

# janata

Vol. 72 No. 11  
April 2, 2017

**A RSS takeover**  
Kuldip Nayar

**Why is the independence of  
the judiciary indispensable?**  
Prabhakar Sinha

**Experiencing Indian elections**  
D. K. Giri

**Union Territory  
status for Ladakh**  
Chandra Bhal Tripathi

Editor:  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)

## Ayodhya case - no scope for mutual settlement

**Rajindar Sachar**

The suggestion of the Chief Justice of India to even act as a mediator in pending Babri Masjid demolition case, showed his concern but was a little odd considering that it has come at the instance of an inter meddler, and without parties involved being before the Court — that is why it caused amongst the parties a certain concern. In my view Babri Masjid demolition case is not a matter for compromise. This case raises the deep constitutional concern regarding our Constitution which clearly says that India is a secular republic.

I was in Geneva attending U.N. Sub Human Rights Commission meeting when I was told the horrible news that came on T.V. that Babri Masjid had been demolished and saw the gory spectacle of B.J.P. hoodlums climbing the Masjid and breaking it down. B.J.P. UP Chief Minister Kalyan Singh's assurance to the Supreme Court that he will take full steps to prevent it was belied. The Supreme Court by a majority just accepted his apology instead of sending him to jail for contempt of

Court. But this was nothing compared to the ominous conspiracy of Congress Prime Minister Narasima Rao, who suddenly became inaccessible to senior journalists, his Home Secretary and even his colleagues.

I am also ashamed to admit the unworthy role of complicity of the judiciary which in spite of the injunction having given since 1949 against the public not to enter the area did not proceed against the violators — even the higher judiciary did not intervene — rather turned a blind eye. This was the time when the magnitude of danger should have been appreciated by all parties but was not.

The battle for secularism should have been joined with a singular determination of nipping the cancer of communalism. But then nothing was done.

I then made a public statement that; "Immediately the Government should have announced December 6, as a 'National Repentance Day' when people will fast and pray for

unity and welfare of all the communities". But the non-BJP parties analyzed the situation as merely one of law and order and thus acquiesced in this dastardly Act. Whatever the past history, all the parties let the matter go to Allahabad High court to give a decision. High Court has given a decision with which both parties are aggrieved. B.J.P. is still insisting that it would build a temple at the site where Masjid undoubtedly stood for over 500 years.

Muslims cannot obviously agree to a shameful compromise on sanctity of Masjid. The matter is already before the Supreme Court — it cannot run away from giving a decision which may not make everyone happy. But then it is their constitutional duty and it has no other alternative.

I cannot foretell the Supreme Court decision. But if past precedents are to prevail, then the case in favour of Muslims is invincible. I say this on the precedence of Shahidganj Masjid case (Lahore now in Pakistan) decided by the Privy Council in 1940. The Supreme Court need not decide on merits whether Babri Masjid had been in existence where Ram Temple had existed or not because that is of no consequence as it is not relevant to the decision of case. This is because even if was, there is no denying that Babri Masjid has been in existence since 500 years.

Now it is obvious to the meanest intelligence that it is impossible to prove that the birthplace of Lord Ram was under the masjid – it may be a matter of faith, genuine or contrived or otherwise, but that is no proof, nor can it ever be put

forward as a legal ground to take away the land from the mosque.

If the finding is that the masjid was not built on a Ram Birthday place, then the Muslims get the land back and will be free to use it in any way, including the building of the mosque.

Alternatively even if it is held that there was a temple on the land of Babri Masjid, even with this finding the suit by the VHP/RSS has to be dismissed. Admittedly, Babri Masjid has been in existence for over 500 years till it was demolished by goons of the VHP/RSS in 1992. Legally speaking, even then the Sangh Parivar would have no right even if a temple had been demolished to build Babri Masjid. I say this in view of the precedent of the case of Masjid Shahid Ganj in Lahore decided by the Privy Council in 1940. In that case there was admittedly a mosque existing since 1722 AD. But by 1762, the building came under Sikh rule and was used as a gurdwara. It was only in 1935 that a suit was filed claiming the building was a mosque and should be returned to the Muslims. The Privy Council, while observing that "their Lordship have every sympathy with a religious sentiment which would ascribe sanctity and inviolability to a place of worship, they cannot under the Limitation

Act accept the contentions that such a building cannot be possessed adversely", went on to hold "The property now in question having been possessed by Sikhs adversely to the waqf and to all interests there under for more than 12 years, the right of the mutawali (caretaker) to possession for the purposes of the waqf came to

an end under the Limitation Act". On the same parity of reasoning even if a temple existed prior to the building of the masjid 500 years ago, the suit by the Hindu outfits like Nirmal Akhara VHP/B.J.P. etc. has to fail.

There is another reason why in such a situation, the suit will fail because in common law, even a rightful heir, if he kills his ancestor, forfeits his right of inheritance. In the masjid case too there was a "murder most foul" and hence the murderer cannot be allowed to take the benefit of his own dastardly deeds, whatever the factual position may be.

Of course it is the privilege of the Chief Justice of India to constitute the bench. May however one respectfully submit that it may be more reassuring if a bench of seven judges or nine judges was to hear the appeal.

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank

in favour of

**JANATA TRUST**

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

## A RSS takeover

**Kuldip Nayar**

It looks as if the RSS has openly come out to appoint its nominees at different places of governance. If one were to look around in the country, the BJP, a political wing of the RSS, has already taken over most of the country. The presidential election is only a few months away. Yet again, the names tossed around for the top position are from the RSS parivar.

Today, there are as many as nine chief ministers of the BJP or, for that matter, the RSS pracharaks. They are: Manoharlal Khattar of Haryana, Trivendra Singh Rawat of Uttarakhand, Biren Singh of Manipur, Devendra Fadnavis of Maharashtra, Shivraj Singh Chouhan of Madhya Pradesh, Raman Singh of Chhattisgarh, Manohar Parrikar of Goa, Raghubar Das of Jharkand and the latest to join the list of RSS pariva is Adityanath Yogi of Uttar Pradesh, the most populous state in India with 80 Lok Sabha seats.

Above all, the country's Prime Minister Narendra Modi is an ardent RSS pracharak. He came into limelight after instigating riots in Gujarat where he was at the helm of affairs. When he became Prime Minister in 2014, he saw to it that the committed people from the RSS would occupy important positions of governance, both at the centre and in the states.

When he began the stint at the Centre, he did not give the impression of toeing the line of the RSS but as the days went by, he gradually showed his true colours. He brought in Amit Shah, his Man Friday, and foisted him

as president of the party. But it must be said to his credit that the BJP swept through to power in the country with 72 Lok Sabha seats from UP alone. Shah was instrumental in helping the BJP and its allies win 325 Vidhan Sabha seats out of 403 in the state.

The sweep in UP has helped the BJP gain a sizeable number in the Rajaya Sabha and with the party's two-thirds majority in the Lok Sabha, the presidential election looks a mere formality. Indeed, this gives the kind of confidence to both BJP and the RSS that whoever they put up as their candidate, there will be hardly any opposition. Even if there is a slight resistance from some of the non-BJP parties, it will only in name.

The names that are doing the rounds include L.K. Advani and Jaswant Sinha, former Finance Minister. Advani is a heavier name since he founded the BJP when the Janata Party was breaking up in 1980 soon after Indira Gandhi returned to power. She punished the BJP members with vengeance. Sinha, a former bureaucrat, has vast experience. Both seem to be dear to the public. There are also sympathizers within the party who favour their candidature because they have been sidelined since the advent of Modi.

However, the ultimate choice of the presidential candidate will depend on the Prime Minister. He is keeping the cards close to his chest and allowing the party to debate on different names. Modi will definitely want a person who will be at his

command. The two names that have emerged do not seem to fit into the scheme of things which Modi has in mind.

Finance Minister Arun Jaitley is too young and the Prime Minister needs him in the Cabinet and, among other things, he is very effective speaker in both the houses. Home Minister Rajnath Singh wanted to be the chief minister of UP. But now that Yogi is well entrenched as the state chief minister, Rajnath Singh might be looking at this coveted position. Lok Sabha Speaker Sumitra Mahajan, who has conducted the house in an orderly way, is also being spoken about as an appropriate candidate.

The ideal choice would be a candidate who is apolitical, popular and experienced. Pranab Mukherjee was selected as President because he was the hatchet man of Congress president Sonia Gandhi. The other reason for his elevation was that he was seen as an obstacle to Rahul Gandhi becoming the Prime Minister. However, Mukherjee was not above controversy either. As a head of state he should not have published his memoirs while in office.

Political parties were reluctant to criticise him because he is the constitutional head, as much theirs as that of those who elected him. Pranab Mukherjee has violated the demand of office by publishing his memoirs when he is still the President of India. Even Giani Zail Singh, former President, was without

*(Continued on Page 7)*

# Why is the independence of the judiciary indispensable ?

**Prabhakar Sinha**

From 1950 to 1993\*, the power to appoint judges of the Supreme Court and High Courts and also the power to transfer the judges of the High Courts were vested in the President ie, the Union Government. Till 1973, there was no interference by the Union Government, and it acted on the recommendation of the Chief Justice of India given after consultation with other functionaries mentioned in the Constitution. But in 1973, Indira Gandhi superseded three senior judges and appointed the fourth person (Justice AN Ray) as the Chief Justice of India. Why did she do it? In a case (Keshavanand Bharati), the three senior judges had rejected her government's contention that Parliament had absolute and unfettered power to amend the constitution. Earlier, the Supreme Court had held (in Golaknath, 1967) that Parliament could not amend the Fundamental Rights to infringe them. She had the Constitution amended to remove the ground on which the apex court had given the verdict\*. The government in Keshavanand had claimed that Parliament could even make India a Monarchy (it was said in answer of a query). This contention was rejected by the judgment in which seven judges rejected the contention of the government while the other six upheld it. The court held that Parliament could amend any part of the Constitution including the Fundamental Rights but could not violate its basic features. It also said that what the basic structure was could not be enumerated and would be decided by court when the issue was raised in a case. The judgment thus rightly gave the power

to Parliament to amend the Constitution but retained the right to stop its destructive power. Secularism, independence of the judiciary, democracy, etc are some of the basis features of the Constitution.

The judgment was given by a 13-member bench (7:6) by a majority of one. Indira Gandhi immediately retaliated by superseding three senior judges who had rejected her government's contention and appointed the 4<sup>th</sup> person in seniority as the Chief Justice of India. The judges were naturally scared.

During the Emergency, she transferred judges of the High Courts for giving judgments against the government, especially, those who quashed the detention orders under MISA. The judiciary was completely intimidated and surrendered to her.

In a case (ADM, Jabalpur vs Shivakant Shukla), the Supreme Court upheld the Indira government's contention that when the right to life and personal liberty was suspended during the Emergency the government could detain or torture a person and the courts could not interfere. One could even be killed by a policeman, but no action could be taken. So, the SC held that *we were without the right to life and personal liberty (art.21) because those rights had been suspended during the Emergency.*

A five-member bench gave the judgment - four judges upheld the government contention with one

judge H. R. Khanna giving a dissenting judgment. Indira Gandhi punished him by superseding him and making someone junior to him as the Chief Justice of India.

The judges are public servants and would serve under any condition prescribed by law. Their independence from the government is necessary for the citizens, who have to fight the mighty State and not the judges who are appointed to do a job. If the judges are obliged to the Executive for their appointment, they would side with the government and not the people. They would never dare give a judgment against powerful politicians. All the politicians are united in making the judiciary subservient by taking away or having a decisive say in the appointment of judges so that they may pack the judiciary with pliant judges and have the judgment they want. Modi government has managed to get the power to reject a name recommended by the Collegium in the name of the national security. Now, no aspirant for appointment to the High Court or Supreme Court would like to antagonise the government of the day. They would lobby and be obliged to the politicians helping them in securing the appointment.

There are shortcomings in the present system and reform is sorely needed, but they must be measures which do not erode the judiciary's independence. The independence is needed for us, the poor citizens oppressed by the mighty government, rather than the judges.

\* In 1993, the Supreme Court vested the power of appointments in a Collegium of judges.

# Experiencing Indian elections

D. K. Giri

A perceptive political commentator once remarked “Indian politics is electionised, not democratised”. His cryptic comment characterises Indian politics in two ways. One, the positive, is that Indian democracy holds free, fair - if we discount the murmurs about tampering of the electronic voting machines - and regular elections to all the three tiers of Government: Local Governments - the Municipalities and Panchayats; State Governments - Assemblies and the National Government - Parliament. The other, the negative aspect is that Indian elections have become a routine in democracy, without making any tangible or substantive impact on politics. What is more, the elections are bedevilled by the nature and profile of candidates, most of them have criminal antecedents; excessive use of black money, polarisation of voters on religion, caste, etc. which is unconstitutional. Yet, Indian politics is heavily punctuated by regular and recurring elections.

Having fought a Parliamentary election, and campaigned in quite a few, I have mixed feelings. One is reminded of the satire by the English Poet, Alexander Pope “The democracy is the madness of many, for the gain of the few”. But what is most surprising is the ignorance of many including the officials about the election process. Filing the nomination is such a complicated and confusing process. Someone commented and I agree with him, that “having one’s nomination approved in any election is election half-fought by the candidate”.

There is a universal demand for transparency in public duties and services. So is the case in India. But, if there is any department, that needs transparency, it is the Election Commission of India, its state offices, and Returning Officers. Because what I am going to narrate below will indicate how inaccessible and opaque the Election Commission is.

The Parliament election of 2014 was the beginning of my electoral participation. I went to the Returning Officer, District Magistrate, an IAS officer. Her office was like a market place with people swarming all over her office. The candidates and their supporters were trooping in and out. With some difficulty, I gained entry to enquire, but no one would give me the accurate information. I did not know then that there are so-called professionals, not the officials, who filled up the nomination forms, and gave authentic information. I do not use such touts around police stations, courts, transport authority offices, or election offices. I like to do it myself, as they overcharge and claim to have contacts inside such offices. That is partly a mistake I make. With all your knowledge of English and/or Hindi, you can go wrong at least on two counts. You may not have the right forms or you may not be able to understand what is written, and furthermore, there is more to what is written in the forms, and all the affidavits you have to give. Anyhow, I filled up the forms. I know some English, and the General Secretary of my party is good at Hindi, but no English at all. I thought, between two of us we

could manage. It took us time to get all the papers in place, so we managed to submit the forms only on the last day for nomination.

On the last day, the DM’s office was too crowded as Indians have the habit of doing things at the last moment. It was getting to 5 pm, the closing time. The DM decided to queue up the candidates with their forms displayed upto their chest for the officials to see that everyone in the queue had the forms. It reminded me clearly of a jail where prisoners are paraded for identification. I protested, “how can you do this to prospective members of Parliament, line them up as criminals waiting to be identified? You could fix a deadline for entry, and entertain those who were in”? But to no avail. The Returning Officers or the Election Officers are supposed to be quite authoritative and powerful. However, I submitted my forms. There seemed to be one mistake. We committed an oversight. In party nomination, there were two columns in the form ‘A’. The party nominates the candidate and in the second column, it withdraws the candidate. My General Secretary, not knowing English, in a bit of hurry, asked me to sign at both places. In deference to his seniority, again in a hurry, I signed them. When I realised it myself that we had done the mistake. I wanted to replace it with a new form as my General Secretary was present with me. They would not let me do it. I argued that one cannot withdraw a candidate before his nomination was accepted. I was told to put my views or grievances on

the day of scrutiny, which is video-recorded and open. As I was getting exasperated, a quiet gentleman sitting in DM's office said. I was right and the DM should listen to me. I found a bit later that the gentleman was the incumbent member of the Parliament, and interestingly, despite a battery of advocates accompanying him, one set of his nomination papers was rejected. And finally, on the day of scrutiny, both I and my General Secretary were there to plead that we withdraw the withdrawal. We gave a written application to support our case. The DM talked to two other senior IAS officers who were the observers. They suggested that the Returning officer should take a call on the issue. The Returning officer, sought to advise me if I would like to withdraw my candidature. This was not clearly her brief. I said a firm 'no' in indignation. Then she turned to one of the observers, who said, the party nomination form was a statutory document. The Returning Officer dishonoured the party nomination and I was declared an independent candidate, to the heavy dismay of my supporters.

The elections in the five states were announced - Uttar Pradesh, Uttarakhand, Manipur, Goa, and Punjab. We decided in our party to contest the elections in UP. We went to the Election Commission of India to get a common symbol for our candidates. The recognised parties have their permanent symbols. The unrecognised registered parties like ours had to follow a different procedure. That is if a party undertakes to contest 5 per cent of total seats (403 in case of UP), earlier it was 10 per cent, the party can be allotted a common symbol. If the party fails to honour the undertaking, the Election

Commission can punish the party. We put in the application, this time apparently a simple one. There was an affidavit to be attached, which was needed if the party contested in more than one state. That is what was written in the form, or we understood so much. When we put in the application, no one pointed out that our papers were not in order. We kept ringing them without any success. The stock reply was, if we got anyone on the phone, that all of them were too busy to take calls. Once, I had to really unfortunately shout at the principal secretary of the Chief Election Commissioner to elicit some news on our application. He did put me in touch with someone, but the person was of not any help. Finally, the parties waiting for common symbols had to do an impromptu sit-in strike to attract the attention of the officials. Some of them got the symbols. To our horror we were told that we had to do an affidavit; since that was not done, we were not to get the symbol. Our repeated pleas that the form was pretty unclear, and no one bothered to phone us or send an email to say we should do an affidavit. If the ECI could not communicate at all, why are the mobile phone and emails asked for in the forms? But, there was no impact.

As I write this, we are in the midst of filing nominations for Delhi Municipal elections. My experience reached the height of confusion, curiosity and consternation. As usual, the recognised parties could field candidates, nominate them. But, there is no clarity on whether registered parties can do so. Again we went to the ECI, at Ashoka Road, New Delhi.

As usual, there is no access to any official. There was only one

official at the mail desk whom one can talk to and get some information. He confidently said, we could put in an application for a common symbol, stating the names and wards for candidates with a copy to the State Election Commission who will allot as a symbol. This was a piece of informal information. The lady officially in-charge of the political parties told us on the phone that there was no provision for the unrecognised parties for a common symbol. I called a couple of Returning Officers who were listed on the Election Commission website to check on the common symbol. One of the two, very reassuringly said, they had received a circular that unrecognised parties can secure a symbol by applying to the state election during a stipulated time-period, and the time was over. I was not worried about the common symbol. but desperate and curious to know the rules. When I pointed out to the Returning officer endorsing the possibility of a common symbol, that Swaraj Abhiyan, a new registered party has filed a writ in the High Court for a common symbol, the Returning Officer feigned surprise that they should have gone to the court. There was no need. In the form, there is no column for registered parties. I asked the Returning Officer if an unregistered party can field any candidate without a common symbol. I was still waiting for an answer. In the meanwhile, High Court has dismissed the plea by Swaraj Abhiyan party. We may field our candidates as independents. What I narrated so far is about the level of knowledge of officials, and the system of sharing information with parties and candidates.

The other side is even funnier. The candidates wanting to contest elections give us jitters and jocular

tensions. In the last Assembly elections in Delhi, a lady was brought to us. She was keen to contest. I asked her if she knew the name of her Assembly. She did not. Why was she wanting to contest for the Assembly? What will she do? She said, she was promised by some of her friends that they will help her become an MLA, and she will then have a good life. In this Municipal election, the candidates coming forth have friends and supporters, but they do not know the name or number of their wards. They do not know the role of a councillor. Filing the nomination for them is getting a symbol which they can propagate for their votes. They are not aware of the MCD offices, the Voter Registration Centres, and the number of councillors.

What a state of affairs that exists in the largest democracy of the world! I knew that one will not know the complexities of the Indian politics on the ground, mainly the electoral process, until I muddled my feet in it. The experience is really telling comment on the praxis of Indian politics.

What we teach or read in the books is quite different from what happens on the ground. I am not talking about the distortions of institutions, corrupt or wrongful practices, but simply of procedures laid down in the rules and Acts, and supplying accurate information to the stakeholders. How appalling to learn that the officials sitting at the desk are ignorant and unhelpful. Why cannot Election Commission go on air, and to the media telling the correct procedure, step-by-step for filing nominations? Why is Election Commission so inaccessible? Why cannot they put up information desks at their offices to help out

information-seekers? These are the questions that any sound and healthy democracy should have. A citizen-friendly bureaucracy still eludes us,

*(Continued from Page 3)*

blemish. He installed Rajiv Gandhi as Prime Minister even before the Congress parliament party had elected him as leader.

Unfortunately, Rahul Gandhi has failed to make any impact while occupying the No. 2 position as vice-president of the Congress. Sonia Gandhi still has the tag of being an Italian. And, therefore, ruled out as effective support for any other candidate put up by opposition parties for the top position.

The communists are not taken seriously because of their dwindling strength in the country. They have gradually been losing ground even in those states where they held sway until some years ago. The regional parties except for the Nitish Kumar led alliance in Bihar and AIADMK in Tamil Nadu, hardly matter. All these

and the Election Commission of India is one big bureaucracy with a lot of perceived powers, but little transparency or efficiency.

leave the field wide open for the BJP or the candidate which RSS recommends, to make it to Rashtrapati Bhavan.

There is every reason to believe that the next President would be a person from the BJP-RSS stable. This would not really represent the real sentiment of the people. They would want a person who would translate their aspirations. Rulers of different political parties will have to sink their differences and cast their net wide so as to catch the prize fish. Unfortunately, there is none available in the political field at this moment.

The alternative can be an academician, a scientist, a jurist or someone else who has excelled in his field with the knowledge of political affairs. But that doesn't seem to happen.

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

by

**Rohini Gawankar**

Published by

**Kamalakar Subhedar,**

Secretary, Samata Shikshan Sanstha, Pareira Wadi, Mohili  
Village,

Sakinaka, Ghatkopar(W), Mumbai 400072.

