. The government investment will actually be for subsidising these projects.

All these arguments given above become further substantiated from the following summary of the Smart City Plan of the new BJP Government.

A Brief History

Finance Minister Arun Jaitley of the new BJP government in his first budget speech in July 2014 announced an allocation of Rs 7,000

crore for building 100 new 'smart' cities. Subsequently, in April 2015, the Union Cabinet approved the spending of Rs 48,000 crore for this 'Smart Cities Mission', under which each selected city would get a total of Rs 500 crore over a four year period (Rs 200 crore in the first year, and Rs 100 crore per year for next three years).

And why does the country need new cities? A UN report projects that India would add another 404 million urban dwellers by 2050, the largest addition in the world; the population of Delhi alone is expected to go up to 3.6 crores by 2030. And so the country would need dozens of new cities to accommodate these burgeoning numbers. According to McKinsey and Company, the country will need anywhere from 20–30 new cities in the next 10 years, while IBM predicts that India would need to add 500 new cities over the next 20 years.

And so the finance minister in his budget speech too stated that the country would need to build new 'smart' cities, to accommodate the rising number of people migrating from rural areas.

[It is another matter that neither the Census nor the National Sample Survey support these claims of massive migration from rural to urban areas. Of the 90 million new urban people between 2001 and 2011, only about 20 million were migrants from rural areas. Of the rest, about 40 million were born in existing urban areas, while the remaining 30 million became urban because their settlements were reclassified from villages to census towns.]

What is meant by 'Smart' City?

The government documents say very little about it, apart from that these are going to be hi-tech cities—that is what makes them ‘smart’. These cities would be built from scratch, and their infrastructure would be connected through the latest technology (CCTVs, chips, and broadband) and controlled at an integrated centre. Hence, the ‘smartness’ is in technology being used to collect, study / organise / arrange it, and then use it for control purposes. Smart’ sensors capture real-time data on roads, water and electricity, gas, air quality, homes, lighting, hospitals, schools, even revenue and crimes, and so on, which can then be used to regulate each of those systems through ‘smart’ applications. Thus, for example, technology will be used to map and analyse traffic conditions on the roads, and then this would be used to reduce average traffic density on roads by communicating with people through smart phones and other such devices; not only will traffic congestion be a thing of the past, travel on roads would be faster as traffic would be less. Different control centres in the city can similarly manage its other infrastructure, and thereby, for example, reduce energy use by 20–30 percent. The city would also be a zero-waste city, and garbage problem would be solved. And so on ...

Thus, you have a dream city that is efficient, liveable and sustainable. Most importantly, the city has become so valued that investors are happy to pour in money because investments bring in handsome returns, and so there are jobs aplenty.

The whole proposal of building ‘Smart’ cities is being pushed by giant multinational corporations like McKinsey and IBM, who

have come out with reports and are pushing the government to plan and invest in building ‘Smart’ cities. How come firms such as McKinsey, IBM, Oracle and Microsoft have become experts in urban growth planning? Well, that is precisely the point. They first create the demand for Smart cities, and then team up with builders and the state to build these, reaping huge profits. The conclusion is obvious—the idea of ‘Smart’ cities is being promoted, to provide a multi-billion investment opportunity for the private sector, with the government pouring in huge subsidies in the name of Viability Gap Funding.

Obviously, these new cities are going to be only for the elites. This has in fact been admitted by the finance minister too. In his budget speech of July 2014 where he mentioned about the building of 100 new ‘smart cities’, he frankly admitted that these would be for the neo-middle class—a new term, he is actually meaning the neo-rich—so as to meet their aspirations for ‘better living standards’. This is eerily similar to the high-end townships being built already, that promise luxury living in self-contained hi-tech cities away from the chaos, traffic snarls, pollution, noise and filth of our ‘regular’ cities. Now you are going to have government subsidised high-end townships.

But What About Existing Cities?

Initially, after coming to power, the new government had proposed the Smart City idea as one that meant building of new cities, on the outskirts of existing ones, that would function as special investment regions that would attract global capital. But what about the existing cities? Will they continue to remain the same, with their decaying

infrastructure, waste crisis, traffic congestion, bloated slums, potholed roads, severe lack of affordable educational and health facilities ...

After much criticism, the government relented and in December 2014 published a draft concept note that called for not just building satellite towns but also modernisation of existing cities, including both their physical and social infrastructure. This new concept note, titled “Draft Concept Note on Smart City Scheme”, is actually very vague. All it states is that the ‘Smart’ city would be comparable to any European city, and should have clean air / adequate water supply / entertainment / sports / internet connectivity / fast transport / etc. It actually gives no practical solution to any of the known problems of cities, such as worsening garbage crisis or growing traffic congestion or lack of affordable health and education facilities. The analysis of problems and solutions it proposes are laughable. Thus, it says that the present waste management problems are due to “lack of technical expertise and appropriate institutional arrangement” – but these cliché, are not explained. For solving the problem of traffic congestion, it simply mixes everything together from cycle tracks to elevated roads, and every known form of mass transit, without any sense of consistency or priority. It says that “smart metering” of water will reduce losses, without explaining what it means, and how it is different from present normal metering. It even makes the outrageous claim that housing is not affordable in cities because high rise development is not permitted!

From a study of the government’s draft concept note, it becomes

obvious that the Smart City project is not an integrated urban planning project that would transform India's ageing civic infrastructure, mobilise technology to improve environmental performance and enhance the quality of city life. Instead, it is a recipe for skewed development. This becomes obvious from various sections of the report. Thus, while talking of social infrastructure, it talks of development of a Medi-city in every city with a minimum land of 50–100 acres through the private sector. Clearly, this is only going to be for the very rich, the poor will continue to go to the deteriorating government hospitals. In the name of providing good sports facilities, it talks of building golf courses!

The entire focus is on promoting capital intensive, high-tech projects, to be built by the private sector with government subsidies. The Urban Development ministry says that 60 percent of the allocated funds have to be spent on infrastructure, but there is no study on what are priorities, and then seeking funds; there is also no plan as to how to economise on investments. Thus, in Pune, there would be no investment on building much needed sewage treatment plants and reclaiming the Mula–Mutha River that has become, a sewage drain. Investment in such projects is not going to be profitable for the private sector. Instead of first investing in improving the existing PMPML, increasing the number of buses, reducing traffic congestion by imposing restrictions on the growth of private vehicles, and making the city's roads safe for pedestrians and cyclists, another grandiose investment opportunity for the private sector is being proposed, a many hundred crore rupees project wherein traffic snarls will be monitored through sensors

and an attempt will be made to divert traffic by communicating with drivers through smart communication systems. Thus, there will be a plethora of high cost projects, and money being spent on wrong priorities, simply because money needs to be spent. This has even been criticised by the Parliamentary Standing Committee on Urban Development; it has stated that the Smart City project may lead to ad-hocism in urban planning. Nevertheless, the Ministry of Urban Development (MUD) has set aside funds for the next five years for this project.

Secondly, it becomes obvious from the criteria laid out for selecting cities to make them 'smart' that all the public utility services in these cities are going to be privatised. This means that essential services like water are going to be privatised, increasing their cost—smart metering is only a euphemism for this. The draft note makes it clear that all new projects will first be offered to the private sector. Thus, this means that the much needed government investments in building new hospitals, schools and colleges, improving slums, affordable housing for the poor and public toilets (especially for women) are now not going to take place. The private sector will invest in these facilities, and obviously, they are not going to be for the poor.

Thirdly, the Modi Government's obsession with creating urban real estate enclaves for a small elite section is seen even in the Smart City project for existing cities. The MUD says that cities that receive Smart City funds must spend 60 percent on infrastructure, 10 percent on e-governance and the remaining 30 percent on two integrated townships

to be developed in partnership with private developers. These townships can only be gated communities, serving a very small number of people. And so, nearly 75 percent of the investment in the Pune Smart City Plan is going to go in developing Aundh–Baner–Balewadi region as a Smart City.

Finally, the Centre, the state government and the PMC are only going to contribute Rs 1,000 crore for this plan; the remaining Rs 2,000 crore is going to be extracted from the pockets of the ordinary Pune-kars. While the corporators have imposed restrictions that the SPV will have no powers to increase taxes, they have not addressed the question as to where this Rs 2,000 crore is going to come from? It is definitely going to mean sharp cuts in the already meagre spending by the city corporation on public services, huge increase in the cost of delivery of all public services, and ultimately a huge increase in taxes. If the Centre is not going to give this money, and the state government also is not going to give this money, there is no other way by which this money can be raised, which means that while the entire development is going to be for the elites, the ordinary people are going to pay the costs.

Our Demand

Socialist Party (India) and Lokayat call upon the Pune city corporators to review and withdraw the approval given to the Smart City Plan of the BJP Government, and instead demand that the government come up with a comprehensive white paper on the city's problems, and an integrated plan to tackle these problems, keeping the interests of the ordinary citizens, especially the poor, at the centre.