Mobile: 9820092255 / Contribution: Rs.300+

# Union Territory status for Ladakh

**Chandra Bhal Tripathi**

On March 24, 2017 Jamyang Tsering Namgyal posted on Facebook an old report dated August 8 by Syed Junaid Hashmi with the caption 'Modi Sarkar paving way for UT status to Ladakh - Division inevitable'. (<https://www.facebook.com/#>). Since I was connected with Ladakh for more than two decades I thought it fit to record my comments and reminiscences on this issue.

The article misrepresents the situation of Ladakh. It contains two incorrect statements. The first of these is: "...Ladakhis have already bid goodbye to J&K by adopting a logo of its own and running parallel Government in the shape of Ladakh Hill Development Council (LHDC)," Ladakh comprising two districts, the Buddhist majority Leh District and the Muslim majority Kargil District, is at present a part of J&K State. It has its MLAs in the State Legislative Assembly and it always had a representative in the State Cabinet since 1950s. After a long struggle by the Ladakh Buddhist Association for granting of UT status to Ladakh the Central and the State Governments passed the Ladakh Autonomous Hill Development Council Act, 1995 and after elections the Council came into existence in 1996 with Tupstan Chhewang as the Chief Executive Councillor with the status of a Cabinet Minister and four other Executive Councillors with the status of Deputy Minister. No doubt this Council has been vested with limited powers in the sphere

of development but it would be incorrect to say that it functions as a 'parallel government'. The use of the term 'parallel' implies an antagonistic relationship as, for instance, in the parallel governments set up in 1942 during the Quit India movement by Nana Patil in Satara (Maharashtra), by Ajoy Mukherji and Satish Chandra Samanta in Tamluk (Bengal - now West Bengal) and by Chittoo Pande in Balia (UP).

The second incorrect statement is: "... it remains a historical fact that regional division of J&K has for long remained one of the cherished goals of Rashtriya Swayamsewak Sangh (RSS), the ideological arm of Bharatiya Janata Party (BJP)." It is giving undue credit to the RSS which was not in the picture at all until 20 years ago. The saving grace is that without any reference to the RSS the writer admits: "J&K Government's utter neglect has resulted in Buddhist dominated Ladakh region seeking union territory status and separation from J&K. Legislators of Congress and BJP have been unanimously demanding UT status for Ladakh."

It is a well known fact that Ladakh was utterly neglected and discriminated against by the rulers in Srinagar. The Buddhist leaders from Ladakh like Lama Lobzang and P. Namgyal, T. Samphel, Thupstan Chhewang, Nawang Rigzin Jora and many others had been agitating against this discrimination and lack of development for decades.

Many of them faced police brutalities too. Convinced that they could not get a fair deal from the State Government they had been demanding a Union Territory status for nearly 50 years. To assuage the sentiments of Ladakhis Prime Minister Indira Gandhi visited Ladakh in early 1980s and made a public statement that "we have declared Ladakh a Scheduled Tribe Area". The lady did not know that there is nothing like a 'Scheduled Tribe Area' in our Constitution. There are Scheduled Tribes under Article 342 of the Constitution and there are Scheduled Areas under Schedule Fifth to the Constitution which were known as Partially Excluded Areas before the promulgation of the Constitution. A State may have Scheduled Tribes, even a Tribes Advisory Council (such as in West Bengal) but may not have Scheduled Areas. In the case of Ladakh at that time there were no Scheduled Tribes and so the question of having Scheduled Areas did not arise at all. To overcome the faux pas committed by the then PM, Lama Lobzang was requested to furnish a detailed proposal to include certain deserving communities of Ladakh in the list of the Scheduled Tribes. At that time I was working as Director for SC&ST at Bhubaneswar under the National Commission for SC&ST but I used to visit Delhi often for official work. At the instance of Lama Lobzang I prepared ethnographic notes on the different Buddhist communities of Leh District and the Muslim communities of Kargil District which deserved to be included in the ST



list. Based on those notes the Ministry of Welfare prepared a Cabinet note. It took a few years before the Parliament passed an Act to amend the ST list during the Prime Ministership of Rajiv Gandhi and the President promulgated the Constitution Order in 1989 declaring ten communities of J&K as Scheduled Tribes. Subsequently two more communities were added to this list.

It should be noted that the ST list of J&K includes not only the Buddhist communities of Ladakh but also Muslim communities of Baltis and Dardis of Ladakh (Kargil District) as well as semi-nomadic Muslim communities of Bakarwals and Gujjars of Kashmir valley and Jammu region who spend the summer in Kashmir valley and migrate to Jammu region during the winter. In fact, the demand of Bakarwals and Gujjars for inclusion in the ST list was quite old. Around 1965, while I was working at Chandigarh as AC (later designated as DC for SC&ST) and Asoka Mehta was Union Minister of Planning and Social Welfare, I was asked to conduct a survey of these two communities and submit my recommendation in response to their petition for being declared Scheduled Tribes.

I should record an interesting and important story. In the summer of 1978 I went to Srinagar and Ladakh with my family on LTC. At Srinagar we were hosted by D D Thakur, Deputy CM of J&K, who had been a good friend of mine since early 1950s at Lucknow University. One day he requested me to come to his office in the Secretariat at 10:30 am and did not disclose the purpose. When I reached his chamber I was amazed to find that he had invited

six Ministers including the Revenue Minister P L Handoo to listen to me about the Constitutional provisions relating to the ST and the Scheduled Areas. I told him that I was a minor fry in the bureaucracy and it would be presumptuous on my part to speak on the subject before high dignitaries. Thakur Saheb explained that there had been long pending demands from communities in the State for inclusion in the ST list but Sheikh Saheb (Sheikh Abdullah, the then CM of J&K) was strongly opposed to these demands because he thought that by doing so these areas would become Scheduled Areas which would mean interference by the Central Government in the affairs of the State Government. The reason for this misgiving was that the Governor of a State having Scheduled Areas is required to submit an Annual Administration Report on the Scheduled Areas to the President of India. Nowadays the Governors of the concerned States might be submitting their Annual Administration Reports on the Scheduled Areas to the Union Home Minister but I have personal knowledge that a Governor like Dr. Sampurnanand (Governor of Rajasthan around 1960) would correspond with the President on this matter and would not be guided by the CM regarding the contents of his Report. Anyway, at the instance of Thakur Saheb, to quote his words I had to 'educate' his Cabinet colleagues on these matters. (By the way, I am really surprised how ignorant many of our Central Ministers and MPs including SC/ST MPs are regarding the Constitutional provisions and Central Acts for SC&ST. For instance, almost all politicians including Ministers and MPs believe that the original Constitutional provision for reservation in services for SC&ST

was for 10 years only. They have to be told that the original period of reservation for 10 years was in respect of seats in Lok Sabha and State Vidhan Sabhas, i.e., political reservation under Article 334 of the Constitution. That Article is amended every 10 years just before the expiry of the period of political reservation in order to extend its validity for another 10 years. So far as reservation in services or educational institutions is concerned there were executive orders only and no period was laid down.) After the said informal meeting the Ministers might have explained to Sheikh Saheb that there was no question of Ladakh or any part of the State being declared a Scheduled Area as the princely State never had any Partially Excluded Area in the past and so the State Government should not deprive the disadvantaged people of the State from availing of the benefits available to the ST.

To continue the story of the Ladakhis' struggle for UT status under the leadership of the Ladakh Buddhist Association, as stated above, a via media was reached by the establishment of the Ladakh Autonomous Hill Development Council in 1996. Previously I had been drafting memoranda and petitions on behalf of the LBA at the instance of Lama Lobzang. When the setting up of the LAHDC was agreed in principle I was requested by him and two prominent leaders of the movement, Thupstan Chhewang and Shri Jora, to study the constitutions of other autonomous councils like that of Darjeeling (obviously there could be no comparison with the Autonomous District Councils under the Sixth Schedule to the Constitution) and draft a Constitution and Rules for the LAHDC. In consultation with the

## **Rajya Sabha must protect the spirit of the Indian constitution**

leaders I prepared the first draft of its Constitution and we got it vetted by D D Thakur. It was submitted to the concerned authorities and after due deliberations the necessary legislation was passed, elections were held and Thupstan Chhewang became its first Chief Executive Councillor and Shri Jora an Executive Councillor. Both Shri Chhewang and Shri Jora were kind enough to thank Thakur Saeb and me and, as a token of appreciation, presented us beautiful Ladakhi carpets.

In June 2000 Prime Minister Atal Bihari Vajpeyi inaugurated the new office complex of LAHDC at Leh. He also inaugurated the Sindhu Darshan Festival with a lot of fanfare. Thupstan Chhewang was kind enough to invite three of us, two journalist friends and myself, to attend the function of the LAHDC at Leh. I am describing this to dispel the misconception that the RSS was very active in the area and had been prodding the Ladakhis to separate from J&K State.

That official function in 2000 was being compered by an RSS worker, Tarun Vijay. Union Home Minister L K Advani also addressed the gathering comprising a big chunk of Sindhis from various parts of the country. It is learnt that Advaniji and Tarun Vijay had visited Ladakh for the first time in 1996. Only after that visit Advaniji is reported to have been thrilled to learn from CM Dr. Farooq Abdullah and Lama Lobzang that the Indus flowed by Leh. He thought that the Indus flowed through Pakistan only! On both these counts I wrote in a political quarterly journal Border Affairs edited by Pushp Saraf who was  
(Continued from Page 13)

Just a few days ago, citizens of this country watched in shock and horror as the Finance Bill, 2017 was passed in the midst of a walk out by the Opposition in Lok Sabha. In introducing the bill as a Money Bill, the Government has continued the abuse of process where vital debates on the controversial Aadhaar (Targeted Delivery of Financial and other Subsidies, benefits and services) Bill, 2016 were avoided by tabling it as a 'Money Bill'. The massive 92-page document of the Finance Bill, 2017 includes 40 amendments to a number of Acts. These amendments have far reaching consequences for not only several significant laws but the very nature of Indian democracy and constitution.

Following this abuse of process and avoidance of scrutiny, more than 175 persons from across civil society have written to the Vice President of India. Signatories include Fali Nariman, Prabhat Patnaik, Aruna Roy, Zoya Hasan, Medha Patkar, Jayati Ghosh, Swami Agnivesh, Usha Ramanathan, Bezwada Wilson, TM Krishna, Nandita Das, etc.

The letter asks the Vice President to "allow extensive and uninterrupted discussions into every aspect of the Bill No. 12-C of 2017 in the Upper House and put all these on record and do everything else in your power to ensure that the practice of by-passing important Bills by illegitimately classifying them as Money Bills is immediately stopped."

As per this Bill, the Aadhaar card will be mandatory to file income-tax returns from July 1. The legislation also makes the unique ID compulsory to apply for a permanent account number (PAN). Speaking on the subversion of the parliamentary process in this manner, Aruna Roy of MKSS said, "In deliberate and shocking perversion of legislative procedures, the Finance Bill goes much beyond its limits to destroy basic democratic and fundamental rights."

The Finance Bill includes amendments to the Telecom Regulatory Authority of India Act, Companies Act, Employees Provident Fund Act, Information Technology Act, Smuggling and Foreign Exchange Act etc. It also allows funding of political parties to become even more opaque, increasing the potential for corruption.

Jagdeep Chhokar of the Association for Democratic Reforms stated that amending forty pieces of legislation through the Finance Bill, 2017, without application of mind of the Rajya Sabha, runs completely against the spirit of the Indian Constitution. Speaking on the proposed amendments related with political funding, he said, "Allowing electoral bonds on the donor's side and removing the name of the recipient brings in complete opacity in political funding. This must be critically examined."

Well-known Economist Jayati

Ghosh stated that “The Bill contains several provisions that will drastically increase “black money” and corruption. While the Government and the Speaker have ignored the concerns raised by the Opposition in the Lok Sabha, it has become a duty to speak out and raise concerns following the passage of a Bill that has in one fell swoop affected so many multiple rights that we normally take for granted.”

Some of the signatories have asked for an appointment to meet the Vice President and present the letter and their concerns in person. An online petition has also been put up to garner more support on this issue. Copies of the letter were sent to members of the Opposition and the Rajya Sabha from different parties with the hope that a resolution might be moved stating that this bill cannot and should not be considered a money bill.

The text of the letter to Chairperson of the Rajya Sabha, says:

As concerned citizens of India, we are appalled and dismayed at the Government’s use of Money Bills to push through important legislation that affects all citizens, without requiring approval by both houses of Parliament.

This undemocratic strategy has already been employed in the case of the Aadhaar Bill, even though it contains many provisions that go well beyond is-sues relating to taxation and money appropriations of the government, which will directly affect every citizen of the country in numerous ways. Despite the fact the millions of

citizens will be denied their rights because of this, the Bill makes access to many essential and other public services contingent on Aadhaar. It is already evident that making it compulsory in food distribution in some states has excluded many needy and deserving citizens without cause. The Bill allows for unprecedented surveillance of every citizen and massive invasion of privacy. These can be used by governments at different levels to target political opponents and dissidents, as well as others. Because it enables data sharing even by private companies, it renders all citizens vulnerable to identity theft, fraud, cyber-piracy, data breaches and other uses of their personal data with very serious security implications. Furthermore, the protections and cyber-security provisions in the Bill are inadequate and do not meet the standards prevalent in most countries. Despite all these concerns, the Bill will not even be debated in the Rajya Sabha and has not been subject to adequate public scrutiny.

The most recent and alarming case of passing important and far reaching laws in the guise of Money Bills is the inclusion in the Finance Bill of some very important features that actually have no place in such a Bill and deserve to be independently discussed and debated. The Bill contains several provision that will drastically increase “black money” and corruption. An important provision would enable political parties to receive unlimited and anonymous funding from corporate entities and from abroad, and will make electoral bonds anonymous. Since it is well

known that political funding is probably the most important source of corruption in the country making it more opaque flies in the face of claims to greater transparency and will make matters even worse than they are at present with terrible implications for electoral democracy in the future. It is also in complete contrast to the treatment meted out to NGOs and civil society groups fighting for people’s rights, who are not being allowed to receive legitimate funds on dubious grounds. The Finance Bill also gives sweeping powers without accountability to the Income Tax department, which can encourage extortion at all levels.

Such Bills, which have serious implications for democratic functioning and financial security of all citizens, require serious and extensive public discussion and debate at all levels, with knowledge of the full implications of all of their provisions. Therefore, they cannot and should not be passed as Money Bills. We, therefore, appeal to you to at the very least allow extensive and uninterrupted discussions into every aspect of the Bill No. 12-C of 2017 in the Upper House and put all these on record and do everything else in your power to ensure that the practice of by-passing important Bills by illegitimately classifying them as Money Bills is immediately stopped. We appeal to you to protect the rights and duties of the Upper House and the interests of all the people of India. These Bills and the relevant provisions that cannot be described as routine in any sense, must be subject to proper democratic scrutiny in both houses of Parliament.

# What's really driving big push for Aadhaar?

**Yogi Aggarwal**

The most important result of the BJP's landslide victory in the elections to the Uttar Pradesh Assembly last month was not the installation of Hindutva diehard Adityanath Yogi as the chief minister. Within a few days of the stunning result, the finance minister introduced the Budget with 33 new unannounced clauses in various bills that immediately became law. This was done by passing them as "money" bills that does not require the Rajya Sabha's approval. This means that these amendments were passed without debate in a day.

The government "cleverly let MPs from major parties give their speeches before they dropped the amendment bomb" – tweeted Meghnad, a BJD MP. The important changes to Indian law included making it compulsory for all taxpayers to submit an Aadhaar identity card by July 2017, their PAN card being no longer enough, and in none of the donations by cheque to political parties need the identities of the donors be revealed.

These were startling changes to the law with far-reaching implications. The Supreme Court had made it clear in October 2015 that Aadhaar was voluntary and could not be made mandatory. The court had repeated this position in September last year and made the Narendra Modi government remove a condition making it compulsory for students to give their Aadhaar numbers for various scholarship schemes. By

allowing political parties to not disclose the names of large donors, the government was tightening the grip of big business over politics and giving a ready advantage to a ruling dispensation such as itself to corner most of the money.

The Modi government was taking advantage of its strong win in UP to take steps that weakened the democratic nature of our polity. Its appointment of Adityanath Yogi – with several criminal cases of murder, intimidation and rioting against him – showed its confidence in pursuing a divisive right-wing path. It further showed its confidence in forming governments in Goa and Manipur despite not having the required majority.

Finance minister Arun Jaitley made a fantastic claim that the permanent account number (PAN), which is essential for all tax returns, is not reliable since many people have multiple PAN, which are used to evade tax. As an example, he said, though there are over 240 million PANs in the country, less than a million are linked to Aadhaar cards. This is the first time the government has made such a claim without bothering to verify it. The numbers are unbelievable, around 250 PAN cards for every card linked to Aadhaar, indicating that by giving his PAN card is enough for the taxpayer without the need for an Aadhaar card.

Nevertheless, the government

maintained that an advantage of linking Aadhaar to PAN will "be a big source to gather banking transaction information, which can be an important indication of a person's income profile".

It is part of the government tightening its surveillance of citizens. Nandan Nilekani, the first chairman of the scheme, succeeded in creating the world's biggest surveillance engine, monitoring 1,200 million people, several times more than in any other country.

It ensures that any government will have complete access to all the data of the citizen and can use it to manipulate any one at will. Control of citizens is increasing by the day. Initially, people only had to get an Aadhaar card if they wanted subsidised LPG or kerosene, but the list expanded.

Now, proof of enrollment in Aadhaar is necessary for several vulnerable groups – including women rescued from trafficking, workers engaged in forced labour, schoolchildren between six and 14 years of age and people with disabilities – to continue to receive government benefits. Schoolchildren, for instance, will not be served mid-day meals from June if they are unable to present their Aadhaar credentials.

Now, since most people pay tax in one form or another, replacing the tried and tested PAN card with the superfluous Aadhaar will mean that surveillance will extend to

increasing parts of life. It's becoming reminiscent of Nazi Germany, when a similar system was used to identify and isolate Jews and other minorities.

Much has been made between Aadhaar and the US social security number. But the differences are greater than any similarities. Aadhaar uses fingerprints and eye biometrics to identify the person uniquely. The social security number originated in the years of the Great Depression, when it was used to track the earnings of workers and compute the amount of social security benefits to be credited to their accounts. The US government decided not to collect fingerprints, since "the use of fingerprints was associated in the public mind with criminal activity, making this approach undesirable", notes the Social Security Administration,

And its website states: "The card was never intended to serve as a personal identification document."

Aadhaar is being used as an identifier to link databases, which makes it easy for government officials to gain access to personal user information, such as bank records, education data, health records, and for surveillance of phone calls and data usage. This data was not linked; under Aadhaar it is. Taking this further, the government is thinking of linking the Aadhaar number to mobile phone numbers.

The present government's rush to push for Aadhaar despite the Supreme Court's many objections and the misgivings of many critics

is in line with its eagerness to push digital money transactions. It is not just an attempt at modernisation, but having greater control and surveillance. As the demonetisation experiment proved it could bring great inconvenience to the public but not necessarily affect the government's ability to put a spin on it to sway voters. Even more than demonetisation, Aadhaar could be sold as being good for

the country since it gives greater control to the government.

Government control is one thing. Private profit is another. Nandan Nilekani, in a foreword to a report by investment banker Credit-Suisse, noted that the use of Aadhaar by the financial sector could open up a \$600 billion business opportunity. No wonder private companies are rushing to get their hands on the Aadhaar numbers.

—*The Asian Age*

*(Continued from Page 10)*

also a special invitee to the said function. I understand that since 1997 an annual Sindhu Darshan is being organised. To that I commented in my article that this Sindhu Darshan should not deteriorate into a Sindhi Panchayat and instead a genuine Ladakhi Cultural Festival should be held at Leh annually. I have not closely followed the developments since I was advised not to revisit Ladakh on medical grounds (breathing problem arising out of altitudinal factor). Thus, the entry of the BJP in Ladakh is hardly two decades old.

It is rather unfortunate that the solidarity of the Ladakhi Buddhists has been broken with the advent of the BJP. In the past more than 50 years Ladakh was a stronghold of the Congress. Its most respected leader was Kushok Bakula le (le=ji). Head Lama of Ladakh, who was a State Minister in early 1950s, later an MP, founder of Ladakh Bauddha Vihara in Delhi, India's Ambassador to Mongolia for a long time. Even in 1977 when the Janata Party swept the General Election in the country Rani Parvati Devi, the erstwhile

Queen of Ladakh, was elected to Lok Sabha from the Congress. P. Namgyal was a Minister of State in Rajiv Gandhi's Cabinet. Thupstan Chhewang, a former officer of All India Radio and son-in-law of Rani Parvati Devi, was initially a Congress MP. Unfortunately today the Ladakhi Buddhist community is divided into two camps, one led by the old guard of the Congress (P. Namgyal, T. Samphel, Jora and others) and the other led by the BJP represented Thupstan Chhewang, MP, and blessed by Lama Lobzang.

It is high time that Ladakh which has no ethnic, cultural or linguistic ties with the Kashmir valley or Jammu region, should be given the status of a Union Territory. Even the Shia Muslim communities of Kargil District like Baltis and Dardis have no affinities - ethnic, cultural or linguistic - with the Sunni Muslims of Kashmir valley. The people of Ladakh have always been patriotic and believed in a policy of religious accommodation. They follow the teachings of Buddha and in modern times they draw inspiration from His Holiness Dalai Lama. We salute them.

# Stand Against Religious Bigotry, Defend Democratic Rights of all Citizens of India

People's Alliance for Democracy and Secularism (PADS) condemns the murder of rationalist H. Farook in Coimbatore, Tamilnadu on March 16, 2017. Farook was a member of Dravidar Viduthalai Kazhagam (Dravidian Freedom Organisation) which is inspired by the rationalist ideas of Periyar.

According to the police, the six men who killed Farook were self-radicalised and 'claimed that their radical thought had justified the murder of a Muslim who had deviated from faith and they are proud of what they had done'. After Dr. Dabholkar, Com Govind Pansare and Professor Kalburgi, Farook is the fourth rationalist who has been murdered by the so-called champions of religion. On the same day, i.e. March 16 Prof Narendra Nayak, the president of Indian Federation of Rationalist Associations was threatened with assault in Bangalore.

On March 19 in Jaipur a group of *gau rakshaks* led by one Sadhvi Kamal Didi vandalised a hotel and assaulted its staff claiming that it served beef. This violence occurred in the presence of the police. A repeat of Dadri violence last year was narrowly averted. In UP a number of meat shops have been burnt down by vigilante mobs after Mahant Adityanath Yogi's administration sealed a number of abattoirs. While it is beyond dispute that economic activity should be regulated, why have only these two activities been targeted, and what right the mobs have to attack any shop?

These are some of the latest instances of increasing violence in the name of religion in India. In fact, all of South Asia has become a battleground for religious fanatics hell-bent upon subjugating citizens' freedoms via violence and killings.

Dissent from orthodoxy is a feature of religious history and is responsible for religious reform. Such dissent has also contributed to the growth of humanist and democratic values, which are the guiding principles of the Indian constitution and underlie the fundamental rights of all citizens. These rights include the freedom of conscience, the freedom of believers to profess and practice their religion, and also the freedom of non-believers to lead a life of dignity with their agnosticism or atheism.

However, state authorities often disregard constitutional provisions. Rather than upholding the citizens' freedom to lead a life of their choice, including the right to eat food of their choice, police and judicial system routinely penalise citizens for 'hurting religious sentiments' of one or the other community. Murderers of Dabholkar, Pansare and Kalburgi are at large, and their political patrons have suffered no damage. In Jaipur police sealed a hotel on a mere allegation, while the FIR for violence on hotel staff does not even mention the sadhavi who led the mob.

Violence in the name of religion will not lead to any golden

age. The consequences of religious authoritarianism are visible in Pakistan. The Hindutva brigade is cultivating a similar scenario in India. It wants to attack or threaten all those who disagree with its ideas or diktats. Political parties must realise that their existence depends upon the constitutionally guaranteed rights of Indian citizens. The cultivation of religious aggression is sheer opportunism; and prepares the ground for the sabotage of democracy by authoritarian forces.

PADS appeals to all Indians, irrespective of their religious beliefs, creed, or caste to stand against communal hatred and violence. The people committing or instigating this violence may appear to be targeting only rationalists and minorities today. In actual fact they are enemies of democracy and freedom. All of us who value our constitutional rights must unite to defeat such forces. PADS demands that state authorities stop collaborating hooligans and vigilante mobs, and fulfil their sworn duty to protect the lives, property and civil liberties of all citizens.

— **Battini Rao, Convenor, P.A.D.S**

**Janata**

is available at

<http://lohiatoday.com>

## Gujarat fishermen's arrest

In recent years, fishermen of both India and Pakistan are regularly arrested on the grounds of having entered into the territorial waters of the other country.

Last week, 100 Indian fishermen from Kutch region of Gujarat who went for fishing in 18 boats were arrested by Pakistan Maritime Security Agency while fishing off Jakhau coast. Last month another 115 fishermen were arrested by PMSA and their 19 boats were confiscated. In the month of March alone 225 fishermen and their 30 boats were taken under control by the PMSA.

Conversely, Indian Coast Guards have arrested 9 Pakistani fisher men who were fishing in a boat off Jakhau Coast of Kutch.

During a search done by the Border Security Force of India in the Sir Creek region of Kutch district, 4 boats of Pakistan were found abandoned and were confiscated.

Since the arrest of Indian fishermen by Pakistan is great escalation in the past one month, the Indian fishermen of Gujarat, Diu and Daman are afraid to venture into sea for fishing and are in confused state of mind.

Such sudden surge of arrest and confiscation of boats can have an adverse impact on the life of the fishermen driving them to an unwanted turning point.

Thousands of them being deprived of livelihood may end up in starvation. As the season so dry, thus devoid of agricultural labour opportunity, the fishermen, without fishing or a known alternative, may be forced to take their life off.

The NFF feels that it is not only the fisherfolk and their families but the community suffers, the young children are deeply affected by family members getting arrested, it hits their upbringing, the rigour and support they need to carry on their education.

It is high time that the Indian Coast Guard and the MSA must dialogue on this issue specifically since it is a violation of human rights and also a violation of the United Nations Convention on Law of the Sea. A meeting is scheduled next month and we urge both the governments to discuss this issue in detail.

A revival of various mechanisms like the India Pakistan Judicial Committee on Prisoners, since it

affords the arrested people an opportunity to put forward their case status, their grievances, health related issues are required.

The fisher people of both the countries have since years been demanding for a No Arrest Policy which has not even been considered for discussion till now.

Both the countries should come forward to take such progressive policy decision.

Though we are glad that the present union government was able to get about 400 Indian fishermen released from Pakistani prisons between December 2016 and January 2017, this massive arrest is causing concern and anxiety.

The Government of India shall take action on war footing and ensure that the misery of the fishermen is been reduced.

We request Honourable Prime Minister Shri. Narendra Modi and Honourable External Affairs Minister Shrimathi. Sushma Swaraj to be directly involed in resolving this issue.

M. Ilango, Chairperson, National Fisher folk Forum

The world's largest garment companies have all been linked to cotton spinning mills in India, which routinely use the forced labour of girls.

The lowest-paid workers in the most precarious conditions are predominantly women and girls.

Across the world, corporations are relentlessly squeezing down the costs of labour — and ensuring that workers and producers in their supply chains get less and less of the economic pie. This increases inequality and suppresses demand.

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, April 2, 2017 & Posted on Wednesday April 5, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 12  
April 9, 2017

**Role of Education in Preventing  
Violence and Promoting Peace  
and Welfare\***

Ravi P Bhatia

**The Future of the  
European Union**

D K Giri

**Kashmir: Finding Solutions**

Pannalal Surana

**The Defeat in UP: Listening  
to GGP**

Editor :  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)

## **If Any Thing is to Be Banned It Should Be Private Schools And Hospitals**

**Sandeep Pandey**

Among the first decisions of the Yogi Adityanath government in Uttar Pradesh was to ban abattoirs and form anti-Romeo squads. First it was said that all slaughterhouses will be closed but later the government retracted and it was clarified that only illegally operating ones will be closed. But the atmosphere created due to this arbitrary order was that even ordinary meat shops were closed. This included other kind of meat as well – mutton, chicken, etc. A large number of people working in the meat industry were suddenly out of a job. The daily wagers were hit most badly. In the name of anti-Romeo operations even genuine couples were harassed. Government's interference in private lives of citizens has created a mood of despondency in the state. Worst is that the effect is spreading to other Bhartiya Janata Party ruled states. In Gujarat now, cow slaughter could attract life imprisonment.

After the ascendancy of Hindutva politics a new trend has set in. Even though there are

already existing laws concerning cow slaughter, the fact being that in the name of banning beef most businesses which are being targeted deal with buffalo meat. Or in the guise of preventing harassment of women on the street, vigilante groups have surfaced which are more than willing to take law into their own hands, sometimes with fatal results. No other mainstream political party in India has cadres of this nature. Maoists or Naxalites exist but most are associated with banned organisations. A peculiar situation has been created in which people suspected of having consumed beef or expressing love in public could be beaten up but the people openly instigating violence could go scot free. The Chief Minister of UP has himself been involved in provoking violence in the past by his inflammatory speeches.

BJP government has been successful in deflecting attention from far more pressing concerns. For example, lately farmers' suicide has become a phenomenon in UP.

BJP's prominent election promise was to waive loans taken by farmers. But obviously it is not considered a priority issue. Is it because this issue would not result in any communal polarisation advantage? The actions of BJP government and the party are fast polarizing the communal divide throughout the country. This was probably the objective of making Yogi the Chief Minister. The politics of ban suits right wing parties like BJP and Shiv Sena because it has immediate polarisation effects.

However, if the BJP governments want to indulge in ban politics, like they demonstrated by banning big denomination old notes and now slaughterhouses, they should choose to ban private schools and hospitals which have become a curse for their supporters. The ban on alcohol in Bihar and other places has helped the poor but a ban on private education and health care institutions would be beneficial for all.

Rich parents are harassed because of high fee charging institutions where their children study which are ever-ready to extract more money in the name of one activity or the other. The schools don't follow the government prescribed norms when raising fees for the subsequent academic years. The children have to study in extremely competitive set ups which distort their personalities. Private coaching institutions have aggravated the problem. They are responsible for serious damage to the emotional well being of our children and youth. In spite of the Right of Children to Free and Compulsory Education Act of 2009 in place the expensive private schools are averse to admitting children from weaker sections and

disadvantaged groups under section 12(1)(c) of the Act and thereby are guilty of violation of law. The City Montessori School of Lucknow, which educates more than 50,000 children in its over 20 branches, brazenly refused admission to 58 children in 2016-17, whose admissions was ordered by the district level education officer, and remained unscathed. The very high fee charging private schools have become more powerful than the district or sometimes even state level officials and operate like mafia. Like all powerful businessmen they know how to influence the governments.

Private hospitals have flourished like private schools but have discarded the notion of medical practice being a service to humankind. Most of them are money making enterprises which are not guided by moral principles. Patients are burdened with unnecessary tests, medicines and treatment of inferior quality with no guarantee for cure. The patient could be held captive until the bills are cleared. There is a nexus of hospitals, ambulance services and middlemen which land unsuspecting patients in the hands of people who are zealous to fleece their clients. The government hospitals on the other hand may appear inefficient and unhygienic but still offer more genuine and honest services when compared with their private counterparts.

Why has the state adopted a policy of throwing common people to vultures in these two fields. After all, education and health care, are basic needs of human beings along with food, clothing and housing, which guarantee them a life of dignity. The deliberate deterioration

in quality of government schools which has been allowed has been lamented by Justice Sudhir Agarwal of Allahabad High Court in his August, 2015 order in which he asked the UP government to make it compulsory for all receiving government salaries to send their children to government schools.

People are waiting for emancipation from the clutches of private education, including coaching, and health care institutions bent upon exploiting them. BJP governments would do some good if they are able to bring a ban on them into effect and nationalise all education and health care services.

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank

in favour of

**JANATA TRUST**

D-15, Ganesh Prasad,  
Naushir Bharucha Marg,

Mumbai 400 007

# Role of Education in Preventing Violence and Promoting Peace and Welfare\*

**Ravi P Bhatia**

Most societies are burdened with socio-political inequalities, class, racial, religious disparities, gender discrimination, and the urban and rural divide, that lead to violence and conflict in society. Unless these structures are done away with, there is little likelihood of a peaceful, nonviolent society. While the state needs to reduce if not eliminate these inequalities through relevant laws, policies and programmes, the role of education is also essential.

Governments and scholars now agree that education is a desirable objective in itself and is also the means for inculcating right attitudes and morality among people. It is also essential for the material development of society by reducing poverty and want. It helps to empower people especially the downtrodden ones. Countries with high achievement levels in the field of education also have high indices in other areas like food availability, health, longevity, and general welfare. It contributes to reducing infant mortality rates and curbing population growth.

We also know that education helps us in understanding developmental issues and transformation of society into a more just, peaceful, and equitable one. It also helps us in understanding and analysing concepts of violence and peace. A proper and relevant educational system helps to foster awareness of the society – both human and the environment, which

leads us to cultivate a healthy value system of living together in harmony and treating others with respect and dignity. It also helps to develop a proper attitude including the right to life of others and non-killing of infants or of rejecting foeticide.

Can education help us to avoid or reduce conflict and promote peace? It is an uphill task, but not an impossible one to redesign educational objectives to highlight the evils of violence and offer non-violent means to avoid conflict and violence.

Before delineating this aspect, let us briefly recapitulate some principal objectives of education. According to scholars, some principal ones are:

- Empowerment of people and society
- All round development of the child
- Overcoming ignorance and prejudice
- Generation of skills, knowledge and technology
- Development of values, social norms of living in harmony with mankind and nature
- Development of the society – including production, creating wealth and improving the wellbeing of people, reducing social, economic, educational, and other inequities

- Providing employment opportunities
- Answering philosophical questions such as the place of man in the world, the future of mankind, the role of religion and peace.

Many of these aspects are covered in the Universal Declaration of Human Rights (1948) in Article 26 which outlines the role and benefits of education for the full development of the human personality and to the strengthening of human rights and freedom. Article 26(1) reiterates the right of everyone to free education at the elementary stage. Article 26 (2) covers the basic objectives of education which are outlined below:

Education should be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups and shall further the activities of the United Nations for the maintenance of peace.

More than 90 years ago, Gandhi propagated simple and far-reaching objectives in his concept of *NaiTaleem* (New Education Policy). He felt that a proper education system would help in creating right attitudes of love, truth and non-violence. He spoke of education for both boys and girls, for urban and

*(Continued on Page 15)*

# The Future of the European Union

D K Giri

After Britain voted to exit, the European Union, the most successful regional integration in the world has apparently plunged into a survival-crisis. Many Europe watchers are predicting its disintegration, nationalism bouncing back, euro-scepticism and growing populism, and retreat of progressive pro-European Union forces. The leadership in the EU is pulling out all the stops to absorb the shock of Britain's exit, revive and strengthen Europe. In these efforts, the leadership is attempting to restructure the Union, in order to minimise discontent and the possibility of further disintegration.

On Wednesday, March 1, 2017, European Commission president Jean-Claude Juncker presented his 'white paper' on the future of Europe to the European Parliament in Brussels. He presented five scenarios on how European Union could evolve in the coming years. The idea is to start a democratic debate over the shape of Europe that should be built in the coming years. The second idea behind the white paper is that, by the next European Parliament elections in 2019, European citizens will have a chance to choose and vote for their preferred choice of the shape and size of European Union. The five scenarios are; (i) 'carrying on', (ii) 'nothing but the single market', (iii) 'those, who want more, do more', (iv) 'doing less more efficiently'. The underlying strategy in all the five scenarios is seen to be, carrying out the balancing act facing

European Union, which is, reconciling those considering European Union too distant with those believing it to be too interfering.

The first scenario is 'carrying on', which means EU's 27 members minus Britain carrying on its business as usual, without making many changes. The downside of such an approach is that 'the collective will' of all the members may not be revived; the decision-making process will remain unwieldy, not speedy as it is at the moment. The unity of 27 may be preserved, but they will have to revive and strengthen the collective resolve to deliver on the key issues-immigration, back-stopping the euro, common security and defence policy etc.

European Union becomes 'nothing but a single market' is the second scenario proposed. This would call for dropping at EU level the divisive issues like migration, common defence policies; negotiations on such issues could be bilateral, and EU reduces its regulatory role. This would also mean strengthening the mechanisms of free movement of goods and capital, but making it tougher on free movement of people etc. This scenario makes the decision-making simpler and faster but undermines the political ambition of the EU project. It has been long held by the EU champions that economic union will not be viable without a political union.

The third scenario suggests, 'those who want more do more'. This scenario creates 'one more coalition within' EU of the willing to do more on areas like defence, internal security, taxation, and social policy. Other members outside such a coalition can opt out for the time and return to it at a later time. Choosing such a scenario will enable EU to have a robust defence policy to undertake international military commitments as well as a stronger intelligence co-operation. This is not a new approach, as a two-speed Europe has been a policy in the past, but it may help, as those countries wanting to move forward in deeper integration, may be able to close the gap between their citizens' expectations and delivery.

'Doing less more efficiently' is the fourth strategy for EU to move forward. This approach entails EU to decide on its 'wish list' carefully. It will have to narrow down its priorities and do what it does best. Consequently, EU actions will be swifter and more impactful. Juncker gave some example on this proposal, one of which was the recent diesel emission standards introduced by EU. By 2025, EU could support more projects on 'digitisation and decarbonisation'; in other words, more green projects and more digital integration. The EU can then back out from other areas like employment, social policy and public health. Only hitch in this strategy is to arrive at a consensus in setting the priorities, as the member states often disagree on where to start.

The last scenario is ‘doing much more together’. In line with this strategy, EU realises that half-cooked measures do not work and any dilution of the EU collective authority, withdrawing to bilateralism or nationalism will not meet the current challenges posed by the globalised world. EU must deepen the integration, secure a seat in the international community, speak in one voice in aid, trade and defence of human rights and security, EU defence union should work with NATO and so on. It calls for reiterating and refreshing the integration process, not deviating from it in any way. The risk in this strategy is just one, how to allay the apprehension that EU lacks legitimacy and takes powers away from the national governments.

Although only small majority of Britons decided to leave EU, the Brexit has rattled the EU leadership. In the referendum held in Britain on 23 June 2016, 51.9 per cent voted to leave against 48.1 per cent remain voters. The difference was just 3 per cent of 72.2 per cent people voting. The future of EU will depend on the inclination of the big countries like France and Germany, the detente between these two countries had created the EU process in 1952. Germany has been pro-EU from the beginning, pays the biggest share to the EU budget, France has provided the political and institutional tools to move the integration process forward. Interestingly, both the countries are facing elections this year, France in April and May (first and second round) and Germany in September. In Germany, both the contestants are strong Europeans, Angela Merkel, the incumbent

chancellor has been in the driving seat of EU, and her challenger Martin Shultz was the president of European Parliament for 5 years from 2012 to 2017. He has been a member of European Parliament much longer, for over two decades since 1994. He is and has to be pro-European Union. In France, the far-right National Front candidate Marine Le Pen who is most likely to get past the first round is strongly anti-European, promises a referendum on France’s EU membership. Her main planks are; to reduce migration, reinstating border controls, ditching the Euro for a national currency. Her nationalist populist politics puts her in direct opposition to Emmanuel Macron, a centrist, independent candidate. He is fiercely international and pro-European. He has sparked an unprecedented political trend in France. He has launched a movement, not a party. He served as a finance minister in outgoing government of Francois Hollande. He aims to rally the middle-ground with a vision of an outward looking France freed from the stifling orthodoxies of both left and right. He is a trifle behind Marie Le Pen, but by all calculations, he would win in the 2<sup>nd</sup> round and become the president of France. That is good news for European Union.

Political Commentators have mixed reactions to these proposals to chalk out the future course of European Union. Some are critical of the uncertainly displayed by the Commission. This white paper lacks the courage, the strength and the vision of the white paper on ‘Growth, Competitiveness and Employment’ presented by Jacques Delors in 1993. The paper

makes no real commitment to pave the way forward. It has regrettably not provided a clear political vision for Europe. Many others would support it. Mujtaba Rahman, head of Europe practical at the Eurasian Group, a risk consultancy said, “This is the most interesting analytical and political exercise the Commission has undertaken for quite some time”. He added “for the first time, Brussels is asking the EU member states to decide the direction of travel, not imposing their own agenda. If, this portends a new approach, it will undermine the narrative in capitals of the member states that Brussels is undermining national sovereignty”.

It is hard to envisage that member states will dismantle the integration embedded in EU. If anything they do, they will work towards an ‘even closer’ Union envisaged in the Treaty of Rome. Therefore, a number of commentators are gravitating towards a sixth scenario-that is left out by Junker’s paper, ‘a democratic and supranational government that can steer EU policies towards solidarity, green jobs, energy efficiency, and combating climate change, social justice, etc. The challenge however is to involve the governments, civil societies and economic actors, As European Commission is accused of democratic deficit, the European Parliament should play a bigger role to provide the necessary space for an open debate and choices on the future of Europe.

**Janata**

is available at

[www.janataweekly.org](http://www.janataweekly.org)

# Kashmir: Finding Solutions

**Pannalal Surana**

One late evening in August 1947, Gurcharan Singh Bhatia, then a boy of 14, even though he was terrified by the orgy of violence in the nearby Muslim mohallah, looked at three corpses about twenty feet away, and suspected two of those eyes were twinkling. He walked through the bodies towards those eyes. On reaching there, he found a little child. He lifted the infant, carefully retraced his steps and reached home. On his knocking, his mother opened the door, and on seeing her son carrying an infant, immediately lifted the baby and started tending her. Gurcharan hesitatingly went to his friends Balraj Puri and Ved Bhasin and the trio visited a few Muslim acquaintances. One family agreed to shelter the baby. On their way back, a frenzied mob passed them by. When calm returned, the trio delivered the baby to that family. On way back, a few miscreants angrily enquired what they were ferrying from one place to another at such a late hour. By concocting a probable alibi, they could fob them off.

In those days, only a few boys like Ved Bhasin could keep their heads cool and act courageously.

Throughout his long life, Ved Bhasin exhibited those sterling qualities on many an occasion while running Kashmir Times for years together. Along with Jagdish Tirodkar, a Goa freedom fighter, I visited a few friends at Rajouri and Jammu in the last week of March. We had a fairly long conversation with Prabodh Jamwal, Editor of Kashmir

Times. I asked when we have deployed about four lakh army men and other security forces on the LoC and adjoining IB, yet how is it a few terrorists can succeed in entering our territory? Prabodh explained that it is only a small portion of northern border of Jammu which can be used for coming and going to PoK or the Pakistani area. All other sections of the border a distance away on the western front and remaining border on eastern side from Kargil have freezing temperatures around 0 degrees. Inhabitants on both sides of the border may have relatives or even their farms on the other. It is anybody's guess that about 4-5,000 persons might be crossing the border daily. So the sentries might be finding it difficult to identify terrorists, or smugglers and/or other undesirable elements. Erecting impenetrable fences is perhaps not possible.

Prabodh presented me a copy of their recent publication, "Vedji and his times" Vol 1. The volume contains material which gives a fair idea about the personality and thoughts of Ved Bhasin. While going through the book, I found his assertion that the Government has committed the mistake of not ascertaining the wishes of the people of the State of Jammu and Kashmir (J & K) which it had agreed to while accepting the Instrument of Accession by the then ruler, Maharaja Hari Singh. This statement is found to be repeated in his writings as also in Prabodh's conversation that day.

I wonder how journalists like Vedji

and Prabodh as also leaders of JKLF and Hurriyat prefer to lay all the blame at the doors of GoI. If they want to trace the genesis of the Kashmir Problem objectively, should not they enumerate mistakes committed by Hari Singh and also of the rulers of Pakistan? Should not the then ruler be held chiefly responsible? Why did he keep both Pakistan and India guessing about whether that State would merge that side or this? From 14th August to October, 1947, if he was toying with the idea of Independent Sovereign State', then why did he ask for military help from India when Pakistan invaded Kashmir on that year.