Glorious Tradition Of Communal Harmony In India

Chandra Bhal Tripathi

The recent elections to the Bihar Vidhan Sabha have once again proved that the Indian mind is sound and the common masses of India, specially the rural people, have unflinching faith in brotherhood and religious accommodation. Despite the barbaric incident of burning alive of Akhlaq in a village near Dadri in Uttar Pradesh in September 2015 by some misguided Hindu fanatics, the Ganga-Jamuna civilization of Uttar Pradesh is still vibrant and Lucknow and Ayodhya are shining examples of this cultural heritage. Our country and specially the region of Ganga-Jamuna *tahzeeb* has always been inspiring the common masses with the ideals of composite culture and religious accommodation. On one hand, whereas this region gave birth to saint-poets and social reformers like Tulasi, Soora, Kabir and Raidas, on the other hand, this region can boast of popular Sufi poets and thinkers like Amir Khusro, Rahim, Raskhan, Jayasi, Kutuban and Manjhan, whom Bharatendu Harishchandra, the great renaissance man of Varanasi, had in mind when he paid his glowing tribute in the following words: “*In Musalmanharijanan par kotin Hindu waariye.*” (Such Muslim sons of God are more precious than crores of Hindus.) In this very region, in Vrindavan, Emperor Akbar and Raja Mansingh got the Govindadevaji temple erected. At a national conference of our Society

for Communal Harmony in 1998 the great scholar Dr.KapilaVatsyayan said that if one went inside this popular temple one would find that its superstructure resembles a mosque dome. In the same age the top saint Goswami Tulasidasaji says that he would go to and sleep in a *maseet* (masjid or mosque). The riddles of Amir Khusro, the *dohas* (couplets) of Kabir and Rahim are a common heritage of the illiterate villagers of this region. Our farmers do not rely on the Indian Meteorology Department but are commonly guided by the pronouncements of Ghaagh-Bhaddari in regard to weather and agriculture.

Even if we keep aside for a moment the happenings of an age five hundred years old and cast a glance on modern times, we find Kapilaji asking the pride of Banaras and Bharat Ratna Ustad Bismillah Khan: “Khan Sahab, now you have achieved everything, you have gone on *Haj*, your children too are studying”. The great symbol of composite culture of India replied: “Bibi, yes, all this has been done but a desire always stays in my heart. Until I play *naubat* before Vishwanathji how can I go to *jannat* (heaven)? Kapilaji explains that this matter of *naubat* is not confined to Vishwanath and Kashi but the playing of *naubat* before a Siva temple was a prerogative of a Muslim who was considered to be

the vehicle for awakening of god Siva. At the Brihadeshwar temple in Tamil Nadu the Vaidik Paath could not be started until Chinna Maula Sahab had not played on his *naadaswaram*.

I wish to narrate a personal experience. In 1961 while I was working at Jaipur once I was visiting the museum located in Ramniwas Bagh. As I heard some villagers conversing in pure Awadhi I felt like speaking with them. (I was born at Basti near Ayodhya just across the Sarayu river.) I casually asked them if they were from Sultanpur. They became concerned and a bit frightened. One of them said: “*Saheb, ham kauno khata naahin kihin hain. Ham log to gairahen Ajmer maan Khwaja Saheb ke dargah par maathaatekai.*” (Sir, we have not committed any crime. We had only gone to Ajmer Sharif to pay our obeisance at the dargah of Khwaja Sahab.) Those innocent Hindu male and female pilgrims felt that I was certainly an officer of the CID, otherwise how could I know that they hailed from Sultanpur, and repeatedly requested me to tell them the secret and what crime I was investigating. Having been a student of social anthropology I tried to explain to them my interest in interacting with men and told them that by experience, after hearing someone from U.P. for a few minutes, I could safely guess where

This paper was read in Hindi by Shri CB Tripathi at the Regional Conference of the Society for Communal Harmony held at the U.P. Hindi Sansthan, Lucknow, on November 23, 2015. Shri Tripathi was the President of Lucknow University Union 1952-53, one of the founders of the All India Samajwadi Yuvak Sabha in 1953, Deputy Commissioner for Scheduled Castes and Scheduled Tribes and is a Vice-President of the Society for Communal Harmony set up by Dr. B.N Pande, Maulana Ali Mian and Shri Surendra Mohan at New Delhi in 1990.

he hailed from. At short distances there is a variation in the dialect. The main purpose of narrating this story is to say that for centuries countless Hindus and Muslims in U.P. have been commonly visiting samadhis and dargahs of saints and Sufi peers to pay their obeisance, after travelling hundreds of miles even before the advent of railways. I do not have accurate information about South India on the whole in this regard but we all know that lakhs of pilgrims to the world famous Aiyappan temple at Sabarimala in Kerala have first to pay obeisance to Vavar Peer on the way.

Everyone has heard of Pokharan on the Jodhpur-Jaisalmer border on account of the nuclear implosion and later the testing of the first nuclear bomb. It is also famous for an annual animal fair. But the main importance of this town is on account of the shrine dedicated to the Rajput prince Ramdev, now popularly known as Ramdev Peer, to pay obeisance to whom thousands of Hindu and Muslim pilgrims come here every year from the western India and Pakistan. The devotees include people of all castes and creeds. Though not a very distant historical figure, myths have grown around him and he is supposed to ride a green horse. In parts of Rajasthan, green is described as blue, hence Rajasthanis refer to the 'deity' as '*Neela ghoda raaa swaar*' (rider of green horse) reminding one of the Islamic green horse Duldul. I have seen places of worship dedicated to Ramdev Peer as far as Saurashtra.

I guess that if one wants to name any city in India as a living example of communal harmony it is Lucknow. While Hindu-Muslim riots were sporadically taking place almost all over India before Independence due to the deliberate

policy of the British rulers and even after Independence due to other vested political-economic interests, the people of Lucknow always managed to keep themselves free from this virus. Indeed, sadly though, Shia-Sunni clashes were annually seen during Muharram as a hangover of international political Islam. Therefore, it was a very heartening development this year that on the occasion of Eid-ul-Fitr both Shias and Sunnis performed namaz jointly at the historic Shia mosque in Sibtainabad and at this Shia imambada, the namaz was led by a Sunni cleric. While Sunnis and Shias are fiercely fighting each other in Iraq, Syria, Pakistan, etc., and this has of late been aggravated by the Islamic State, here in Lucknow the Shias and Sunnis have presented an admirable example of unity and harmony. Those who took initiative for this unity move have also offered their voluntary services at the 'langar' on the pious occasion of the birth anniversary of Guru Nanak Deva on November 25. A special feature of all Gurudwaras is that all Sikhs, however rich they may be, and some non-Sikhs as well perform voluntary *sewa* (service) of any kind including taking care of footwear of the visitors and dusting the same. In my childhood at the small town of Basti and later while studying at Lucknow University in 1950-55, I used to go to the Karbala with the Tazias and enjoyed the sweet *gulgula* sent by Muslim families to our house as gift. Similarly our Muslim friends freely participated in the festivals like Holi and Diwali.

Muslims performed roles of the Ramayana characters during the Ramleela. The reprehensible act of destruction of Babri Masjid at Ayodhya on December 6, 1992 attracted worldwide attention. But not many people know that the

majority of the people of Ayodhya and the neighbouring city of Faizabad believed and continue to believe in communal harmony. There are instances galore to substantiate this. A recent interesting example, even in the current intolerant atmosphere created by some of the ruling party leaders at the Centre, is that of a Muslim youth of Faizabad who had been performing major roles in the Ramleela all these years. This year he grudged that he was given a minor role in the Ramleela. On November 18, 2015 a dead cow was found hidden in a *dhalao* (dumping ground) in the locality of Bakarganj in Bareilly city. The Hindu owner of the uneconomic cow had thrown it into the *dhalao* secretly. Nadeem Shamsi, National President of a social service organisation known as SamajSewaManch, discovered the carcass, consulted a Hindu priest about performing the last rites of a cow, got a spot cleared and buried the cow according to the prescribed rituals. He covered the body with enough quantity of salt and coal and gave a respectable farewell to the cow.

On October 3, 2015 a 20-year old Muslim youth Zaki, saved the life of a cow in the locality of Aishbagh in Lucknow city. It had fallen into a well. A large crowd, had gathered to see the *tamasha* (fun) and were waiting for a crane to take the cow out. Zaki, felt that its life was in danger, promptly went inside the well with the help of a rope, caressed the cow and skillfully brought it out.

These days a foolish attempt is being made by some vested interests to hijack great nation-builders like Swami Vivekananda, Sardar Vallabhbhai Patel and Netaji Subhash Chandra Bose and project them as partly, if not fully, supporters of Hindutva. In this

context I am tempted to reproduce a very instructive incident from the life of Swami Vivekananda. This story may serve as an eye-opener for them. I prefer to quote in original the story narrated on pages 8-11 of the celebrated book *Talks with Swami Vivekananda* published by the Advaita Ashrama, Mayawati (18th Reprint, August 2013):

“When Narendra Babu had departed, an enthusiastic preacher belonging to the society for the protection of cows came for an interview with Swamiji. He was dressed almost like a Sannyasin, if not fully so- with a Gerua turban tied on the head; he was evidently an upcountry Indian. At the announcement of this preacher of cow-protection Swamiji came out to the parlour room. The preacher saluted Swamiji and presented him with a picture of the mother-cow. Swamiji took that in his hand and making it over to one standing by, commenced the following conversation with the preacher:-

Swamiji: What is the object of your society?

Preacher: We protect the mother-cows of our country from the hands of the butcher. Cow-infirmaries have been founded in some places where the diseased, and decrepit mother-cows or those bought from the butchers are provided for.

Swamiji: That is very good indeed. What is the source of your income.

Preacher: The work of the society is carried on only by gifts kindly made by great men like you.

Swamiji: What amount of money have you now laid by ?

Preacher: The Marwari traders’ community are the special supporters of this work. They have given a big amount for this good cause.

Swamiji: A terrible famine has now broken out in Central India. The India Government has published a death-roll of nine lakhs of starved people. Has your society done anything to render help in this time of famine?

Preacher: We do not help during famine or other distresses. This society has been established only for the protection of mother-cows.

Swamiji: During a famine when lakhs of people, your own brothers and sisters, have fallen into the jaws of death, you have not thought it your duty, though having the means, to help them in that terrible calamity with food?