All these people prefer to say that the Instrument of Accession was limited to only three subjects of Defense, Foreign Affairs and Communications. But how can they hold only India responsible for not holding plebiscite when it is an established fact that Pakistan refuses to withdraw their military from the territory of J&K as it was on that year Even the UN has acknowledged that fact.

As everybody knows, with the concurrence of the Vidhan Sabha of J&K, elections have been held for the state Assembly and also Lok Sabha and elected representatives of the Kashmir people have been participating in the functioning of those bodies. It is being repeatedly alleged that the elections were rigged. All over the world, it is acknowledged that the elections held by the Election

Commission of India have been, by and large, free and fair. In the fifties and sixties, malpractices like booth capturing, casting of bogus votes, etc, were operative on a significant scale. However, thanks to enhanced mass vigilance and participation, together with tightening of the security arrangements, elections have become increasingly much more transparent. In a number of cases, the voters had removed the incumbent rulers from the seats of power. Taking all these things into consideration, there is no point in hurling the adjective “rigged”. Kashmiri people have taken initiative in launching political parties having independent set of policies.

Taking full advantage of the opportunities provided by genuine democratic Constitution, there is vibrant pluralism in the politics of J&K as also in other States. Thanks to spread of education, wider recruitment to the Got, services equally widespread expansion of media, etc, ideological bonds of Kashmiri people with Indian citizenry in other parts of the country are getting strengthened day-by-day.

Like Vedji, many public personalities are harping on the point of autonomy. I would like to urge all those friends to give due consideration to the provisions regarding federalism and, lately, the Panchayati Raj institutions. People have been given ample powers to regulate their affairs taking into consideration specific conditions of respective areas. Autonomy lies more in practicing that on the ground. There is no point in prolonging verbal polemics.

All citizens would do well if they concentrate more on advocating

policies that are required to address the pressing problems of the masses. Particular care should be taken that public peace and order is maintained so that common people can devote more time and energy to improve their earnings and engage in cultural pursuits.

J&K is a small State surrounded by big powers like China, Russia, and Pakistan. In these days of long-range missiles and easy deployment of lethal weapons, security can better

be obtained by remaining in a large country.

Compared with some of the neighbouring countries, India is far more inclusive, tolerant and liberal. Let all of us Indians join hands in making our country egalitarian and extend friendship towards all countries under the Sun to endeavor towards achieving the goal of One World Government. The Slogan of Jai Jagat, coined by the sage Vinoba Bhave, is a beacon for us all.

---

## RESOLUTION

### Socialist Party (India) Delhi State Convention New Delhi, April 2, 2017

Delhi is the capital of the country. The centre of power and culture. Its National Capital Region (NCR) is a large base for several national and international multinational companies. But leaving a few privileged ones and their areas the civic life of this city is full of misery and deprivation. Murders, robberies, skirmishes and riots, assaults on women's modesty happen here routinely in broad daylight. Even new cyber crimes along with other crimes have become commonplace in Delhi and NCR. Lower and lower middle classes continually grapples with unemployment and inflation. Lakhs of children, women and elderly beg at intersections and sleep on the streets. Lakhs of children are servants in affluent homes or eateries. In villages, resettlement colonies, JJ colonies and older areas of the city, there is a perpetual deprivation of civic amenities like toilets, roads, parks, sewer connection etc. There is no stopping the privatisation of essential services like electricity, water, health and education at the hands of

profiteering companies in the country's capital. Instead of building schools, training institutes, colleges, universities or research institutes, the government is busy gifting away the land acquired from farmers at a pittance, to the corporate houses, the uber rich and the builders to open luxury hotels, mega malls, farm houses, resort hospitals, bars and casinos. In pursuit of capitalist development, Delhi has become one of the most polluted city in the entire world. A lot of epidemics are unleashed due to pollution and every year thousands of people lose their lives and lakhs of them lose their health. Both the rich and the poor are affected.

Aam Admi Party which accused the Congress of corruption to come to power has a deeply corrupt administration. No work happens in any department without bribes. In the Kejriwal government, which has been an open votary of capitalism, the wealthy and the brokers are rolling in money while the general public is in deep distress. The

current Delhi government has emulated the Modi government at the centre in burning away millions of rupees of hard earned taxpayer's money in the name of building the luminous image of their leader and the party. The Chief Minister Arving Kejriwal and the deputy Chief Minister Manish Sisodia seem to be vying with each other for the more expensive hoardings and posters with their photos. Kejriwal, who claimed to live simply and honestly in the days of the anti-corruption movement, lives like royalty as Chief Minister. In a small state like Delhi, there is a Deputy CM, who lives with full fanfare in the residence of the previous CM, Sheila Dikshit. Both these characters have come from the NGO world and are running the government according to the those very principles. That is, the ruse of fooling the poor to protect profiteering capitalism. Most of the country's progressive civil society and its leaders favour this party, which aspires to be the B team of BJP. The Socialist Party believes that this is a serious challenge for the politics of constitutionally warranted equality and freedom.

Through this convention the Socialist Party (India) Delhi State, issues the following demands on behalf of the working class of Delhi:

1. In every part and section of Delhi, the freedom and respect of women must be ensured.
2. The needs of the elderly, people with disability and children must receive utmost care and attention.
3. Keeping in mind the new challenges of life in the capital, creative policy for the youth and children must be undertaken.

4. Privatization of electricity, water and health services in Delhi must stop.
5. Privatization of education must stop. The existing private schools, colleges and universities must be nationalised/ socialised.
6. The government must fulfill its constitutional duty to provide equal, free, quality education in the mother tongue.
7. In all the schools at all levels, and in colleges and university departments, vacant positions must be filled right away.
8. Privatization of electricity, water and health services must stop. Private hospitals must be nationalized/ socialized.
9. In all government departments, the vacant positions of class three and four employees must be filled immediately. In order that people's problems get resolved quickly, more positions must be generated in departments. Contractual system must end.
10. In the villages of Delhi, services such as housing, roads, electricity, water, libraries, women centers, child centers, health centers, parks, community centers, schools, colleges, vocational institutes etc., must be made available as per the requirements of all the citizens. Apart from farmers, craftsmen families who depend on agriculture for their livelihood, must also be given residential plots.
11. Unauthorized colonies must be authorized with all civic amenities.
12. Families living in JJ colonies for long must be given residential flats at one go.
13. Citizens willing to be self-employed must be given permission and facilities to run small cottage industries on a priority basis.
14. Street vendors must not need to pay committees and police any kind of bribe, there must be a permanent resolution to this.
15. Unauthorized colonies must be given comprehensive civic amenities and regularized.
16. It must be ensured that all the traffic signals in the city function properly everyday.

Thus stands the Socialist Party Upholding brotherhood and equality Socialist Party (India) Delhi State.

#### **Books by Surendra Mohan**

1. **Vikas Ka Rasta: Nai Arthik Neetiyon ka vishleshan..** Price 600 rupees.
2. **Samajwad, Dharma Nirapekshata aur Samajik Nyaya** Reissued as second edition; Price 500 rupees
3. **Vartaman Rajneeti ki Jwalant Chunautiyan.** Price 400 rupees.
4. **Dr. Ram Manohar Lohia ki Neetiyon:** (This booklet was published late last year.) Price 25 rupees.

Published by Anamika Publishers and Distributors. Ansari Road, New Delhi 110002



# The Defeat in UP: Listening to GGP

D K Giri

I was thrilled to read the 'Notebook' on the Defeat in UP written by GG, (*Janata*, March 26, 2017). He really outlined a manifesto for the socialists in India. I cannot resist my urge to engage with it, using my privilege of knowing GG like many fellow-socialists do, for over four decades, and my predilection for his thoughts.

GG says the defeat of Samajwadi Party in UP is a defeat of all socialists in India. It is entirely true, in public perception, although some socialists may not agree for the reasons GG gives. The second major point GG makes is, socialists should not fight BJP under the banner of secularism. I am so delighted he says that. It is proved time and again, in recent times, that secularism is no longer a viable platform. GG says it is a trap laid by RSS-BJP. I am afraid; RSS manipulation of the concept is part of the problem. Some of us have been arguing for so long that secularism is a failed concept. It is confusing and controversial. The Congress Party did not clearly say or did what secularism meant. The Communists did not do any better. The overused and the platitudinous phrase mouthed by Congress and Communists has not resonated with the people for a long time. They included everyone except BJP in to the secular and democratic fold - the Muslim League, the Alkalis, the anti-Brahmin Dravidians, many caste based parties. How credible was that? It was feeding fodder to the BJP. Anyway, secularism should be replaced by pluralism, which celebrates diversities, differences, is

not ambivalent on religion or culture, and protects minorities of all kinds not merely religious.

Bread and Butter issues as GG suggests should be the main plank of socialists, they always have been, at least, in their declarations. But socialists have not focused on them as their core issues for implementation. I like it when GG implores. "Socialists will have to identify these issues and concentrate on them and fight till the end to solve them". (The emphasis is mine). He picks, and rightly so, education and health, as two key areas. He advocates, "Free, compulsory and equal education of quality for all". GG adds, "When the children of rich and poor study together, the quality of education will not deteriorate". Here we run the risk of reviving the communist system of leveling down the people and killing competition and innovation. What will work even in a competitive unequal education system is that the children of politicians and bureaucrats should all go to government schools where the children of the poor go. Do not the government servants travel only in Air India when they use government money like LTC etc? They cannot send their children into elite private schools. Then the government schools will improve for sure.

Health should not be handed over to private sector, argues GG. We agree. But the state sector except in a few areas is bureaucratic, corrupt and inefficient. That goes for health as well. But shall we not encourage private initiative which is

not exploitative and profiteering? The problem in our country is what late Prof Raj Krishna used to say, the nexus between Neta (leaders), Babu (bureaucrats) and Lala (businessmen). The state colluded with the business in profit making, did not monitor them or checked their rapacity. The state has to be smart and strong. Moreover, if the Trusts, Foundations, Charities, and CSOs that are involved in health sector, are given a greater role, they would do a good job.

Decent work for all should be a top priority. No doubt about that. Working conditions, rights of the workers, minimum wages, social security etc go with decent work culture, policy and practice. GG has been critical of jobless growth. He maintains that the current economic system does not generate jobs. He is right. But, with phenomenal growth in technology, digitization of economy, more jobs will be cut. So can we think of delinking income from jobs? A socialist professor of economics in the JNU is working on it. People may not be a part of the production process, but they cannot be deprived of the income generated by the country and so on.

GG refers to the obscene inequality that exists leading to gross social injustice. The ratio of 1:10 in income between poor and the rich proposed during the freedom movement is a brilliant idea for the sake of justice. That must be revived by the socialists in order to narrow the huge gap between the rich and the poor. One can earn as much as

s(he) can, but retain only 10 times more than the poor and part with the rest in taxes and charities etc.

The next point GG talks about restoration of the Planning Commission. Scholars and historians suggest that Nehru borrowed 'democracy' from the West and 'planning' from the Soviets. The Soviet planning model has been discredited as it concentrated powers at the top. The so-called bottom-up planning did not work in India. All the planning was done by PM, FM and the deputy chairman of the planning commission, often handpicked by the PM. Now the planning commission stands dismantled. In its place, the new body is NITI Ayog. Few people understand what it stands for and what it does. Yes, we should revive planning, but a process which is decentralized, and involves multiple stake holders -state, market institutions, think-tanks, research organizations and so on.

GG's point on housing is similar to provisions of health and education. My submission is that it should again involve multi-stakeholders not only the state. The low-cost houses made

after tsunami by non-state actors were as good or better than what the state did. Our attention is aptly drawn by GG to the plight of farmers. He is so right. And his advice that socialists should visit farmers and spend time with them should be so well taken. Recalling the spirit of freedom fighters in so doing to the farmers is really inspiring.

His last points on unity of socialists, the character the cadres and leadership should embrace, corruption, and value bankruptcy of Congress party, nepotism of Samajwadi Party are great advice and they must be reflected upon by all socialists. He also laments the splits in socialist organizations and parties that have weakened us and it is only cohesion and unity that can save the socialists politically. One could not agree more to this telling observation. However, it is not impossible to reunite socialists. To do so, what we need is not just personalities, but ideological and organizing principles. The unity efforts get stuck when it comes to choosing the leader of the new party or coalition. I had written in Janata more than once and elsewhere how to create an unbiased and transparent procedure to elect the

leader. We should never start the unity efforts by discussing and evaluating the leaders. We had Loknayak JP to unite socialists. Yet, he never held any position. We do not have a JP any more, at least, at present. So we have to rely on the process and not a personality who can tower over all the rest like JP did.

Finally, I must say, GG has been an institution-builder. His role in the civil society-led development and social entrepreneurship etc is greater than his party political activism. I wish he had brought in his own innovation, ingenuity, and experience of the civil society supporting, supplementing and even supplanting the state albeit in a limited way. He sounds a bit state-centric in his approach. I would agree with that if we are building a welfare state as Prof B Vivekanandan argues. In fact, he is coming out with his big book on welfare state development. If this is what GG has in mind, and to my understanding, he has, then we should all work for it. But the state at the moment is partisan, pro-business, corrupt, bureaucratic, and inaccessible. Can we change that to a welfare state? Yes we can.

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

by

**Rohini Gawankar**

Published by

**Kamalakar Subhedar,**

Secretary, Samata Shikshan Sanstha, Pareira Wadi, Mohili Village,

Sakinaka, Ghatkopar(W), Mumbai 400072.

Mobile: 9820092255 / Contribution: Rs.300+

**Book Review**

## **Social Economy of Development in India, by K S Chalam, Sage Publications, New Delhi, 2017**

**Ravela Somayya**

Prof K S Chalam, well known contemporary thinker and academic has published a very thought provoking and relevant book for our times. He is one of our comrades who has been writing in the traditions of Lohia, Roy, Marx, Ambedkar for the last several decades, though he hails from the mainstream academic profession as a Professor of Economics,. He has been Vice-chancellor and held some important positions in Delhi. I am informing our readers about the book as we do not expect that the mainstream media to shed light on such writings as it brings out the need for unity among democratic and socialist forces to take on the evangelists.

### **Sismondi and Surplus Value**

The book makes an attempt to bring to life Sismondi the Pre-Marxian scholar and original contributor of the concept of surplus value as a part of 'Social Economy' as study of the dynamics of socio-economic parameters in a traditionally fragmented society like India. He analyses that how the theory is re-emerging in the context of globalisation. He has clarified that it is not directly related to the study of civil society or third sector activities of advanced countries as expressed by some perverse scholars. It is much wider in its scope and content and is a unique approach to study a country like India. In fact, the third sector has never been autonomous and alleged to have

been used to side-track the radical upsurge against the ugly designs of corporate capitalism. Like the selling costs of a firm that drive customers towards its brand, civil society activities are suspected to be used by market players with a hidden economic agenda. (Our experience with different kinds of revolutions sponsored by some of the civil societies in Middle East and the result).It is necessary to dispel the vilification of Social Economics by neo-classical writers.

The Social economy expounded by pre-Marxian scholar Sismondi, developed by Tawny, Hobson and Schumacher and others is now being pursued to understand the tyranny of Neo-colonialism and its consequences. The echo of some of the issues pursued by the subject are found in Welfare Economics .Social Economics was concerned about the abuse of labour, of competition, on the excess of production etc as it declared a disbelief in laissez-faire. The ideas of the social economists are found their way in the discussions of scholars who are humanistic in their approach to development as against those whose ideas are responsible for devastation, degradation of ecology and human values.

Mainstream Economics has helped to solve problems of poverty, inequality, want and disease under certain assumptions of a class society. Indian economists including

B R Ambedkar, Rammanoha Lohia, Amartya Sen and a few others have used the concepts and found that the caste based economy and society need something more than what is given in the text books. They have partially succeeded to address the typical problems of caste. Some ideologues recognised the problem and equated it with class. However, it has not enhanced our understanding of the social economy of castes and even untouchability and discrimination. Market has not provided answers to this problem and alleged to have been a conduit to strengthen the already existing social inequalities in India. In this context, interrogating the liberal economic policies and their consequences in the area of social tensions, political process, inequalities in Human development, marginalisation of agriculture, language and culture and so on in a caste-based society like India is attempted in the book with an alternative paradigm of development based on Indian thinking in the subject.

The subject matter of Social Economy as a branch of Economics is considered here in the context of its relevance in the twenty first century. India, being a traditional society with unyielding castes and deep rooted family norms is different from the West. The journey of Economics from the time of classical period and to the present crisis is examined to indicate its limited application in a country like India.

Economic liberalisation in India has strengthened an already existing iniquitous society by converting modern corporations as fiefdoms of few families in a caste like structure, promoting crony capitalism, corruption, frauds making mockery of democratic institutions. The economic crisis in Europe is reflected in the Indian economy as it has sincerely adhered to neo-classical models of development based on Trade that grew to cover more than 100 per cent of GDP. It has destroyed MSME and traditional industries by relying on ICT and services that are accessible to advanced castes. This has further widened the social inequalities reducing urban areas as centres of perdition with automobile and environmental pollution.

### **Caste Mode**

The reforms agenda with the nexus of entrenched classes in bureaucracy, politics, and business and contractor groups, all coming from upper castes have changed the caste-class narrative under globalisation. Caste has emerged as an important category to appropriate economic opportunities by few. This brings to focus the Caste Mode of Production in operation. The MoP has reduced education particularly Higher Education as a commodity inaccessible to traditionally poor and untouchable castes. Even the so called demographic dividend eulogised as unique to India is confined to few castes and geographical regions. The concept of Caste Mode of Production introduced by K S Chalam in the book for a debate is fresh in our academic scholarship as neither Marxists nor Anti-Brahmin socialites thought about it in a theoretical framework before.

Agriculture is the pivot of Indian economy and society from time immemorial. It is now given a tepid treatment through many of the neo-classical policy prescriptions. Major irrigation projects and dams are considered by the state to benefit the contractor class and green revolution is confined to few crops and areas. Though self-sufficiency is achieved in the production of food grains, it has not resulted in the food security of the vast majority who consume non-vegetarian protein food. The farmer is treated as a beneficiary and not a contributor to the economy. Prof Chalam has raised the issue of why the proportion of people depending upon agriculture in India has almost remained the same while its contribution to GDP is dwindling?

The political process in India in the name of democracy is made vibrant through the oligarchy of castes. The interconnection between liberalisation and traditional ruling castes has perpetuated the social inequalities with limited access to dalits and bahujans. The BSP experiment in the largest state of India, UP is ultimately reduced to the vanity of individuals and did not percolate down below. However, it has helped to bring the issue of caste and discrimination on the agenda of the nation for an inclusive society. Religion and caste have become important factors in the electoral politics as well as economic programmes with little benefit to the marginalised sections even in a corporate controlled state like Gujarat.

Human development as a combination of income, education and health is found to be unevenly developed across states and within the advanced states across castes. Adivasis continue to live as sub-

humans and the sexual assaults on women particularly dalit women seem to have increased with urban attractions after liberalisation. Culture as a super structure of the economic liberalisation has reinvigorated Religion, Caste, Language, Region and other social embargos strikingly with the support of caste and corporate media.

### **Indigenous Ideators**

India is a unique country with several indigenous thinkers like Gandhi, J C Kumarappa, M N Roy, Ambedkar, Lohia and others. They have received western education and interpreted the democratic institutions within the given Indian parameters. Some of them radically opposed the social institutions and the undemocratic culture with alternative paradigms of their own as solutions to the distinct problems like caste, religion and inequality. Democratic socialism as against the social welfare programmes is considered as an important alternative as the policy makers are dishonest and corrupt without any accountability after liberalisation. Buddhist ideology of sharing and seeking refuge in society as a traditional value need to be re-examined in the context of emerging dichotomies of alienation in society. The framework of Human Rights with equality of opportunity and democratic decentralisation of power are envisaged as some possible answers to the predicaments of contemporary India. The author appealed to the left and democratic forces to understand the relevance of contributions of Eric Fromm who has pointed out the limitations of market either in capitalist or socialist economies as it is beyond the reach of our will and influence. He has enticed to the progressive forces to

understand the need for appealing to the senses of ordinary people about the primacy of 'common good', an idea that both social economists and socialists held very dear to their heart.

Contemporary thinkers and activists who are shocked by the emergence of reactionary and conservative forces in general and in India in particular would find some solutions in the book. It is farsighted of Prof Chalam who imagined the imminent threat of a market and religious fundamentalist rolled in one threatening the vitals of democracy in India. In the last chapter, he has proposed an alternative paradigm as Social economic approach as represented by our indigenous thinkers noted above. The subsection on Rammanohar Lohia and Left Unity contained some practical ideas. The author said the critics of Lohia, "particularly from the Left, used to call him as perhaps a petty bourgeois intellectual who was critical about Marx. Some of them might also think that his programme of action against supremacy and his short-tempered utterances against some communists were only passing remarks. But, four decades of experience both in India and in socialist countries have shown that he was to a large extent right in perceiving the problems of building socialism in India.... Some analysts indicate how the three types of Left with Marxist ideologies and people oriented struggles are all made irrelevant with the ideology of globalisation and PPP model with temporary solutions to the victims with small goodies.. The critics and admirers of Lohia should not hesitate to recognise that the limitations of Marx and Soviet model and even Chinese noted by Lohia do not exist anymore today to prolong the

criticism. Similarly, the Marxists who were critical about Lohia's approach to communism may consider the changed circumstances in the world and the relevance of the socialist programme advocated by Lohia, and the need for reassessment of the ideas to bring all the progressive forces on one platform to fight capitalism and its Siamese twin fundamentalism." I think this is the essence of the message that the book gives to all of us who are followers of Lohia, Ambedkar, J C kumarappa and several Indian

Marxists who wish to see the misery and poverty of the people should disappear as early as possible.