Preacher: No. This famine broke out as a result of men’s Karma, their sins. It is a case of ‘like Karma, like fruit’.

Hearing the words of the preacher, sparks of fire, as it were, scintillated out of Swamiji’s large eyes; his face became flushed. But he suppressed his feeling and said, “Those associations which do not feel sympathy for men, and even seeing their own brothers dying from starvation do not give them a handful of rice to save their lives, while giving away piles of food to save birds and beasts, I have not the least sympathy for them, and I do not believe that society derives any good from them. If you make a plea of Karma by saying that men die through their Karma, then it becomes a settled fact that it is useless to try or struggle for anything in this world; and your work for the protection of animals is no exception. With

regard to your cause also, it can be said, the mother-cows through their own Karma fall into the hands of the butchers and die, and we need not do anything in the matter.”

The preacher was a little abashed and said, “Yes, what you say is true, but the Shastras say that the cow is our mother.”

Swamiji smilingly said, “Yes, that the cow is our mother, I understand; who else could give birth to *such* accomplished children?”

The upcountry preacher did not speak further on the subject; perhaps he could not understand the point of Swamiji’s poignant ridicule. He told Swamiji that he was begging something of him for the objects of the society.

Swamiji:- I am a Sannyasin, a fakir. Where shall I find money enough to help you? But if ever I get money in my possession, I shall first spend that in the service of men. Man is first to be saved; he must be given food, education and spirituality. If any money is left after doing all these, then only something would be given to your society.

At these words, the preacher went away after saluting Swamiji. Then Swamiji began to speak to us: What words these, forsooth! Says he that men are dying by reason of their Karma, so what avails doing any kindness to them! This is decisive proof that the country has gone to rack and ruin! Do you see how much abused the Karma theory of your Hinduism has been? Those who are men and yet have no feeling in the heart for man, well, are such to be counted as men at all?” While speaking these words, Swamiji’s whole body seemed to shiver in anguish and grief.

I was led to quote this long narration in order that the people of India realise that the so-called agitation for protection of cows and a ban on beef-eating is hypocrisy. There is a political-economic conspiracy behind this. The Hindus and Jains have considerable share in the ownership of slaughter houses and beef export companies and trade in cow hide, leather and bone. I remember that during the World War II, a family belonging to a Hindu Mahasabha family in my home town Basti had taken a contract for supply of cows and bulls to meet the requirement of beef for American soldiers.

Unfortunately today some fringe elements in the society are trying to destroy communal amity in a planned manner. A recent illustration of this nefarious game is an attempt by the fringe elements in Karnataka to defame one of the greatest rulers of India, Tipu Sultan. The British rulers tried to defame him as he was attempting to throw out the British from India with the help of Napoleon Bonaparte. The British historians carried out a sustained propaganda against Tipu Sultan in the same manner as they used epithets like mountain rat, robber, etc., for Shivaji. What more idiotic talk can there be to paint MaharanaPratap and ShivajiMaharaj as haters of Muslims? They suppressed the fact that one-third army of MaharanaPratap consisted of Muslim Pathans. How many students were allowed to know that the admiral of Shivaji's navy was a Muslim? There are similar facts galore which the British suppressed and filled the school textbooks with lies and tried their best to break the unity of Hindus and Muslims. Tipu Sultan was not only a brave warrior but also a scholar and linguist, respected all faiths and strived to consolidate Hindu-Muslim

unity. He got the gopuram of the famous temple at Srirangapatnam erected or gold-plated as did Akbar honour the Hindu goddess Jwalaji in Kangra. Tipu's Prime Minister was a Brahman. Thanks to BhagwanGidwani who researched the life and works of Tipu Sultan in Paris for seven years and wrote the famous novel *The Sword of Tipu Sultan*. I wish it were made a compulsory reading for school students throughout India. Thanks also to Sanjay Khan who produced a TV serial in 1990 based on this marvelous book. The support by

one of the cultural legends of India, Girish Karnad, to the celebration of Tipu's birth anniversary recently faced severe criticism and verbal assault by the fringe elements in Karnataka. I wish and pray that the enlightened public of Karnataka will not let Girish Karnad face the same fate as the great Kannada litterateur and former Vice-Chancellor of Kannada University at Hampi, Dr. M.M. Kulbargi, and earlier two other famous crusaders against superstitions and Hindu orthodoxy, Govind Pansare and Dr. Narendra Dabholkar, did.



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Bridging the rural urban divide I

B. D. Sharma

Scale of expropriation from Village India: Stripping agriculture of its prime position (*Uttam Kheti*) is the most pernicious and subtle denial. Assertion of family-wage will immensely benefit those in the last band of unorganised-unskilled. The next, preferably concurrent step will have to be to claim parity for work in agriculture with organised-skilled. *The expropriation on this count alone from Village India is not less than Rs 5 lakh crores per year.* The gross expropriation on account of family wage and denial of honour is about 5 lakh crores each or 10 lakh crore per annum in all. In other words, expropriation from average village in India is staggering at more than Rs 1 crore per annum. The wage-hike in Village India with assertion of honour and equity will gradually lead to substantial withdrawal of women, old and children from casual labour. It will also induce migrants to return from far-off alien places. *The net gain, according to a rough estimate, to Agriculture and Allied Sectors will be about Rs. 10 lakh crores raising its share in the GDP to about 30 %.*

Equitable entitlement for all: The struggle for equitable entitlement *at par* with organized sector will naturally lead to substantial, even quantum jump in price of all agricultural commodities. A sudden price-rise may raise furor because state control of prices of food articles is taken as its natural duty. It is a pity that implicit insidious expropriation through depressed entitlements of unorganized including agriculture for mobilization of capital for development has never been

discussed in open. Now that this crucial issue is slated for open debate, there can be no going back. Once equitable entitlement regime is established for one and all including the lowliest, there will be no need for dramatics of doles, subsidies, subsidized food grains, etc. The people will enjoy a new era of equitable deal, *albeit* of the first order, after 60 years of open *loot*. The repeated reference to the Organised and claiming parity for work in agriculture with skilled worker is likely to be projected in antagonistic vein. It is especially so when sector organised is itself under severe attack. It will, therefore, be necessary to make it clear that 'parity claim' is not against any section of workers. Nay, it is an essential condition for unifying entire working class against voluptuous aggrandizement at the affluent end. The 'Top 10' has cornered the gains in national income and is now set to capture all livelihood resources. *The parity assertion, if pursued in its true spirit, shall finally hit the top and sharply reduce its share in the national pie.*

Farmer's suicide: Farmers' suicides have become symbol of the rot and emotional outbursts. There are unending ceremonials of 'beating of breast' but with no patience to explore roots of the rot. The 5D formulation presents the perspective as also the proximate causative factors. Evidence shows that the last emotional impulse that triggers suicide amongst harassed farmers is the insult or fear of insult in public such as civil jail. *Suicide as an issue of honour will*

have universal appeal. Debt-Trap is the Grand Gate Way of Farmers' Suicides. The levy of compound interest on agricultural loans is either void under State laws such as in Bihar/Jharkhand or deemed to be usury as in Southern States. The provisions of law that immunize banks and cooperatives against these laws are in blatant violation of the spirit of Constitution and conspiracy against farmers aimed at their extermination.

'Revolutionary' cover for Grand Deception

When rulers became confident that *kisani* had reached a point of no return, they boldly announced National Agricultural Policy in 2000. This Policy discards 'land to tiller' rhetoric and gives all-clear signal to corporate agriculture. Political Executive at this crucial turn knavishly projected 'agrarian crisis', its own handiwork, as a major electoral issue in 2004 without touching its real cause. MNREGA has been started in the same vein with a hidden agenda. Its real objective is to divert people's attention from real issues discussed above and camouflage them until road gets cleared for capitalistic takeover of agriculture. The stranglehold of the System on Village India is complete. 5Ds of *Kisani* are incontrovertible but insidious. The demise of *Kisani* is on the cards. The greatest challenge at the moment, therefore, is about conveying this message of Great Betrayal to its victims who have been led to believe their present state as ordained. The vested interests are in no mood to listen to small voices

of protest. All the same, if people even in a small area can have just an inkling of Great Betrayal, Sparks of Wrath from deep recesses of their hearts may spread like wild fire and engulf entire Village India, sooner than later. *Accordingly potential pockets for initial thrust should be identified.*

'Na Denge, Na Lenge', solemn resolve of Gaon Gan Rajya: A solemn resolve, and a Solemn Resolve alone in the conscience of a people, severally and collectively, can be the foundation of any radical change in system, social, political or economic. Corruption and inequality are two facets of the same coin. Therefore every Village Republic that resolves to fight against inequality must also resolve *Na Denge, Na Lenge'*. This resolve honestly pursued even in a few Village Republics is bound to have multiplier effect in battered Village Republics. Moreover collective action of Village Republics is bound to influence the processes of election, another perennial source of corruption and in turn the administration and polity at higher levels.

One Family, One Means of Livelihood: Equitable entitlement for workers presumes equitable distribution of livelihood opportunities. 'one family, one means of livelihood' is basic for equity in a labour surplus economy. Every citizen must make a choice from various options, *viz.*, service, professional work, business, agriculture, etc. Those not opting for agriculture as primary vocation must be legally disqualified to own/possess/purchase agricultural land. The Administrative Reforms Commission (1964-68) had recommended adoption of 'One

Job, One Family (nuclear)' norm in public sector. It has remained a dead letter so far. It has resulted in highly skewed rural-urban distribution of job opportunities in the modern sector favouring especially the 'Top 10'.