The content of the book broadly comes under Development Studies, Economics, Asian Studies and Culture. It is an emerging subject developed on the basis of 18<sup>th</sup> century scholarship with special reference to India. It has 10 chapters with excellent references and Bibliography at the end. One can finish the 400 pages book (hard bound) in one go as the style is lucid and simple.

---

## **Does the Banking System Really Want to Help Farmers?\***

**Devinder Sharma**

The corporate sector is responsible for 70 per cent of the country's NPAs, but their loans are being waived off, while waiving farming loans is still being frowned upon.

The banking system seems to be designed in favour of the rich who benefit at the cost of farmers and the rural poor.

The Gujarat government gave a loan of Rs 558.58 crores to the Tatas to set up the Nano plant at Sanand, near Ahmedabad. The Gujarat government has acknowledged that the massive loan was given at an interest of 0.1 per cent to be paid back in 20 years. In other words, this huge loan was virtually an interest free long term loan. In another case, Steel tycoon, LaxmiNarain Mittal, was given Rs 1,200 crores by the Punjab government to invest in the Bathinda refinery. He also got the loan at a 0.1 per cent rate of interest.

On the other hand, if an extremely poor woman in a village wants to buy a goat worth Rs 5,000, she goes to a micro-finance institute (MFI), which provides her a loan at an interest rate of 24 to 36 per cent or even more. This paltry loan has to be returned at weekly intervals. This poor woman is also an entrepreneur and wants to sustain her livelihood rearing a goat, the milk of which she can sell. Millions of livelihoods can potentially be sustained if banks were to provide loans at an interest rate like the ones the Tatas and Mittal received, to poor entrepreneurs.

Farmers, for instance – suppose they buy a tractor at an interest rate of 12 per cent. Big entrepreneurs can buy a luxury car at an interest rate of 7 per cent. For a farmer, a tractor is necessary to improve crop production, which directly contributes to an increase in his income. The role of mechanisation to improve farming

has never been in question, but for the rich, luxury cars are more of a status symbol.

Therefore why is the banking system designed to favour the rich who already have many perks, while the poor pay a higher price to sustain their livelihoods?

Discrimination against the poor doesn't end here. The Public Accounts Committee of the parliament has estimated that the total outstanding loans of public sector banks – Non-Performing Assets (NPAs) – stands at Rs 6.8 lakh crores. Out of this, 70 per cent belongs to the corporate sector, whereas only 1 per cent of the defaulters are farmers. The chief economic advisor, Arvind Subramanian, has already stated that the bad debts for the corporate sector should be written-off. According to him, the capitalist economy is designed so that the bad loans of these corporates have to be waived. India Ratings has estimated that more than Rs 4 lakh crore of the NPAs will be written-off. Writing-off of such enormous amounts of bad loans for the corporate sector makes economic sense, if the chief economic advisor is to be believed. On the other hand, the chairperson of State Bank of India, Arundhati Bhattacharya, laments that writing-off the outstanding loans of farmers is bad economics – it will lead to credit indiscipline. This when of the total NPAs, farmers were responsible for only 1 per cent!

Much of the farm credit that is provided every year is also taken advantage of by the agribusiness companies. In the Budget 2017, finance minister Arun Jaitley had

announced a farm credit of Rs 10-lakh crore. But while such a huge outlay for farm credit gives an impression of governmental concern about farmers, a study by Ram Kumar and Pallavi Chavan (from Tata Institute of Social Sciences) found that less than 8 per cent of this actually goes to small farmers. And small farmers constitute roughly 83 per cent of the entire farming community. Nearly 75 per cent of the Rs 10-lakh crore farm credit is reaped by agribusiness companies and big farmers who get the advantage of 3 per cent interest subvention. Over the years, the definition of what constitutes a farm loan has been expanded to include warehousing companies, farm implement manufacturers and other agribusiness companies.

It is primarily because of the bank's indifference towards the farmers that the election promise of writing-off of farmers' loans in Uttar Pradesh and Punjab have become such a contentious issue. Since prime minister Narendra Modi had promised to waive off farmers loans in UP, the ministry of agriculture and farmers welfare has already announced that the Centre will take care of the financial burden of waiving farm loans in UP. Whereas in Punjab, where Congress has formed the government, state finance minister Manpreet Badal, has come out with an innovative way to bear the burden of farm loan waiver. He says the state will 'takeover' the farmers outstanding loans, and work out a long-term agreement with the banks under which the state government will repay the farmer's dues.

In Punjab, an estimated Rs 35,000 crore of bank loans were defaulted on by farmers. In Uttar Pradesh, the total amount that needs to be waived for farmers owning less than 2 hectares of land stands at Rs 36,000 crores. While the Centre has agreed to reimburse the UP government for the farm waiver, the question is, what about the other states? Maharashtra, for instance, is demanding Rs 30,500 crore for a loan waiver. Chief minister Devendra Fadnis has told the Maharashtra assembly that 23,000 farmers have killed themselves since 2009. In Tamil Nadu, which faces drought for the third year in a row, the state government has already declared a drought. Farmers are demanding a compensation package of Rs 25,000 per acre. Meanwhile, farmer suicides have been on the rise in Orissa and the Northeast, where they have nearly quadrupled over the past few years.

What needs to be seriously considered is that a terrible agrarian crisis is being allowed to prevail, primarily because of systemic efforts to keep farmers impoverished. By denying farmers the right price for their produce, the credit policy too is designed wrongly so that it benefits the rich at the cost of farmers and the rural poor. But will the banks accept their fault and redesign the credit policies? The rich corporates will continue to get tax incentives and massive subsidies in the name of incentives for growth.

\*This article first appeared in The Wire. <https://thewire.in/119889/banking-system-farmers-loans>

(Continued from Page 3)

rural children. His concept of education stressed the integration of 'the world of knowledge' with 'the world of work,' a concept we are familiar with in today's language as vocational and relevant education for all. He felt that this was essential for the poor of India who would not only get some basic knowledge but also acquire useful skills to be utilised throughout life. These skills in Gandhi's time included weaving, pottery, stitching, carpentry and the like, but in today's time would also include repair of electronic devices, maintenance of tractors, cars, bicycles, first aid, nursing, computer and entrepreneur skills and the like. Some of these would be more relevant for men and others for women.

The fundamental premise of the *NaiTaleem* was that it would teach simple skills to the people and help them remain in villages as useful citizens and not be forced to leave for towns and cities looking for unskilled, poorly paid, and degrading jobs and be exposed to urban violence of one form or another. What was true in Gandhi's time is still relevant in today's world where we see highly formally educated people without jobs and villagers under the impact of urbanization and globalization migrating to cities in search of any odd job such as *rickshaw puller* or rag picker.

Violence against women, female infanticide or mistreatment of the girl child would definitely be reduced if our education system followed Gandhi's principles of moral values, gender equality, non-violence, truth and cultivation of right attitudes.

A right type of education would make people more self-reliant, bridge socio-economic disparities and the rural-urban divide, and generally help in the society becoming more egalitarian, harmonious, and contented. In an article in *TheHindu* newspaper Professor Krishna Kumar of Delhi University, has argued that, "The teaching of reading during early childhood – when attitudes, habits and skills acquire life-long foundations – assumes crucial significance for the efficient functioning of democracy". Professor Kumar also writes about the responsibility of the State in the area of education. In his words:

The mutation trough which utilitarian thought went during the 19<sup>th</sup> century brought forth the

recognition of a new role for the State in the need to protect children from poverty and to educate them.

These aspects about the role of education and the State's responsibility of provision of free and relevant education would help in the creation of a just social order where there is a reduction of conflict and violence caused by socio-economic and other disparities.

The present understanding of the role of education coupled with the initiatives taken by Gandhi would address the issues of inequality, injustice and discrimination that are seen in many developing countries. This would also help in preservation of our environment.

\*This article originally appeared in Transcend Media Service (TMS).  
www.transcend.org

The advertisement for PMC Bank features the bank's logo and name at the top left, with the full name 'PUNJAB & MAHARASHTRA CO-OPERATIVE BANK LIMITED' to its right. Below this, a central headline reads 'Let's embrace the change and move to PMC Bank Digital Banking' next to a '24/7' icon. A tree-like diagram branches out from the center to various digital services: 'Petrol / Diesel', 'Utility Bills', 'Grocery', 'Shopping', 'Booking Tickets', and 'Insurance Premium'. At the bottom, there are icons for 'Mobile Banking', 'Debit Card', and 'Internet Banking'. A dark banner at the bottom left contains contact information: 'Toll Free No : 1800 223 993' and 'E-mail : helpdesk@pmcbank.com'. Below that, it states 'Operating from more than 120 locations across Maharashtra, Delhi, Karnataka, Goa, Gujarat & Madhya Pradesh'. A small 'TMS Apply' logo is visible in the bottom right corner.

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, April 9, 2017 & Posted on Wednesday April 12, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

*REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 13  
April 16, 2017

**Where Are India's  
Dissenting Hindus ?**  
Harsh Mander

**Beef Eating And Gorakshaks**  
Chandra Bhal Tripathi

**Family System And  
The Question Of  
Women's Freedom**  
Alka Joshi and Neeraj Jain

**Democratisation of Higher  
Education in India:  
Ambedkar's Vision**  
K. S. Chalam

**Socialist Party (India)  
National Executive Meeting  
Resolution**

Editor :  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)

## Celebrating Champaran 1917

**Irfan Habib**

At a moment when the ideals and events of our National Movement seem to be fading from public memory, it is gratifying, indeed, that there should be a celebration of the centenary of one of the most remarkable episodes of modern Indian history, the Champaran Satyagraha of 1917 - that opened a new phase in the National Movement by joining it to the great struggle of the Indian peasantry for bread and land.

Even since the Battle of Plessey (1757) British rule had meant a constant exploitation of India, the main burden of which had fallen on the peasants, artisans and the labouring poor of India. It has been the great intellectual achievement of the early nationalists that they were able to show how the twin processes of drain of wealth and de-industrialisation had ruined India. One sees the exposure and analysis in its classic form, in Dadabhoy Naoroji's *Poverty and Un-British Rule in India* (1901) and, in the form of a historical narrative, in R C Dutt's two-volume *Economic History of India under British rule* (1901, 1903). Gandhiji himself summarised

these findings in his *Hind Swaraj* (1909), originally written in Gujarati.

### **Indigo Oppression**

The impoverishment of India which the early nationalists so ably exposed was largely accomplished through means in which Englishmen themselves hardly ever appeared as the exploiters: the land revenue was exacted through zamindars or native officials; English goods were sold by Indian shopkeepers and hawkers. It was mainly in plantations and mines that the Englishman appeared directly as the oppressor. And among plantations, it was the indigo plantations where such oppression had the longest history. Indigo was a celebrated product of India, down the centuries, raised and processed locally by peasants. But in the seventeenth century, European-owned slave-plantations in West Indies began to produce it, the extraction process they used being improved immensely by use of boilers. When the English conquered Bengal, European indigo planters appeared soon enough. Obtaining zamindaris they coerced peasants into raising indigo, for the dye to be processed

out of the plants in their 'factories'. The coercion exercised by European planters on peasants to raise indigo and sell it cheaply to them - under methods portrayed in Bandhu Mitra's famous *Nil Darpan* (1860) - led to peasant 'disturbances' in Naddia in Bengal in 1859 and 1860. But these were suppressed by the administration.

Indigo plantations extended into Bihar, where too European planters used the zamindari system to force their peasant tenants to bow to their will. Where they could not buy zamindaris they obtained leases from local zamindars, and in the form of 'thekadars' exercised the same rights over peasants as they would have had as zamindars. In Champaran district of Bihar, most European planters obtained *thekas* for whole villages from the large Bettiah zamindari. Here, as the demand for indigo grew with expanding textile imports, the planters imposed what came to be known as the *tin-kathia* system, the peasants being forced to raise indigo on the best parts of their rented lands.

### European Exploitation

A crisis occurred when a synthetic dye was developed in Germany in the late 1880s. Since natural indigo dye could not compete with it, indigo exports from India declined in value from Rs 4.75 crore in 1894-95 to Rs. 2.96 crore five years later. As indigo prices and the planters' profits from indigo manufacture fell, the planters began correspondingly to increase the rent-burden on the peasants, invoking their rights as zamindars. The impositions took two major forms: As zamindars or thekadars the planters simply increased the rents paid by peasants, the increase in rent being called *sharahbeshi*, usually amounting to

50 to 60 per cent of the previous rent. The second form was a curious one. Since indigo prices fell, the peasants did not now wish to produce indigo, as they had to under the *tinkattia* system. The planters, who did not wish to buy it either, allowed the peasant to shift to other crops only if he agreed to pay them a large amount, known as *tawân*, 'compensation'. The amounts imposed were so large that the peasants had to undergo much hardship only to pay interest on it at the rate of 12 per cent per annum, let alone pay the principal. Another imposition on the peasants took the form of transferring to them plots out of the indigo factories' own cultivated lands (*zira'at*) charging high rents, under threat of throwing them out of their tenancies, if they declined to agree to take these on rent. The planters also collected illegal dues (*abwab*) and imposed fines. Alongside these exactions the planters made full use of the traditional zamindari practice of *begar*, forced unpaid or ill-paid labour, requisitioning at will the peasant's cattle, plough and carts or compelling them to provide labour for their plantations. In other words, the planters tried to throw the entire burden of the crisis caused by competition from synthetic indigo on to the shoulders of the peasants, while safe-guarding or even increasing their own profits.

That crisis for the planters eased in 1914 owing to the outbreak of World War I. Germany, the main producer of synthetic indigo, being one of the belligerent powers, the planters' profits from indigo revived, and many of them began to compel peasants to grow indigo again under the *tinkathia* system, while underpaying them for the crop by taking into account not the actual

produce, but the area sown with the crop. The earlier burdens on the peasants under both *sharahbeshi* and *tawan* continued as before, along with forms of *begar*. Peasants were thus faced with a situation where while prices increased owing to the War they were themselves subjected to rack-renting and forced to grow indigo despite a manipulated low rate of return on it, though raised in their best lands. They faced other kinds of ill-treatment as well at the hands of the planters and their staff, including beatings and pretty bribery. The planters' *raj* was complete and there was no relief for peasants forthcoming from the Bettiah Estate (now under Court of Wards at the time), which, having given leases (*thekas*) to the planters, shared in the gains made out of the oppression of the peasants.

### Champaran and Gandhiji

How a delegation from Champaran, attracted by news of the Lucknow session of the Indian National Congress in December 1916 went to the session to draw attention to the Champaran peasants' plight and how later Raj Kumar Shukla brought Gandhiji from Calcutta to Patna and inexplicably left him there in April 1917 are matters now of traditional lore. It is what followed that is of the utmost importance.

Gandhi's handling of the Champaran struggle proved to be a model of serious leadership. He was stepping into an area where the peasants had been kept suppressed for so long that no 'stayagraha' of the form he had led in South Africa could here be organised. He, therefore, announced that he had come only to study the conditions and collect information, for which he was able to gather a group of intrepid

men, including his principal assistant Brajkishore Prasad and the future principal Congress leader of Bihar, Rajendra Prasad. What he and his group began to do was to move among peasants and just record their grievances. To the end, this was the form and substance of the Champaran Satyagraha.

### Grievance Collection

The British authorities knew that this was not as harmless an enterprise as it seemed. The very fact that once an individual peasant could go and record his complaints, others would follow from the ranks of what uptill now had been a subdued demoralised *raiyyat*. On 16 April the English District Magistrate ordered Gandhiji to leave the district, the order being issued under Sec. 144 Cr.P.C. Defying the ban, Gandhiji pleaded “guilty” before the District Magistrate at Motihari on 18 April, ready to face imprisonment for following “the voice of conscience”. It was this combination of moderation with determination that won the day. The administration trying to tie down Gandhiji with a long drawn-out case was flabbergasted at his cutting it short by the “guilty” plea. On the other hand, now not only the volunteers, including the famous Bihar Congress leader Mazharul Haq, but also a crowd of peasants gathered at the court, this being perhaps, the first real peasant demonstration in Champaran. The English Magistrate did not know what to do and adjourned the court, releasing Gandhiji on his own assurance of presence! Finally, the Government climbed down: On April 21, Gandhiji received intimation from the Lt Governor of Bihar and Orissa (no less!) of the withdrawal of the proceedings against him with even instructions issued to local officials to assist his “enquiry”.

This success opened the gates to the voicing and recording of complaints from peasants. Local vakils in large numbers joined his band of volunteers. The recording project turned into a real mass movement. As many as 8,000 peasants came and recorded their complaints, defying the planters and their men whose authority visibly crumbled. Peasants also began defiantly to return the high-rent carrying *zira ‘at* lands that planters had imposed on them.

The work of collection of peasants’ complaints took Gandhiji and his volunteers to poverty-stricken villages, where peasants could at last obtain a ray of hope that things could change. Not long afterwards, he received an invitation from another quarter: he was graciously invited to meet a high official of Government, ‘Hon. W. Maude’ at Ranchi on May 10. Gandhiji, as usual, never rejected negotiations and duly met Maude whom he promised to send a preliminary report on his findings, which he did on May 13. But he politely rejected Maude’s suggestion that he dissolve his team and abandon further pursuit of the enquiry into peasant grievances.

### Moral Battle

By now the planters and their association had exhausted all their arsenal: threats and inducements to individual peasants, manufactured incidents of violence or arson, canvassing, of English officials as men of their own race, and overtures to the great zamindars of Bihar. Gandhiji, on his part, won the moral battle by being ever ready to meet the planters and being unfailingly polite and courteous with them at the personal level. But he never left the side of the peasants.

Finally, the government capitulated. No less a person than E A Gait, the Lt Governor of Bihar and Orissa, along with the Chief Secretary, H McPherson, held a long meeting with Gandhiji on June 5, at Ranchi, and here a settlement was worked out. A committee of enquiry, with such broad terms of reference as to cover all the matters that were relevant to peasants’ grievances was to be instituted, the committee to include Gandhiji, as member along with a representative of planters and another of zamindars and three British officials, including the President of the Committee. All the evidence that Gandhiji had collected could be placed before it. It was assumed that its recommendations would be honoured by Government. In return, Gandhiji at last agreed to terminate his campaign of collecting peasant grievances.

The mass movement at Champaran, revolving around the recording of grievances was over. But the actual work of alleviating the grievances had now to be taken up. Again, it is a sign of Gandhiji’s mature leadership that he took up work on this committee with the greatest care and earnestness. He attended all its meetings, presented full evidence before it and was alert in assessing promptly all the proposals that were put before it.

Gandhiji kept the European planters’ transgressions alone as the target of attack. The planters expressed their readiness to reduce the *sharahbeshi* rent by only 25 per cent, while Gandhiji demanded a reduction, at least, of 40 per cent. When the official members proposed that the balance of 15 per cent. might be met from the revenues of the Bettiah Estate, Gandhiji at once demurred. Clearly, he did not wish

to annoy the zamindars of Bihar, who had remarkably remained neutral in the matter. Ultimately, he accepted a 26 per cent reduction in *sharahbeshi* to be borne entirely by the planters.

It is remarkable that the Committee was able to present a unanimous well-written factually rich report by October 3, 1917. It practically conceded the truth of all the grievances that Gandhiji's own "enquiries" had brought out. It recommended the abolition of the *tinkathia* system and gave freedom to the peasants to grow whatever crop they chose. It denounced the payment by planters for indigo by the area sown and not actual outturn. The reduction of *sharahbeshi* rent by 26 per cent (as settled by Gandhiji with planters) was approved; and it was recommended that the *tawan* be abolished, no further payment of principal or interest on this account to be levied on the peasants. All *abwabs* or additional levies and perquisites as well as fines were held illegal. It recommended that a proclamation to this effect, with penalties to be prescribed, be issued. Above all, the *thekadari* or village-contracting system by which the planters gained zamindari rights over peasants in villages outside their plantations was to be phased out. Rights in hides were to belong to the peasant owners of the animals, not the planters. The minutes of the Committee meetings show how Gandhiji took up every issue of interest to the peasants and argued their case mostly successfully.

#### **Agrarian Act**

The major recommendations of the Committee required certain changes to be embodied in law and

so Government ordered a law to be prepared in the very month of October 1917, this taking the form of the Champaran Agrarian Act, 1918. It is characteristic of Gandhiji that he also scrutinised the draft bill and suggested changes in its text to protect the tenants' interests. Characteristically too, he spent little time in celebrating the huge success he had achieved for the peasants and the poor of Champaran.

The Champaran Satyagraha was the first struggle that Gandhiji undertook on Indian soil after his great 20-year long movement for the defence of Indians' rights in South Africa. It was to be followed quickly by the Ahmedabad workers' strike against indigenously millowners and

by the Kheda satyagraha against revenue enhancements, both in 1918; and then the all-India April satyagraha of 1919 against the Rowlatt Acts and, finally, the Non-Cooperation and Khilafat Movement of 1920-22. But the Champaran *satyagraha* will always remain as the crucial starting point, the yoking, for the first time, of peasant unrest to the national movement, an assured guarantee for the ultimate success of the latter. As we observe the centenary of the event today, one wonders how any tribute could be adequate for the firmness and determination shown by Mahatma Gandhi and the unflinching resistance offered by the long-oppressed Champaran peasants at his call.

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

by

**Rohini Gawankar**

Published by

**Kamalakar Subhedar,**

Secretary, Samata Shikshan Sanstha, Pareira Wadi,

Mohili Village, Sakinaka,

Ghatkopar(W), Mumbai 400072.

Mobile: 9820092255 / Contribution: Rs.300+

## Where Are India's Dissenting Hindus ?\*

**Harsh Mander**

In these troubled times, the world's two largest democracies – India and the US – are increasingly becoming hostile, threatening places for people with Muslim names. US President Donald Trump's ban on the entry of citizens from Muslim majority countries signals an official ideology legitimised from the top that people of Muslim faith are potentially dangerous. In India, the appointment of a man who revelled in hate speech and communal incitement against Muslims as chief minister of UP, the country's most populous state – which, if independent, would be the fifth largest country in the world – similarly signals, in the words of *The Guardian*, that "...in India minorities exist mainly on the goodwill of the majority. Step out of line and there will be blood." And blood has already begun to flow.