Immunise money power: As a first step towards establishing *Dharati-Mata* (Mother-Earth) principle, Gram Sabhas must deliberate to immunize money power. They must declare as void all transactions of livelihood resource by all titleholders including State, absentee landowners and coparceners. Let Village Republics declare all those claims as void that may have been acquired after New Agricultural Policy by non-residents in any form including plantations, farm-houses, industrial units and such like with a resolve to take over, use and manage them all in exercise of their natural rights. Land purchased by outsiders in violation of this *Janadesh* shall be taken over by village community.

Return of Loot: Erasure of 5Ds and measures for reigning inflated economy are no doubt essential conditions for equitable deal, but not sufficient. The massive accumulation of wealth that has already occurred at the top since independence, unless effectively immunised, will continue to distort inter-sectoral balance. *The ill gotten wealth and property especially amassed abroad must be confiscated.* Besides immunizing money power and attack on consumerism, an essential condition for eradication of inequality, will be to start an open debate in Village India on 'Return of Loot' through institutional measures. Such a debate itself will help in creating a milieu for retrieving equity issue, restarting deliberations

on Development with Equity and warning insolent untamed bulls about people meaning business. Some propositions are presented in paragraphs that follow:

Sharing the savings: The 'Return of Loot' as a basic element in laying the foundation of Development with Equity must not be effected surreptitiously like insidious expropriation foisted on Village India. Let those having the privilege of making savings that, to use the softest appellation, are largely by-product of inequity, agree that a part, say one-half, of their savings shall carry no interest and will be used for providing interest free credit in Village India. Let the banking system stop funneling of rural savings for investment outside. Let the deposit-investment ratio in urban areas be reversed so that urban savings are used for bridging the Rural Urban Divide.

Village banks: Let RBI guarantee full satisfaction of rural credit needs at no cost in lieu of massive expropriation after independence through usurious practices. A credit outlet of RBI, say, Village Bank may be established in every village answerable to Gram Sabha dispensing with all intermediary institutions between RBI and Village Bank. Village Bank may charge, with the approval of Gram Sabha, upto 4% simple interest. All dues shall be repayable in reasonable installments. The period in the case of long term loans should be long, but not exceeding 35 years.

Restoration of dignity of so far ravaged

The basic principle of Development with Equity outlined above must inform all victims of development and also areas

ravaged in the name of development especially tribal areas with due apologies and amends for systemic crimes against people. The principles implicit in the premise presented here must be adopted for enabling victims to have a place of honour on terms of equality in new economy.

Quality social services, the first charge: The drain on Village India resources on account of yawning divide in health and educational services is incommensurable. Let Village India direct its representatives to amend the Constitution and mandate that outlays for (i) universal, accessible and free health service and (ii) universal, equal and relevant education shall be the twin prime charges on State exchequer. The 'tokenist' approach of soft policies like compulsory rural service for a while has miserably failed. A mixed policy of reward, duty and punishment backed by stringent regulations must be adopted to ensure qualified doctors and teachers to provide quality service with dedication in Village India

Game electricity plays: The dazzle of noon at midnight in 'conditioned' luxury; darkness at noon in dingy hovels and unending spread of parched earth as pumps lay idle because line is tripped/cut for days unending in service of midnight 'games' of ruling elite! This 'light and dark' mix coexisting in India's political economy is all set to cross 'double digit' mark of so-called growth. Witnessing are we transformation of an outdoor civilization founded on rendezvous with nature in the open into indoor civilization in crowded concrete city jungles aping the style of 'cold' West that requires power unlimited for limitless luxuries turned necessities. Money wins in the game of 'power';

hapless farmer runs from pillar to post unheard, as his crops wilt uncared.

Power for what?: The figures of power generation and its consumption are accepted as important indicators of economic development. But, real question 'power for what?' has remained a non-issue because its distribution and use are conceded to be market driven. This game by its very nature becomes elite-friendly with notional regulation that ultimately becomes anti-Village India. A bevy of fully air-conditioned offices, hotels, airports, shopping malls, mansions and *minars* are piercing city sky lines with insatiable power demand leaving virtually nothing for the fields. This paradigm must change in favour of prioritised use driven supply and distribution. *Turn off Conditioners; Meet Farmers' Demand in Full with No to Luxuries and Ostentation that Nation cannot afford even in foreseeable future.*

Long term measures

Manipulation of money, market and the system is at the root of destitution of masses and affluence at the top. This must be reigned effectively through (i) *Ceiling on urban property*; (ii) *Housing Policy recognising tenant's occupancy rights vis-a-vis new 'feudal lords'*; (iii) *Stringent estate duty of not less than 50% aimed at reducing inequality relatable to inheritance*; and (iv) *Savings as a cushion for meeting unforeseen contingencies but not as source of income through share in usury.*

Leveling the Top: While ordinary labourer has been struggling for bare subsistence, those in organised sector especially Top 10 have been busy feathering their nests

on all pretexts such as inflated entitlements, countless allowances, special perks, company/government account expenses. This rat race that makes mockery of 'equitous deal for all' must end. All frills of all descriptions must go bringing gross entitlements within a reasonable ceiling, say, ten times the average family income in the country to bring with.