By all estimates, India is heading for a scorching summer. Signs are evident everywhere that the soaring mercury will be matched by the sweltering heat of hate speech and violence stirred against the country's minorities. In his early years in the country's highest office, Prime Minister Narendra Modi somewhat distanced himself from his own hard-edged communally surcharged oratory during his tenure as Gujarat chief minister by resorting to a rhetoric of relative moderation, especially when speaking on foreign soil.

His party president, ministers and legislators, however, felt no need to don a mask of restraint in their continued communal, and

often openly hateful, public provocations. This division of labour was useful for those who wished to explain away their support for Modi as being for his business-friendly economic policies and not his communal agenda, which they claimed was being pursued by his aides against his will. This apology never really carried real credibility, because a leader as powerful as Modi could easily have brought all his colleagues into line with a single rebuke if that was what he really wanted. However, with rabble-rousing Adityanath's selection, it is clear that he no longer feels a need for masks. With Trump's openly bigoted anti-minority stances, there is today a much more permissive environment for countries like India to also follow Muslim-baiting strategies more openly.

We have often heard of the frog who when thrown into a pot of boiling water, reacts immediately by jumping out. If the frog is placed into lukewarm water, which is slowly heated, it does not react or resist even as the water gradually boils, and the frog ultimately dies. Zoologists today contest the science of this experiment, but as a metaphor, it vividly illustrates the difference between what is unfolding against Muslim minorities in the US and India.

Trump, with his brash inexperience, threw the frog into boiling water. The cruelty and injustice were clearly visible to the world, and the frog also reacted. In India, the process is much more akin

to a slow but lethal raising of temperatures, through countrywide cow vigilante attacks, campaigns against religious conversion, communal election rhetoric, and the demonising of Muslims as terrorists, sexual predators, serial divorcees and irresponsible breeders. Observers are unable to comprehend the enormity of the assault. The frog – for us, the democratic rights to equality and freedom of Muslim minorities in both countries – is gradually being boiled alive.

In India and the US, the rhetoric led from the top convinces the dominant groups that it is they who are persecuted, rather than being the oppressors or even the privileged. Thus, in the US, white Americans are persuaded that the country belongs to them, but is being taken away by coloured people, alien immigrants and untrustworthy Muslims. In India, the message is that the country belongs to the Hindu majority, but it is being stolen – aided by corrupt 'secular' parties – by Muslims whose loyalty lies outside this land. This moral inversion resonated in both democracies, spurring the rise of a minority persecution complex in the majority.

This systematic hate propaganda met with some resistance from white Americans, mostly college educated. In India, however, the greatest support to divisive ideologies comes from people with the highest levels of education and privilege. I find much greater instinctive willingness for peaceful and respectful co-living

between people of differences in India among those who have been denied education and benefits of economic growth. This worryingly illuminates what higher education does to those who benefit from it in India – far from building liberal values or scientific temper, it seems only to nurture a sense of selfish entitlement and prejudice against minorities of various kinds and the poor.

These differences endure even when the privileged and educated Indians migrate to the US. Recent immigrant Sukhada Tatke observes in an article in the *Firstpost* the glaring absence of voices of fellow Indians in street demonstrations and protest marches as well as on social media feeds after Trump's election. She speaks of her California-based cousin who wondered why she was so distraught:

*\*This article first appeared in The Wire (www.thewire.in)*

“Nothing he does is going to affect you, he had said. Is that any consolation? I snapped back. Today, only after new moves in the president's immigration policy has he slowly begun to speak out against the dangers of a Trump presidency because he himself feels threatened by it.”

The most striking differences between India and the US has been the response of ordinary people to the anti-Muslim policies of their governments. Protestors gathered with welcoming signs at American airports within hours of the first travel ban being announced, people visited their Muslim neighbours to reassure them of their safety, judges at all levels struck down the presidential order, lawyers gathered at airports to offer legal aid and film actors spoke eloquently for the rights

of people of colour and minority faiths in film award functions.

In India, I wait for the day when in UP villages where posters have come up giving notice to Muslim residents to leave, Hindu residents reassure their Muslim neighbours that they are both welcome and safe; where they fight to defend the security and livelihoods of tens of thousands of people threatened by cow politics and contested abattoirs; where students, teachers, lawyers, doctors, workers, farmers, actors and journalists all join the battle against the toxic politics of baiting and scapegoating minorities.

Our silences can only signal our complicity with the brazen changing of India into a Hindu country. A land where minorities must submit, else blood will flow.

## Beef Eating And Gorakshaks

**Chandra Bhal Tripathi**

Once again the talk of total ban on cow slaughter and slaughter of cow progeny has gained currency with the call of the RSS chief Mohan Bhagawat for the same. Some friends have suggested that the Central Government should pass a Central legislation forthwith as no party in the Rajya Sabha, where the ruling party is in a minority at present, will dare oppose it. Let us consider some relevant facts and the historical background.

I don't recall in which tribal areas in the North-East cow slaughter and beef eating are common and wonder if the BJP Government at the Centre will be

willing to enforce a law banning these practices since they are trying hard to make inroads into these areas. But I remember that in Nagaland the most common meat is pork. However, I wish to raise some fundamental questions.

(1) Food habit has nothing to do with religion. I am a strict vegetarian and a teetotaler, have not taken even egg or tasted beer, but hate to interfere with the food habits of any individual. No value judgment should be attached to this issue.

(2) Meat eating of all kinds was common in ancient India even in the Epic ages. It is only Bhagawan

Krishna who realised the importance of preservation and promotion of cow and was, therefore, called Gopal. This was the theory forwarded by my esteemed mother, late Smt Durgawati Tripathi. I shall be thankful if some friend could enlighten me by citing the propounding of this theory by any scholar or social worker before her.

(3) The People of India in 16 volumes published by the Anthropological Survey of India has concluded that 85 per cent of India's population is non-vegetarian and beef eaters include Muslims, Christians, many tribal and even SC

communities. I can also say with confidence that many Hindus in foreign countries eat beef. I have observed this personally in many countries in Asia, Europe and North America.

(4) Meat is meat whether it is of cow or pig, buffalo or horse, dog (eaten by a revered Indian sage when hungry) or any other animal. It is irrational to discriminate various species of animals for this purpose. If a Hindu friend asks me to partake of meat, I tell him that I shall do so if he agrees to eat beef with me. Similarly if a Muslim friend asks me likewise, I tell him that I shall do so if he agrees to eat pork with me.

(5) I have seen reports that in UP 80 per cent of holders of licences for export of beef are HINDUS and JAINS. One of them was a notorious BJP MLA of western UP who instigated communal riots over the issue of cow slaughter and beef eating. I remember that the contractor in my home town in eastern UP for supply of cows for consumption of American soldiers during World War II belonged to a family of Hindu Mahasabha and RSS leaders.

(6) The RSS is vainly trying to project a great revolutionary anti-caste spiritual leader and Karmayogi Swami Vivekananda as one believing in Hindutva. It named its training centre as Vivekananda Kendra at Kanyakumari and has a big Vivekananda Centre in Chanakyapuri, New Delhi, that was headed by Ajit Doval (actual pronunciation Dobhal), the present NSA of the Government of India,

who retired as the Director of the Intelligence Bureau.

These friends should read about the famous episode in which Swamiji was furious with a Gerua-clad preacher probably from the undivided Punjab who came to Swamiji seeking funds for protection of cows. Swamiji asked him: "A terrible famine has now broken out in Central India. The India Government has published a death-roll of nine lakhs of starving people. Has your society done anything to render help in this time of famine?" The preacher foolishly said that this famine broke out as a result of men's Karma, their sin. It is recorded: "Hearing the words of the preacher, sparks of fire, as it were, scintillated out of Swamiji's large eyes; his face became flushed." The preacher slipped away. That was Swami Vivekananda for whom human life was much more important than that of an animal, be it a cow. Let these lathi-wielding protectors of cow, who normally have nothing to do with intellectual pursuits, read pages 8-11 of the book 'Talks with Swami Vivekananda' (18th Reprint, August 2013) published by the Advaita Ashrama, Mayavati, Champawat, Uttarakhand.

(7) We need not do any investigation into the background of these so-called 'gorakshaks' when Prime Minister Narendra Modi himself said that the Ministry of Home Affairs had been asked to keep a tab on these elements 70 per cent of whom were criminals, parading themselves as protectors of cow, wearing saffron scarves and creating terror during the day and changing into jeans, drinking and indulging in criminal activities

at night. With the recent victory of Hindutva forces in the State Assembly elections in some States and a so-called Yogi as the Chief Minister of the largest State it has become a harder problem to tackle the menace of these so-called 'gorakshaks' unless the political authorities at the Centre adopt a more accommodating approach.

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank

in favour of

**JANATA TRUST**

D-15, Ganesh Prasad,

Naushir Bharucha Marg,

Mumbai 400 007

## Janata

is available at

[www.janataweekly.org](http://www.janataweekly.org)

# Family System And The Question Of Womens's Freedom

Alka Joshi and Neeraj Jain

*"Don't cross the boundaries while asking questions, Gargi, else your head will be severed from your body."*

- Rishi Yadnyavalka threatening the renowned scholar Gargi during a debate in King Janak's court

When one starts talking about women's liberation in society, the reactions are usually: "You are out to break the family system"; "If a woman is liberated, what will happen to her children?"; "Then who will do the household work?"; "This will spread utter chaos in society"; etc. etc.

Yes, this is indeed how most people react when the question of women's freedom, independence and self-reliance is raised. A society which has believed since times immemorial that women are unworthy of freedom, where a woman who ventures alone out of her house is considered to be of "easy virtue" or "characterless", how can such a society even tolerate "freedom" and "liberation" for its women? Women, who as Manu declared, deserve to be abused ... their liberation? O God! What has the world come to! The question of women's freedom is not a subject of debate—it crosses the boundaries of debate.

On the one hand, it is true that times are changing. Our society is going through a period of painful transition. We no longer live in Gargi's and Yadnyavalkya's times. Today, a fiat like the one issued by Rishi Yadnyavalkya will not be accepted. Today, the debate on women's freedom and independence can today no longer

be concluded by issuing diktats based on *Manusmruti's* verses. Systems based on age-old inequalities and injustices are being questioned. Women are increasingly breaking traditional moulds and seeking their own identities. They are stepping out of their homes and doing all kinds of jobs.

However, on the other hand, there is still a lot of resistance in our society to these changes. Even if a woman attains eminence in society, her family does not recognise the respect and admiration she has won for herself in society. On the contrary, all kinds of questions are raised on her going out of her house and taking up a job and becoming economically independent, such as, who will look after the housework and children during her absence from the house, what impact her interacting with other men will have on her character, etc. The media too reinforces these backward views present in society through programs that reinforce the belief that a girl's destiny in life is to grow up and get married, show the 'liberated' woman to be reckless and irresponsible, depict the husband and children of a working woman as being helpless when she is not at home, etc.

It is high time we started questioning old social values and modes of thinking that consider

women's freedom and independence to be wrong and immoral. We need to set aside our prejudices and rationally analyse these societal beliefs and doubts. We need to recognise that a woman too is a human being. She has full rights to decide her role in society and how she should fulfill it. But our society has not given women this right, they have not been given independence and freedom to develop their inherent potential, and that in turn has affected society's development, because society has not been able to utilise their inherent brilliance and capabilities for its growth.

In our society, a woman's role has been restricted to within the family. When a girl is growing up, if she wants to go out and play, or learn dance or music, she is scolded—first help in the kitchen, you must first learn to cook. When she grows up and gets married, all the tasks outside the home are the responsibility of her husband, while all household tasks—such as cooking, sweeping-mopping, washing clothes, taking care of children, etc.—are considered to be her responsibility. While doing all her household chores, if she wants to go out to do a job and be independent, she has to struggle within her family: "What do we lack in our house that you feel the need to take up a job?" "You want to earn even though your husband is there!" By insinuating that her wanting to go out and work



would adversely affect the prestige issue of her family, all her enthusiasm is gradually killed.

A woman does not have her own independent identity. She is always identified as being someone's mother, wife and daughter. Her mother/father-in-law, sister/brother-in-law, husband and children — these constitute the limits of her existence. Her family is the be-all and end-all of her existence, she does not have the permission to cross this threshold. All her joys and sorrows are limited to within this boundary.

A woman's place in the home is evident from the names women use for their husbands, such as 'malak' (owner), 'swami' (lord), etc. These names describe reality. Within the house, a woman is nothing more than a man's slave, who wields unrestrained power over her. A man has the right to beat her, have sex with her even when she is ill, rape her, throw her out of the house for no reason, bring home a second wife at whim. All scriptures and religious books give sanction to this power wielded by men over women, and declare that it is a woman's duty to serve her God-incarnate husband. Female foeticide, harassment for dowry, domestic violence, abuse—a woman is forced to silently bear all this violence, all in the name of saving her family's reputation, honour, etc. Such injustice and violence on women has become so common in our society that people don't even notice it. Even if a man commits grave atrocities and injustices on his wife, no one reproaches him for it, his standing and reputation in society is not affected. This goes to the extent that when a young bride is killed for the sake of dowry, the entire society remains silent and attempts are made to hush up the case.

So many young girls' have seen their dreams trampled, have been deprived of education, have been married off to complete strangers at an age when they should have been singing-playing-studying. A girl tolerates all this, as she is brought up to believe that all the decisions regarding her life are to be taken by her parents, husband or even her brother; she does not have the right to take any important decisions regarding her life. And when a girl defies these rules and has a relationship with a man from another community, the village panchayat orders her to be raped; when she dares to defy her family to marry a 'man of her choice', the couple is brutally murdered by their family members. The silent acquiescence of society to such crimes/murders makes one feel that society can stoop to any level and break any law to protect this form of the family and the rights of men within it.

Should we give acceptance to such an oppressive form of the family? Can we call this an ideal family? Endorsing it means endorsing the inequality and autocracy inherent in it. History tells us that this form of the family has not always been so. In ancient human society, for many thousands of years till modern civilisation evolved, society was egalitarian, women were the head of the family and played an important role in the economic and social life of the community. With the evolution of private property, as wealth and power gradually started getting concentrated in the hands of men, women were gradually deprived of their social rights and imprisoned in the home. Thus arose patriarchy within the family system which relegated the woman to a slave's role. (Discussing how this transition

took place is beyond the scope of this essay.)

Old societal systems are obsolete today. We are no longer living in a feudal society where society was autocratically ruled by feudal lords and kings and there was no democracy for the people. Today, we are living in a democratic nation state where the rulers are elected on the basis of periodic elections and society is governed not by the whims of kings but on the basis of a written constitution that has been drafted by a democratically elected body. Our Constitution guarantees equality to men and women. However, the old feudal patriarchal family structure continues to exist. It is time that this structure is broken. Women must be freed from the confines of this form of the family, and in its place new family values based on mutual equality and mutual respect and genuine love need to be established. If marriage is the union of two lives and if love is a bond between two individuals based on mutual respect and trust, then where is the place for inequality and autocracy in such a relationship?

Only a family based on complete equality between man and woman, where there is mutual respect, love and trust between its members can give birth to a good citizen. A family is a girl or boy child's first school. It has an enormous influence on her/his value system and mental make-up. A child's home environment, her/his cultural upbringing, her/his parents' financial, social and cultural status, their method of raising their child, together determine what kind of human being a child will grow up to be. An ideal family is one which instills the values of equality, justice, honesty, hard-work, self-respect, rationality, generosity and fraternity

in a child, instills confidence in the child, provides the child the social-cultural atmosphere to develop his/her inherent potential, and motivates the child to become independent, form opinions take the initiative in every thing.

But can one expect this of an illiterate and slave-like mother, or an autocratic and arrogant father? Most definitely not. A home where inequality and patriarchal power are considered to be matters of prestige; a home where the mother is a slave, who blindly follows superstitions, customs and traditions, who is dependent on her husband for everything, who is daily abused by her husband, who is not even conscious of the fact that she has lost all her self-confidence and self-respect; a home where the father is arrogance personified; a home where there is no place for equality and logic, and orders are followed obediently—how can such a family nurture the values of equality, self-respect, justice and logical reasoning in a child? Only a mother who is well-educated, independent, confident, well-informed, cultured and has an independent personality can provide good upbringing to a child. A humane and just society can come into being only when the other half of its population, that is, the women, become free.

But in our society, unfortunately, a very large number of people continue to cling to old beliefs and value systems, and want to take advantage of inequality and male-dominated mindsets. They obviously do not want this old family system to be replaced by a new type of a family. These people, who are vociferous in their opposition to women's liberation, feel a loss in their prestige when women go out of the house to work. They

consider a woman to be family property / a decked-up object adorning the house / a machine for giving birth to the family heir / a body to be used for one's sexual satisfaction.

Such people do not realise that times are changing, and that in today's democratic society, relationships based on unbridled power and inequality cannot survive indefinitely. Sooner or later, women were going to rebel against these patriarchal bonds, and they have started fighting for their freedom. When women start asserting themselves, start fighting for their rights as equal human beings, these people vociferously condemn the women's liberation movement, claiming that it is breaking up the family and taking society to ruin. This is an outright lie. Let us examine their most important allegations.

Firstly, when women start affirming their rights, it is very rare that the family breaks up because of this. On the contrary, as the woman gradually asserts her identity, after initial strains within the family, it actually strengthens the family bond as now the relationship between the husband-wife or father-daughter becomes more democratic.

Secondly, if at all families are breaking up today, if we look closer, we will find that in the majority of cases, it is actually the men who are responsible for the break-up of the family. Men humiliate women and abandon them for not giving birth to a male child, and even bring home a second wife; or they run away from their responsibilities and take to drinking, leaving the wife to somehow take care of the children; or they keep a mistress. But all these

instances are not considered as breaking-up of the family, the wife is advised by society to stoically bear her suffering and somehow keep the family together and wait for the husband to mend his ways. But as soon as a woman decides to stand on her own feet and be economically independent, this is immediately dubbed as affecting the unity of the family system.

The words "mistress" or "concubine" do not have any masculine-gendered synonyms in our vocabulary, because in general it is only men who have been entering into such relationships, and continue to do so to this day. When women get equal rights in society and become financially independent, this will not lead to anarchy in society or cause the break-up of the family system; on the contrary, it will act as a check on men's promiscuity. A man will have to be faithful to his wife, because now she has the confidence and ability to leave him if he dares to be unfaithful. The relationship between husband and wife will now be based on mutual love, respect and trust. And words such as "mistress" and "concubine" will gradually become extinct in society.

The fear that a free and independent woman working outside the home will neglect housework and upbringing of children is also baseless. What do we see happening in practice? Today, whether it be a girl student or a working woman, she does all the household chores. She also capably discharges all responsibilities towards her children. But on the other hand, if there is an unemployed man in the house, he does not even help in housework; and the few men who do help out with household tasks are shamed as being tied to the apron strings of their wives.

Therefore, to conclude, all fears about women's freedom and independence are baseless and stem from a patriarchal mindset. These fears have no connection to reality.

Society needs to seriously ponder over this question of women's freedom. If we wish that today's children who will be the citizens of tomorrow imbibe the values of independence, self-respect and equality right from birth, if we wish that our country should break out of the shackles of centuries-old superstitions and antiquated value systems and progress and become strong, then we need to drastically reform our family system and create the social conditions that encourage women's freedom and independence. Women's participation in all walks of life needs to be increased, they need to be educated and need to be encouraged to become financially self-reliant. Arrangements will have to be put in place to ensure that women have abundant opportunities for education and employment. The household duties and child-rearing duties assigned to women should be shared, and men need to be encouraged to take equal responsibility for these tasks. Along with that, society must make provisions for crèches for babies in workplaces (so that women can take care of or nurse their babies as and when needed), day-care centres for small children, and community kitchens — so that women can be freed from their dual burden of work. In this manner, if the entire society becomes aware of the need for woman's freedom and independence, only then will women truly become free.

## ***Political Resolution***

### **Socialist Party (India) National Executive Meeting Delhi, April 9, 2017**

#### **On Right to Life and Dignity**

Every Indian citizen who believes in the propriety of the Constitution must give a serious thought to the dangerous developments taking place in the country. The Chief Minister of Uttar Pradesh is openly advocating for 'Hindu Rashtra' on the lines formulated by the RSS, and there are talks in government circles of changing the very nature of the Constitution which ensures a socialist and secular India.

The opponents of the present BJP government and its fanatic ideology apart, innocent citizens, who are not involved in power politics or any other kind of opposition are repeatedly and openly being thrashed and killed mercilessly by goons. The victims are mostly poor dalits, adivasis, minorities - Muslims, Christians and women. The recent case of lynching of Pehlu Khan, a dairy farmer, in Alwar district of Rajasthan, is another such example. The police are at best silent spectators, but at times even give encouragement. This shows that the present government is not willing to protect the right to life and dignity of citizens, ensured in the Constitution.

The Socialist Party condemns this unconstitutional, inhuman and uncivilized attitude of the government in strongest terms. The party demands immediate action against the culprits who lynched Pehlu Khan.

#### **On Demonetisation**

The Modi Government claims to

be serious about fighting the scourge of black money gripping the Indian economy. On November 8, PM Modi announced the demonetisation of Rs 500 and Rs 1000 notes and declared that its principal aim was to crack down on black money in the country. However, it was a farcical measure. Demonetisation can, at the most, demobilise only the black cash, that is, the illegal money, stored with the people at this present moment, and that too, only a small part of it. It does nothing to curb black money generation, nor does it attack the black wealth that has accumulated in the economy over the past years. That the government is not really serious about curbing the black economy is obvious from the fact that it is wilfully not taking any action against those who have huge hoards of black wealth, such as the 500 Indians who are known to have hidden their wealth in tax havens abroad, whose names have been revealed in the Panama Papers Scandal of 2016. It has been reluctant to curb P-notes. The BJP is not willing to make public its own sources of funding, such as from where it got the Rs 30,000 crore it spent during the 2014 Lok Sabha elections; on the contrary, it has been seeking to dilute anti-corruption legislations.

That the demonetisation policy has proved to be a total failure and has demobilised only a very small amount of black money, is obvious from the fact that three months after the December 31 deadline for depositing the demonetised notes in banks ended, the government has not yet

declared how much money has come back into the system! On the other hand, demonetisation has had a devastating effect on the informal sector, including agriculture, small retail and small businesses, and has destroyed the livelihoods of lakhs of people. But the government is not willing to admit even this, and has gone to the extent of manufacturing statistics to show that demonetisation has not had any adverse effect on economic growth. The government kept changing the rules on demonetization almost every day causing confusion and hardships to the public. Over 100 people died due to this arbitrary and abrupt decision. But there was not a single word of sympathy from the PM/government.

### **On passing important bills as Money Bills**

The Modi Government has been using the stratagem of classifying important bills as Money Bills to get them enacted as Acts of Parliament only by the approval of the Lok Sabha, since such bills do not require to be passed in the Rajya Sabha.

This undemocratic strategy has already been employed in the case of the Aadhaar Bill, even though it does not meet the necessary criteria for being such a classification. In fact, it contains many provisions which will have far reaching implications for the fundamental and constitutional rights of Indian citizens. Now, the government is using the same tactics to get the Finance Bill passed, even though it has several important features that have no place in a Money Bill. Thus, it contains several provisions that will drastically increase black money and corruptions, such as the provision enabling political parties

to receive unlimited and anonymous funding from corporate entities and from abroad. It is important that such bills, which have serious implications for democratic functioning and financial security of all citizens, be publicly debated, and most importantly, must be subject to proper democratic scrutiny in both houses of Parliament.

The BJP government is tearing all established conventions of the people democracy. Thus Companies (Amendments) Act 2016 is most mischievous. As per the amendments political parties can officially get donations from foreign firms without attracting provisions of FCRA. At present under the Companies Act there is a ceiling for donation, the especially making it anonymous. Central Government's amendment will result in, as an American Commentator has said after Citizens Case in USA, that nation will have corporate democracy and not people democracy. This can be challenged in the court on the ground of violation of Article 14 of the Constitution and irrelevancy of these legislations behind the passing of Finance Bill.

This willful violation of Constitutional propriety by the Modi Government once again goes to prove that it has no respect for the Indian Constitution. Furthermore, the government, by promoting private sector at the cost of public sector and by diluting labour laws in favour of industrialists, is violating the very spirit of the Constitution. The BJP Government is determined to dismantle public Sector, the sheet anchor for a Socialist Society. The centralisation of power in the Prime Minister's Office (PMO) is another example of ignoring constitutional

spirit of decentralisation.

### **The Socialist Party demands:**

To disclose in public the names of big defaulters of Public Sector Banks, the total amount being **Rs 8 lakh crores**. Why should they be shielded, when they are endangering the public interest and economy?

To disclose the names of all Swiss Banks and other tax heavens account holders without delay and to bring back the black money, as promised by Narendra Modi in the 2014 election campaign.

To stop any election funding by the corporate sector even in the guise of separate electoral trusts formed by corporate houses.

To introduce minimum of 30 per cent Income Tax on higher incomes including that on Corporate Sector.

To introduce Inheritance Tax, to reduce gross inequality in the Society.

To revive the Women Reservation Bill in State Legislature and Parliament.

With these immediate demands, the Socialist Party appeals to the citizens of India, particularly the youth, and all the political parties to come together to protect the Constitution of India in order to build a self-reliant, prosperous and civilised nation.

**Thus Stands the Socialist Party Upholding Brotherhood and Equality**

# Democratisation of Higher Education in India: Ambedkar's Vision\*

**K. S. Chalam**

I am grateful to the Dr B R Ambedkar Open University Vice-chancellor, the Executive, and Prof Sudharani for the opportunity given to me to present some of my views relating to Babasaheb Ambedkar's role in democratising higher education in India.

Education as a process of learning and disseminating of knowledge is alien to India as learning was from the very beginning related to enlightenment and self-realization of the individual. A savant like Swamy Dayanand Saraswati whose clarion call 'Back to Vedas' has now found a resonance had emphasized on character formation as the chief function of education. He had also advocated compulsory education of the masses and believed the state needed to ensure it for every Indian including untouchables. His scheme of education was traditional but adopted by the British to a large extent if we look at the curriculum of some of the courses taught in Government colleges like Rajahmundry during the 19<sup>th</sup> century. This is different from the Western concept of education where it is defined as 'acquisition of the art of the utilization of knowledge' (Whitehead).

One of the most influential thinkers at the time, and a great educator who had a profound influence on Dr B R Ambedkar (as his student), John Dewey said that, 'education is the process of re-construction or re-constitution of experience giving it more detailed value through the medium of increased social

efficiency'. He further noted that, "What nutrition and reproduction are to physiological life, education is to social life". As author of 'Democracy and Education', he said that, "if education is equivalent to genuine living, then democracy is the moral foundation of education. The essence of education is the extension of shared areas of meaningful action and this is also the essence of democracy". These ideas are found repeatedly in the writings of Ambedkar where he invariably quotes his teacher from Columbia University.

## Higher Education

We are concerned here about higher education. It is just not an extension of school education, it has its own identity, content, process and objectives and functions. Though higher education in a country is related to the structure of educational system of the country, it need not necessarily follow it. Interestingly, a section of economists have made higher education a commodity rather a private good to be offered on sale in any part of the world at any time. Therefore discussing democratization of higher education in India today is a daunting task.

B R Ambedkar having experienced what freedom stands for in a western democracy, both in USA and England wished that it should happen in India too. Critiquing undemocratic social institutions like caste, he emphasized the democratic principles involved in Buddhist Sangha. He desired that democracy should prevail in all our

relations: economic, social and political. We could notice in his speeches and writings that democracy should remain the bedrock of all educational endeavours as it remains the mother that provides the cultural background to sustain an equitable socio-economic order.

## Democratising Learning

What do we mean by democratisation of education? Is it equality of opportunity to get a place in the system of education? Is it a system of providing additional inputs to those whose family background is different from others where traits of a particular group are taken as standards to get admission? Is it to normalize the inputs of education and the outcome? Is it JP Naik's Coefficient of Equality at different stages? Is it Jencks's measure of inequality in income related to education? Is it reduction in the intergenerational inequality in income? And so on. But in most of the studies of scholars the enrolment of SC or ST or OBC in different educational institutions in relation to their respective populations as a measure of equality or democratizing education or the so-called JP Naik measure is considered. Even Indian Judiciary, popular discourse of Dalit and Bahujan intellectuals look at these figures to find out how they are discriminated. This measure, no doubt gives broad view of democratization, but it doesn't take in to account the disadvantages and the deficiencies suffered by the students of weaker sections for generations while getting

admissions based on a particular score. It also doesn't carry the need for parity in the enrolment of students from different courses of study in higher education including the enrolment in private sector institutions. There are several other issues that need to be considered by scholars to find out solutions to the problem.

The demand for places in public educational institutions started with the social movement of Jyoti Rao Phule who submitted a memorandum to Hunter commission along with the Muslims of Ganjam district of Madras presidency in 1882. In the princely states of Mysore, Kolhapur, Baroda and several other places the local Zamindars have provided opportunities of admission for lower castes. In fact D D Gholap, C K Bole Members of Bombay Legislative Council demanded free and compulsory education for untouchables in 1921 before Babasaheb Ambedkar made a strong case for it in 1927-28. Ambedkar was not satisfied with free and compulsory primary education, he was interested in higher education. You will find in his speeches both in Legislative debates and in public platforms he had made strong appeal both to the government and dalits to get admissions in to higher education and in science and technology courses. This had a cascading effect on the enrolments in higher education in different parts of the country. But, unfortunately, it is not uniform and varies from state to state.

### **Education as a Universal Right**

The development of education in India as a universal right is considered to be of very recent origin. Though the British are given the credit of being the benefactors of Universal

Education in India, the historical evidence does not support this claim. The argument between Mahatma Gandhi and Sir Hartog is a known controversy in educational history as Gandhiji could not substantiate his claim that there was universal education in India before the British came to this country. It is equally true that the British has failed to provide educational opportunities to every citizen in this country. It was only after the Woods Dispatch of 1854, the British Government took some interest in the educational development of the natives. As mentioned above, Jyoti Rao Phule who in his memorandum to Hunter Commission in 1882 accused the British for their penchant in providing educational opportunities only to the upper castes, while collecting huge revenue from the illiterate Shudras and Atishudras. One can say that this is the beginning of a movement for mass education in the country. However, no systematic attempt was made by any known leader thereafter for the educational upliftment of everyone in the country. It is in this context, the role of B R Ambedkar as a pragmatist of universal compulsory education for all and higher education as compulsory qualification for scheduled castes to enter public service need to be noticed. Perhaps he is the only leader of the pre-independence period who had a vision for a people's education movement in India.

While contextualizing Ambedkar Movement as a protest movement, M S Gore, Gail Omvedt and several social scientists placed Dr Ambedkar as a leader of the untouchables. He was never projected by the mainstream scholarship as a positive contributor to the overall social and educational development of the country. He has been a victim of

reductionism and in this context some of his followers are also responsible in joining the bandwagon of reductionism. Therefore, one of the important contributions of Ambedkar's to Indian Society, the "educational development" has remained obscured. It is brought out by scholars now that there were great leaders in South-India such as Ayothidas (1845-1914), Ayyankali (1863-1914) and others who have preceded Dr Ambedkar in their mission of amelioration of the social and educational conditions of the Dalits. But, the contributions of these savants are limited to the South while Ambedkar's contribution had an all India character due to several reasons. Therefore, it is necessary to evaluate the contribution of Ambedkar to the mass educational movement in India. It appears that there is no parallel to Ambedkar during the pre-independence movement in matters of an intellectual input into the arguments that the country needed universalization of education. In this context, Ambedkar seems to have been influenced by his Teacher and Philosopher, John Dewey of Columbia University. Very few Indians in the 20<sup>th</sup> Century had deliberately chosen to get educated in an open society like the USA. One among these was B R Ambedkar and the other prominent figure was Jayaprakash Narayan. Though both the leaders differ in their struggles and outlook, there was a common bondage that could put them together. It was their strong belief in democracy. United States of America at that time was trumpeted as the symbol of liberty and therefore, democracy. There was also a reason for this. One of the prominent advocates of democracy and a great pragmatist was teaching in Columbia University and spreading the message of democracy through his disciples.

This was John Dewey, a great educationist and a democrat. This perhaps, attracted the attention of Ambedkar and he chose to study in Columbia University. In fact, the formative years of Ambedkar were shaped by the academic atmosphere in Columbia.

Experts and scholars have written elaborately about the contributions of Ambedkar to Philosophy, Sociology, Religion among other fields. But there are very few attempts by scholars to project him as a great educationist. In fact, more than half of his life was spent in educational institutions. Even while he was in the thick of politics he took interest in the educational programmes of dalits. Out of 65 years of his precious life, he spent around 50 years as student, scholar, teacher and promoter of education (till 1938) His last assignment was Principal, Government Law College, Bombay in 1938. Therefore, it is necessary to understand and analyze his contributions to the development of education in India in general and to the educational upliftment of weaker sections in particular. In the formulation of special provisions for scheduled castes and other backward classes in the Constitution, Ambedkar seems to have consciously chosen the concept of “educationally and socially backward classes”. He knew that those who were considered as backward or uncivilized at that time were the ones who were denied education. Therefore, Ambedkar had been assiduously fighting for the educational rights not only of dalits, but for the illiterate and ignorant masses of the country.

### John Dewey Impact

It is essential that we should reconstruct here the educational

philosophy of John Dewey. The influence of John Dewey on Dr Ambedkar is so profound that he himself has declared in June 1952, after he was conferred an honorary degree in Columbia University; that I owe my whole intellectual life to Prof John Dewey. This intellectual allegiance of Dr Ambedkar to John Dewey can be seen in every aspect of his active public life including his social and educational movements. The essence of John Dewey’s pragmatism or practical idealism is projection of the ideal of democracy. His concern is that democracy should permeate every aspect of people’s lives, including the way people think and philosophize. As Gordon L Ziniewicz observed that the term democracy as John Dewey construed it, is not confined to actual or potential political regimes, but extends to every facet of human culture.

Democracy for John Dewey is a way of life, a method of thinking, a manner of approach, a habit of expecting the unexpected, an attitude of openness to novelties and variety of flexibility in actively attending to an adjusting facts and conditions as they present themselves. The greatest influence of John Dewey on Ambedkar can be seen in the emphasis on the precept that “the people and relations have to be democratic before democratic institutions can have any meaning.”

Out of six important works of John Dewey, the important book on “Democracy and Education: An Introduction to the Philosophy of Education,” published in 1916 had influenced the progressive world including Russia and China at that time. It is here John Dewey says that, “democracy cannot go forward unless the intelligence of the mass of people is educated to understand the

social realities of their own time.” The contributions of John Dewey including brief stints in China, Russia and as Signatory of Humanist Manifesto are very significant as he brought out the fact that education and society are not separate, each influencing the other. These ideals have swayed Ambedkar in taking up the agenda of development through democratic national building. Therefore, many of his programmes including education remained to be the foremost in his agenda of upliftment of depressed classes. Even from the beginning of his political career, he was interested in education. In the Bombay Presidency debates of 1927 and 1928 he has raised several issues relating to education which became important for policy formulations on education. In his memorandum to the Simon Commission on “concerning the State of Education of the Depressed Classes in Bombay Presidency” submitted on behalf of the *Bahish Krita Hita Karini Sabha*, he gave numerical data to bring out the miserable condition of the untouchables in the education sector. He has pointed out that enrolment of the dalits constitute 0.87 per cent of the total primary education and 0.14 per cent in Secondary and zero in higher education. Therefore, he wanted protection for the dalits through education guarantee by making the education of the depressed classes as the first charge on the State Revenue. He has also protested the practice of untouchability in municipal schools of Bombay where separate lots were given to dalit boys in his budget debates. This he said, made them to drop out from schools. This is a great economic wastage. He is the first economist who has realized the economic importance of education in India. **(To be concluded)**

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, April 16, 2017 & Posted on Wednesday April 19, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

*REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

**Vol. 72 No. 14**

**April 23, 2017**

**Independence Of Judiciary**

J. L. Jawahar

**Progressives vs Populists  
in Europe**

D. K. Giri

**Migrant Schools**

Tanya Majmudar

**Ensuring Progress  
of Scheduled Caste Sub-Plan  
and Tribal Sub-Plan**

Bharat Dogra

**Democratisation of Higher  
Education in India:  
Ambedkar's Vision - II**

K. S. Chalam

Editor :

**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)

## Re-connecting with Gandhi: Champaran Satyagraha Centenary National Conclave

**Anand Kumar**

It was hundred years ago that Gandhi arrived at Patna on April 10, on his way to the historical Satyagraha at Champaran on April 18, 2017 in response to a call from the oppressed Indigo farmers. It was a journey which proved to be an epoch making endeavour as within a week of his Patna arrival a new chapter of the national movement got inaugurated at Champaran which changed the course of our struggle. According to Dr Rajendra Prasad (a colleague of Gandhi in Champaran Satyagraha and the first president of independent India) ' – the whole of India was to get her first lesson and her first modern example of Satyagraha which was to open new flood gates of light and of vision before her. It is an old saying that no harm can come to the true, but a practical demonstration of this was to be given to the world on this day (April 18, 1917) by Mahatma Gandhi.' Now this historic event is being used to reconnect with Gandhi and the Gandhian way through several initiatives all over India.

A national conclave on Champaran Satyagraha Centenary was organized at the recently build

GyanBhawan by the Ministry of Education of Government of Bihar on April 10-11, at Patna to start a year long programme of awareness building and constructive activities to promote the values and the vision of freedom movement with focus upon the Gandhian ideas and practices. It was a gathering of three generations of Gandhian Satyagrahis from all over the country for critical overview of the contemporary issues and future steps needed in the context of the purpose, processes and lessons of Champaran Satyagraha. It concluded with a 10 point Patna Declaration emphasizing the need to follow the path of truth, non-violence, love and Satyagraha in personal, community and national life.

The inaugural session of the national conclave was addressed by an impressive panel of national icons including Justice Rajendra Sachar, Justice Chandrashakhar Dharmadhikari, S Subbarao, Medha Patkar, Razi Ahmed, Kumar Prashant, Ashok Chowdhary and Ms Aditi Desai. It began with a welcome note by Chief Minister Nitish Kumar urging for a roadmap

to take the society and nation forward beyond fear, dominance, exploitation and poverty through 'development with justice' ('VikasaurNyaya') as visualized by Gandhi. He underlined the value of Gandhian constructive programmes for nation-building by narrating the feedback about the socio-economic impact of Bihar Government's decision to implement Sharaab-Bandi (prohibition on sale and consumption of liquor). He declared that the Bihar Government intends to enlarge the scope of Sharaab-Bandi drive to aim at Nasha-Bandi (banning the intoxicating 'drugs') and Dahej-Bandieradication of evil of dowry).

The conclave focused on 9 challenges of India today for meaningful discussions as the main activity of the gathering — 1. Role of Champaran Satyagraha in Indian National Movement, 2. Gandhian philosophy of education, 3. Gandhian view and methodology of non-violence, 4. Gandhian approach to economic independence and self-reliance, 5. Gandhi and women's empowerment, 6. Gandhian philosophy and way of social justice, 7. Gandhian approach towards peaceful co-existence, 8. Gandhian philosophy on environment, and 9. Gandhi's message to youth.

These sessions were held in halls named after three towering figures of the Champaran Satyagraha — Raj Kumar Shukla, Kasturba Gandhi, and Peer Mohammad Moonis. These discussions involving more than 40 well articulated presentations were chaired by Tara Gandhi Bhattacharjee, Razi Ahmad, Vandana Shiva, Manimala, Tushar Gandhi, Kumar Ketkar and Anand Kumar.

(Continued on Page 5)

## Independence Of Judiciary

J. L. Jawahar

Whenever we think of independence of judiciary, we find many authors who insist that it is indispensable. There cannot be any doubt about it. It is a matter so obvious that it need not be repeated. But the next question is 'independent of what?' Prabhakar Sinha (*Janata* April 2, 2017) has rightly pointed out that the judiciary must be independent of the executive government. He also asserted that "The judges are public servants and would serve under any condition prescribed by law". What is the law that prescribes the conditions under which the judiciary has to serve? In a democracy like ours the constitution is supreme. The judiciary, like the other two branches — executive government and legislature — is a creature of the constitution. Obviously, the judiciary has to work as prescribed under the constitution. In fact the judges take an oath that they would always try to protect and defend the constitution. It means that the independence of judiciary as we contemplate it is not absolute. It has its limitations. It has its jurisdiction beyond which it is not supposed to step out. For example, it is not supposed to meddle with administrative matters or other matters that are allotted to the other branches of government under the constitution, like making a policy of government. It is completely independent in discharging its duties and brooks no interference from any quarter. One likely source of interference is the executive government and provision is made

in the constitution to prevent such interference to the extent possible.

But it is *alleged* that the "Modi government has managed to get the power to reject a name recommended by the collegium in the name of national security". It is suggested that this would make the judge 'obliged to the politicians helping in securing the appointment.' Unfortunately, judges have to be appointed by somebody or some authority, which has to be human. Constitution conferred that responsibility on the executive government subject to certain conditions. But what are the provisions of the constitution that gave the right to the collegium to select persons for appointment as judges? Before the collegium was brought into existence by self-serving theories, all appointments of judges were made by the government as prescribed under Art.124 of the constitution. But all those judges were not feeling obliged to those governments. There were many judgments that severely criticized the governments on many issues. There is no reason to be more apprehensive as the present government is led by a person named "Modi". It shows a clear prejudice. I too do not agree with all the activities of the government. But we have to give him credit where it is due.

It is suggested that the person appointed by the government would be obliged to those in the government and would not be free from the influence of the government. Extend

(Continued on Page 5)

# Progressives vs Populists in Europe

D. K. Giri

Populism dominates political discourse all over the world. Of late, there has been a phenomenal rise of populism in American and Europe, and as the other democracies tend to follow the west, they are also infected with this anomaly. There have been popular sloganeering, ideological posturing and rhetoric campaigns in the past, but the sudden gush of populism characterised by uncivil language, slanders, and untruths in a 'post-truth environment' upend conventional politics. Commentators, scholars and politicians are at a loss to explain the rise of populism, and devise mechanisms to counter it. In a recent international gathering in Europe, a senior politician, a former Minister, from India asked me, 'What is populism? What is wrong with it?' I guess he was confusing populism with popular. I do not blame him, as the range of words and synonyms in English can be mind-boggling for non-native speakers. Populism is however a political style as well as political doctrine that suggest that common people are exploited by the elite and it should be corrected.

The victory of Donald Trump in America, and the Brexit victory of those Britons wanting to leave European Union mark the high point of populist politics. Both democracies are matured and developed ones, the British being the oldest, and the American the greatest in popular terms. In fact, the win of populism in America on the bases of aggression, lies, and one-upmanship has slipped America down to the group of fragile democracies in the

ranking done by the Economist Intelligence unit. Populism is spreading in other parts of the world - Marine Le Pen in France, Geert Wilders in the Netherlands, Orban in Hungary, Erdogan in Turkey and some would say Modi in India, but I will certainly include Kejriwal in New Delhi, India. What do all of them have in common? In a world, where citizens are disillusioned with current state of affairs; corrupt politics, unequal society, disruptive economy, the populist politicians have found words and strategies to channel their anger, and win them over with tall promises, rhetorical discourses. They have reshaped the political landscape by reframing the debate. Such politics is not healthy in the longer term although it may secure temporary dividends for the champions of populism, and cynical satisfaction for its supporters.