Strike against power of money: Money power is manifest in all affairs of national economy including governance. It controls and commands all relationships of VIND with outside world, be it matters political, economic or simple governance. The game of capturing livelihood resources of farmers is in full bloom. Accordingly unless money power is hit hard, tamed and neutralised, all other efforts to save *kisani* will be in vain, at least in the immediate context especially when every day counts.

No to ignominy of doles: Honour and dignity are core values in equitable development. The rulers have hit Village India here the hardest through diabolical deal of doles coupled with Conspiracy of Silence about insidious expropriation. This drama must end with Village Republic's assertion for return of *loot* with rulers' apology for crimes against democracy. The assistance to the deprived for economic programmes, housing etc. can be provided as term loan at nominal interest by Gram Sabha out of State funds devolved thereto. Gram Sabhas joining '*Hanke ka Hanka*' need not wait for this formal change. The people may resolve to treat dole part of current schemes as loans to be credited to Gram Sabha funds transforming ignominious dole into honourable transaction.

Consumerism - crime against democracy: 85% of global resources are commanded by G-8 with just 10% of world population. Consumption for the sake of consumption or consumerism is their credo. It keeps wheels of Capitalistic Production Machine moving. Consumerism has engulfed world economy as insignia of development. In this global rat race, no one cares to caution that it is unsustainable at least in Indian context due to adverse resource-population matrix. Accordingly it is devouring scarce resources, jeopardising interests of future generations. It is corrupting entire political, administrative and economic system. It is promoting societal dualism that is *a crime against democracy*. It should stand rejected unequivocally as damage is irretrievable.

People's assertion against consumerism: Neo-rich are indulging in consumerism and have become role models even for the deprived and disinherited. A new phenomenon of 'Pauper Nawabs' is being ushered in by electronic media. People's assertion against inequality is bound to have decisive impact, but only in due course. The question, therefore, is whether the 'Top 10' that have cornered 60% GDP can be allowed to sway the market under ploy of liberalisation and vulgarise community life that too under command of global forces. The issue has already come to the fore in areas where triumvirate of money-muscle-state power, out to capture resources, is being bitterly contested by disinherited. This people's assertion needs to be systematised urgently.

Dialogue, warning and direct action on selected points: Consumerist avalanche cannot be

checked by mere murmurs and stray confabulations. The indulgence in vulgar consumerism of neo-rich is a crime against democracy. It is polluting national life. It has to be brought to serious public debate. For example, rulers must answer -1. *Why air conditioning except in a hospital until every well in VIND gets power?* 2. *Why 5-Star Tourism at all that corrupts the youth and sets a bad example?* The people in GSs may consider enforcing discipline, severally and collectively, in their respective areas including concerned *quasba*, law or no law, and declare them as 'conditioner-free' so long as basic needs are not fulfilled.

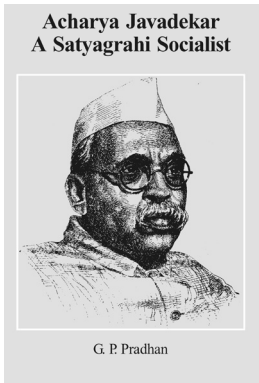
From crass consumerism to quality of life: The realisation that consumerism is not sustainable in India and Village India will be its worst victim has to be taken to its logical end. It is clear that buoyancy engendered in national economy cannot be allowed to be cornered by elite. It must be used for meeting basic needs of all. The domain of nonphysical 'cultural goods', has to be enlarged for enriching quality of life. Let every habitation develop as a 'universe', harnessing full potential of every citizen in various roles, for example in teaching, medicine, music, art, sport, adventure, science, besides being engaged in some economic activity for livelihood. There can be no upper limit for such activities even within the modest frame of sustainable development.

From centralised to non-centralised polity: The Founding Fathers had accepted centralised polity as inevitable in the prevailing situation *albeit* with faith in future. 'Constitutions are not only made, they also grow'. As potential power of

Village Republics as perceived while adopting Art 40 would be realised in real life, elements of centralisation were expected to wear off. But that was not to be. The prevailing winds turned in the opposite direction - acute centralisation and surrender before Global Gang. The crucial task now is to checkmate this process and ensure State's accountability to people in the image of, Gandhiji's Vision about India as 'Confederation of seven lakh Village Republics'.

The paper drawn on Author's 'Glimpses of Treachery with Village India'

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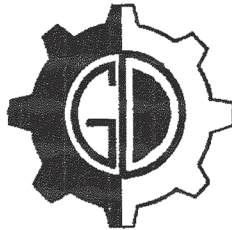
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