## Sources of populist politics

What are sources of populist politics? Worldwide, the growth of populism could be traced to various factors. The first is the neo-liberal economic idea which has led to gross inequality and insecurity among people. The noble laureate economist Joseph Stiglitz suggests that the neo-liberal economy advocating free trade and market liberalisation has led to financial capitalism and now hyper-globalisation. Secondly, the austerity in Europe increased unemployment and poverty whereas the regressive taxation created wealthy individuals and cooperates, and cutting down welfare state caused more poverty,

ill-health, and consequent dislocation. Third, free movement under globalisation caused demographic changes challenging the conventional approach to culture and identity. This created a backlash for cultural cohesion and identity re-assertion. Fourth, in the developing, non-western world, corruption in government, and collusion of elites alienated and agitated the people. The last UPA Government in India reeked of scandals and elitism in numerous political families, ex-royals and ex-feudals it propped up. Fifth, the anti-immigration rants by populists are not uncommon. They stoke the misplaced fear of local population that immigrants ate up their state resources, took away their jobs, and defiled their culture. The fear 'of the other' and presentation of immigrants as 'coloured, inferior and backward' both in the Brexit campaign and Donald Trump's propaganda were used to the maximum. The anti-immigration language, the nationalist call, and the development rhetoric blurred the difference between facts and fiction, truth and falsehood while blatantly violating the political correctness.

Populism goes well with personalisation of politics. This process has helped the individuals to emerge as rhetorical leaders outside mainstream political platforms and become popular figures through national media. Kejriwal in India fits into this framework, as he made AAP his own, relying heavily on rhetoric, appealing to ordinary people on their basic needs, and attacking

everyone else from a high moral pedestal. That balloon gets punctured sooner than later and it has happened to AAP sooner. As this is being written, the AAP candidate in a Delhi State bye-election lost the security deposit. Look at the fall from the landslide victory of 67 seats out of 70 in 2015. Kejriwal, as a champion of populist politics is biting dust, which is good news for progressives who believe in ideology, values and political correctness. But the tentacles of populism are spreading fast. How do the progressives fight back?

### How to counter populism?

Progressives have to come up with better ideas that resonate with people and more viable strategies that win them electoral support. In the pages of *Janata* some of us have been arguing the urgent case a progressive platform in India, and there would be soon a bigger case in a monograph being brought out soon. The monograph discusses several optimistic scenarios for progressive politics - a social democratic party at national level, a progressive coalition with ground rules codified, coordinating the progressive social political movements to back up politics, defining and adhering to progressive values, issues and strategies and so on. For now, I will refer to the European Progressives' challenge in the following section. Progressives would largely mean social democrats.

Progressives would have to rethink winning ideas and strategies. On ideas, they have to take firm positions on liberalising the financial markets, deregulating the labour market, and rationalising the welfare state. Absence of clear positioning

by the social democrats pushes the people in the middle to the extreme right. In Europe, the neo-liberal economy has touched 1 to 20 per cent people at the top and those at the bottom have been touched by the welfare state. The in-betweens benefitted neither from the boom at the top, nor the welfare at the bottom. So, they are frustrated, alienated and resentful. They seem to listen to the Right when it talks to them. But what is Right offering them; more protectionism, more border controls, dismantling of European Union, getting rid of the euro etc. These are potentially dangerous for Europeans, and the rest of the world. In an interdependent, globalised world, isolationism in the name of nationalism is counter-productive. At the same time, one cannot outright dismiss the populist concerns about the dilution of national decision making, profligacy of the welfare state, democratic deficit in the supranational organisations, two prominently cited are European commercial Bank, and the European Commission. Progressives have to, at once, address these concerns to retrieve their support base from the populists. Progressives have also to take initiative in framing the debate and not just being reactive. They have to bring about reforms in two areas: euro zone governance, and Democratisation of EU institutions

For Euro zone governance, the progressives have to insist on the reforming the rules. The Rules are reinterpreted by countries in closed doors and are not brought into public discourse. That must change. The Euro zone has a good coordination policy reaching out to all the Ministers of Finance in each member country. Why not use such a coordination to allow the countries

to choose their own growth models, also development of their own yearly budgetary cycles. Such national budgetary cycles then can be discussed with other countries, European Commission, European Parliament, even the European Commercial Bank. This would put the responsibility of national economy back on the national governments, gives the democratic legitimacy at the national level, and make it legitimate at the European level through coordination. This will also take the wind out of the shell of populists, as the national economic planning will show the differentiation among the countries through different debates and proposals made in member countries. None of this will work, however, if member-states continue to have to contend with excessive debt loads that weigh on their economies (eg Greece and Italy), if they are left without significant investment funds provided by banks or the state (eg Portugal, Spain, Italy, and even France), as well as if some countries continue to have massive surpluses while failing to invest sufficiently (that is, Germany and other smaller Northern European countries). Some extra form of solidarity is necessary, beyond the European Stability Mechanism. Innovative ideas for renewal, such as Eurobonds, Europe-wide unemployment insurance, EU investment resources, an EU self-generated budget, and other mechanisms for other areas of concern—including solidarity funds on refugee or EU migration—would be necessary. Failing this, at the very least, member-states should be allowed to invest their own resources in things like infrastructure, education and training, research and development, incurring long-term debt at low

interest rates—without adding this to deficit and debt calculations, as under current deficit and debt rules.

Democratization of EU is becoming urgent. At the moment, EU is playing into populists by hollowing out its institutions. There are talks of multi-speed Europe etc. But what is important is to

allow all the member states equal say and opportunity to participate in the decision-making, and encourage debates in their national governments. Second, the social democrats who lead the pack of progressives have to come out openly and boldly what does social democracy mean in real and practical terms in the 21<sup>st</sup> century.

How do they propose to address several issues? How do they bring about a healthy equation between the institutions of market, state and the civil society without privileging one over the other? The answers to such a lot of questions will constitute the progressive platform in Europe and provide the antidote to populism.

*(Continued from Page 2)*

The speakers represented a meaningful mix of Gandhian practitioners, social thinkers, social activists and academicians. It was interesting to note that there was representation of a wide range of ideological orientations including Gandhians, Marxists, socialists, eco-feminists, and radical humanists. A summary report of these nine sessions was presented by Prof Purushotam Agarwal in the concluding session. The essence of the discussions was read out by Tushar Gandhi as 10 point Patna Declaration marking the conclusion of the national conclave.

The conclusion of the conclave to re-connect with the Gandhian legacy began with singing of Gandhi's favourite Bhajan "Vaishnav Jan To Tene Kahiye je Peer Parayi Jaane Re..." and a welcome notes by Deputy Chief Minister Tejaswi Yadav, Education Minister Ashok Chowdhary and Chancellor of IMG University (Gwalior) Ramashankar Singh. Public release of two well researched books - 'Champan Satyagraha Ki Kahani' and 'Champan Satyagraha Ke Sahayogi' authored by senior journalist Arvind Mohan and published by Sasta Sahitya Mandal

Prakashan was a significant event of this session. The valedictory session of the national conclave had Prof Rajmohan Gandhi as the main speaker who emphasized that the message of Gandhi and his Satyagraha at Champaran became an inspiration for our nation and continues to be relevant for us after a hundred years because it demonstrated the power of saying 'no' to injustice through non-violent ways and the significance of being prepared to pay the price of resisting an unjust authority and defying any unfair government in quest for freedom and dignity.

*(Continued from Page 2)*

the same logic. A person appointed by the collegium would be obliged to the judges who selected him for appointment. Is it acceptable? Or is it suggested that being subservient to other judges is better than being subservient to the ministers in the cabinet? I have not much regard for politicians. I respect judges more than politicians. But I want judges to be free from influence of politicians as much as from the influence of other judges. I wish every judge to be independent by himself and give his honest opinion as a judge without looking to the opinions of other judges. What we need is independence of every individual judge and expect him to be honest and enlightened.

Judiciary is a collective body. It is what the constituent judges make of it. Unless each of them is individually independent, judiciary cannot be independent.

That is why it becomes more difficult to select persons suitable for appointment as judges to the higher judiciary. The quality does not depend on any one academic qualification. Even the Supreme Court of United Kingdom is finding dearth of suitable persons for appointment to the Bench. In order to avoid the blame of misusing the right to select persons for appointment as judges, the Modi government brought in the National

Judicial Appointments Commission in a constitutional way. What are the grounds on which it was struck down by the learned justices? Even then, in complete disregard of practical exigencies, the government is alleged to have stolen the right, in the name of national security, to reject some of the names suggested by the unconstitutional collegium. National security is not the right. It is a responsibility that is cast on it by the constitution. It cannot escape from that responsibility. We cannot reform a system when we are ourselves suffering under a prejudice and bias. Unless we are ourselves independent, we cannot bring in an independent judiciary.

# Migrant Schools\*

Tanya Majmudar

*Yusuf Meherally Centre provides thousands of children with their only chance to go to school*

Kachchh, in the north-western part of Gujarat, is known for several things — the intricately embroidered handicrafts, the white desert, the resident wild asses and for those who love them, the migratory birds. But our trip to the region last month was to visit very different kinds of migrants - humans. It was to try and understand the way of life of an unusual people, the plight of their children and a remarkable initiative that enables them to go to school.

## The Fisherfolks' Schools

Our first visit was to a place called Randhbandar, near the port town of Mundra. A "*bandar*" is a port or a settlement along the coast. Though not too far from Mundra, the drive took us off the main road and along muddy tracks for quite a distance. In just a short while, the villages and towns fell far behind.

As the *bandar* came into view, we were hit by salty air and the smell of fish. The *bandar*, situated on mudflats, appeared to be a collection of makeshift tents made of jute cloth, propped up on wooden poles. Around this, stretching for miles and miles, were deserted mudflats.

The tents belonged to the Waghers, a Muslim community of fisherfolk. For nine months of the year, the Wagher people migrate from their villages to live in these settlements or *bandars*, along the coast. Entire families leave their homes and move here. They only head back home for the monsoon months. This is an age-

old practice in this community.

Due to the fact that the community spends most of the year in near isolation, the children hardly get a chance to go to school. This fact came to the attention of an NGO called Yusuf Meherally Centre (YMC), during relief work post the devastating earthquake of 2001. While handing out food packets, they observed that no one in the community was signing for them, but using their thumb prints, instead, to acknowledge receipt. That's when they realised that most of the families were not literate.

Members of this community belong to villages located all over Kachchh. When the children head off to the coast, their names get struck off their schools' rosters due to insufficient attendance. YMC thought of a solution — to open a learning centre for them at the *bandar* itself! And they did. They pitched a tent right on the beach and started gathering children there to study. Not an easy task. The parents were initially reluctant to send their kids for various reasons. They felt that the children wouldn't be able to take time from fishing. The occupation involves having to wake up at odd hours of the night to haul the fish in. At times they even spend hours out at sea. Older boys help the men in the fishing boats while women and younger children sort out the catch into fish that is to be sold fresh, dried or used for manure. At the time, parents questioned how this education would be useful to their kids in their fishing duties — this wasn't even a recognised school! But this

reluctance was nothing compared to the other struggles faced by YMC. From authorities questioning their right to use the land where they had pitched the tent to getting recognised by the education department to finding teachers to getting funds, every step was a struggle.

Not only did they find innovative ways of solving each of these problems, they also expanded. There are currently nine learning centres run by YMC in settlements along the coast from Samkhayali to Mandvi. Children of grade levels 1 to 7 come to these learning centres. Their attendance gets recorded here and sent to the government schools in their respective villages. This way, their names stay on the rosters. The learning centres thus act as supplementary schools. They are called Sagarshalas. YMC have even arranged for government school question papers to be sent here for students to appear for their exams. Teachers for these supplementary schools are recruited from surrounding areas and some are from the community itself. Some have had to learn Kachchhi in order to communicate with the younger children.

After a few years of running these schools for younger children, YMC felt that these were insufficient to address the needs of students as they grew older. They would require better facilities and more qualified teachers. They built a hostel in Bhadreswar for boys and girls of higher grades. The

children who choose to come here, now attend regular schools in Bhadreshwar.

As we watched one family in Randhbandar, huddled around a mound of fish, busy sorting, we wondered the value of such mainstream education that may take the children away from what has been their family's traditional occupation for many, many generations. But we were informed that fishing in Kachchh is, so to say, an endangered profession. With the destruction of mangroves for the construction of Mundra port, the fish populations have deteriorated, as the mangroves provided ideal breeding grounds for fish. The port brings in a lot of big ships that dump their waste here and industries dump chemical effluents as well, further affecting the remaining fish. People from YMC believe that in the next 8 to 10 years, fishing as a profession would no longer be an option, and hence it is essential that the next generation learn non-traditional skills and mainstream languages. Even now, the economics of fishing here is such that the fishermen are eternally in debt. The community faces other challenges too. They are ostracised for fishing, what the upper castes consider '*paap no dhandho*' (business of sin).

The programme has seen a lot of impact on the children. Not only do they now speak confidently in Gujarati, Hindi and some English, apart from their mother tongue, Kachchhi, they have also begun questioning certain superstitions or age-old practices in their community, such as child marriage. The boys are questioning their parents on why girls are forced to drop out of school after a certain age. There are very few girls in higher grades and in the hostel too, compared to boys. Children's

outlook has also changed. For instance, earlier, they used to carry catapults with them to shoot birds for fun. Now, not only have they given that up, they also stop others from doing so. Once a teacher at the Bhadreshwar hostel saw a Muslim boy wearing a *teeka* on his forehead. When asked why, he said simply, "Well, my Hindu friend observed a fast for Ramzan, so it's only apt that I wear a teeka for his festival." At the hostel, YMC holds conversations with children about things like gender roles within the family. Boys are encouraged to take up tasks such as sweeping or making tea, traditionally believed to be tasks for girls. They also talk about family planning and financial planning.

One concern we had was that living in a hostel and attending regular schools may lead children to devalue their parents' occupation. This concern is shared by Devenrabhai, who has been part of this programme since the very start. He says that though living in the hostel has brought about a positive change in the kids, he did observe them becoming a little detached from their earlier lifestyle and the occupation of fishing. He believes that it is vital that the children remain a part of their families and community and for this, he tries to ensure that they go visit the *bandars* every fortnight.

Some people who have been through the YMC programme and finished schooling have gone through ITI and on to mainstream professions such as plumbing, carpentry and others. Some have come back to teach at the schools by the sea.

### **The Salt Workers' Schools**

Just like the Waghers, people from the Agariya community, too, migrate

to the coast for nine months of the year. They work to extract salt from the sea water. Our visit to Jogninar, a salt flat near Mundra, gave a similar feel of being miles away from any town. Barren mudflats stretched in all directions, interspersed with white salt pans and heaps of salt.

Agariyas come from all over Gujarat — Ahmedabad, Patan, Surendranagar, Rajkot, Morbi. Salt extraction work at times starts at around 3 AM, lasts till sunrise and then recommences in the evening. This is to avoid the glare of the sun from salt crystals. This light is so harsh that many workers lose their eyesight when they grow old. Other diseases include chronic dermatitis (skin ulcers) on their hands and feet caused by constant exposure to sharp salt crystals.

Just like the kids of the fisherfolk, the Agariya children did not have any way of going to school and they, too, had their names struck off their schools' rosters for lack of attendance.

A year after YMC started their first school for the fishing community, they opened a school for children of salt pan workers. Here, the additional complication was that salt pan work was contract based. This meant that if one family came to one *bandar* this year, there was a chance that next year they may be somewhere completely different. Despite this, YMC persevered and now, twelve years on, they have ten supplementary schools for children of salt pan workers.

Mahadevbhai, who oversees this programme, was himself a salt worker till a few years ago. Just like the fishing community, these children, too, are first generation school-goers.

## The Labourers' Schools

The port and industries near Mundra have brought an influx of labourers from different parts of the country — Madhya Pradesh, Bihar, Uttar Pradesh. These people live in slum conditions near the city. Both parents work as contract labourers, while some children earn extra cash selling *pani puri* and such in the evenings. The slums have many issues — health, hygiene, water sanitation and alcoholism among men. Some of the children we met showed definite signs of malnourishment. These are some of the most marginalised people in this region. Without ration cards or migration cards, their problems are hardly even recognised by the government.

These children do not understand Gujarati. Up until recently, if they wished to go to school, they could either go to the Gujarati school in Mundra or attend school in a different state, away from their parents. There were no Hindi schools here. A few children did try going to the Gujarati schools, but didn't fit in and couldn't cope.

A few years ago, Childline India Foundation, an organisation involved with child rights, was working in the area. During awareness raising activities, the staff of Childline used to keep reiterating that children must be sent to school. One day, irked by this, parents retorted by asking where a Hindi medium school was. Hearing this, Dharmendrabhai and Sangeetaben of YMC took up the challenge of meeting the need. The very next day, they held class in the slum. Thus began YMC's work in providing Hindi medium schools.

Soon, more children arrived and they had to shift to a rented building.

In a short while, even this building proved too small — such was the overwhelming response from the parents! They soon had to paint a blackboard on the outer walls of the building and start taking classes outdoors. Finally, Arti Industries, a Mumbai based company that was already funding some fishing and salt schools, funded the project, and a building for the school was constructed, which they named Vallabh Vidyalaya. This school now provides lunch to the children and medical services to the children and their family members.

There are now three Hindi schools catering to a total of 800 children from 11 different states of the country. One of these schools, Shishu Vidya Mandir, is run in the godown of a Jindal steel plant, and the third is in Seeracha village. Many parents who had earlier left their kids back home while migrating to Kachchh have now brought them here.

## Impacts and Challenges

YMC has through these three kinds of schools reached out to children of migrant families along coastal Kachchh. Many of these children did not even exist in the eyes of the Government in the early years of this programme. The RTE Act in 2009 provided some impetus for Government officials to agree to the supplementary school model, as this ensured that more children remained enrolled in school.

The education provided by YMC is completely free for the students. Through this, they have made a difference in the lives of some of the most marginalised children in the district. It has been a struggle, given the challenges with space, funding and human resources.

Some of the teachers of these schools have themselves studied up till 6<sup>th</sup> or 8<sup>th</sup> grades in conventional schools and thus tend to focus on classroom discipline, rote memory and so on. We felt that the methods of teaching needed improvement. This should hopefully be addressed soon given that YMC is already thinking of ways of enhancing competencies through training and exposure visits to other schools. YMC also encourages teachers to study further and train in education.

We also felt that the curriculum being followed in school should link in some ways to the local environment of the children of the fishing community and the salt workers. There were efforts earlier in the fishing villages, but these were not sustained. It is important that the education received in school does not devalue the traditional knowledge or skills that the families have.

On hearing the older children speak, it was clear to us that YMC has managed to get children to think on issues of gender inequality, of respect for nature and of acceptance of all religions. These are important interventions and would hopefully help the children grow up to be fair-minded and non-discriminatory adults.

YMC has undertaken a huge responsibility by running these schools and hostel for migrant children. Their impact is clearly echoed by the words of Suggiben, a migrant to Mundra from Gorakhpur, whose children now study in Vallabh Vidyalaya, "I am so happy that we were able to bring our kids here. A family should remain together. Now my kids' future is in the hands of YMC."



# Ensuring Progress of Scheduled Caste Sub-Plan and Tribal Sub-Plan

**Bharat Dogra**

To ensure that the interests of scheduled castes and tribes are protected and there is inclusive development, special sub-plans were prepared for scheduled castes and scheduled tribes and these have played an important role in trying to ensure that in various sectors allocations for benefit of scheduled castes and tribes are made in conformity with the share of SC&ST in the total population of the country.

Of course the success in ensuring this was never completed and various organizations and activists have been complaining over the years about the lack of realization of full benefits under these sub-plans. At the same time there has also been some satisfaction that real gains have nevertheless been made by scheduled castes and tribes under these sub-plans and at least till recently these gains have been increasing to some extent.

This year also at the time of the release of the Union budget the government viewpoint has been that funds available under these sub-plans are being increased

significantly. But this viewpoint was contested strongly by some Dalit advocacy groups. The lack of clarity has been compounded by several changes made in the budget for the current financial year.

As from this year the practice of merging plan and non-plan expenditure has been adopted, certain questions have been raised regarding how the sub-plans will be implemented now. The provisions for scheduled-caste sub-plan now appear as Statement 10 A in the budget. This is not merely a procedural change and implications can be wider.

As the Centre for Budget and Governance Accountability (CBGA), a Delhi based organization which has been closely following these trends, has commented recently in a review of these changes, "While Statement 10 A remains important from the perspective of ensuring budgetary outlays for Dalits across sectors, in the absence of any reference to the Scheduled Castes Sub-Plan there is no clarity on parameters for assessing the allocations reported by various ministries/departments in this

statement. The main difference between the Scheduled Caste Sub-Plan until the last budget and the statement 10 A presented in this year's budget lies in the fact that while the Scheduled Caste Sub-Plan provided a norms-based framework to assess allocations reported by various ministries, the Statement 10 A does not do so."

Similarly in the case of Tribal Sub-Plan (TSP) the earlier Statement 21 A has been mentioned in the latest Union Budget as Statement 10 B 'Allocation for welfare of scheduled tribes'. As the review by CBGA has pointed out "What is inherently missing in Statement 10 B is a framework for earmarking funds, which was provided in the earlier TSP statement."

Hence it is clear that there are some genuine apprehensions regarding the continuity of the inclusive changes brought by the Scheduled Caste Sub-plan and the Tribal Sub-Plan. The government should explain the new situation clearly and give a clear assurance that the progress made under the two sub-plans will be continued.

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

by

**Rohini Gawankar**

Published by

**Kamalakar Subhedar,**

Secretary, Samata Shikshan Sanstha, Pareira Wadi, Mohili Village, Sakinaka,  
Ghatkopar(W), Mumbai 400072.

Mobile: 9820092255 / Contribution: Rs.300+

# Democratisation of Higher Education in India: Ambedkar's Vision\* - II

K. S. Chalam

In his budget debates in Bombay Legislative Assembly in 1927 as an MLC, he remarked, "I wish to remind him that the backward classes have come to realize that after all education is the greatest material benefit for which they can fight. We may forego material benefits, **we may forego material benefits of civilization, but we cannot forego our right and opportunity to reap the benefit of the highest education to the fullest extent.** That is the importance of this question from the point of view of the backward classes who have just realised that without education their existence is not safe. It is for this reason that the fight for increase of seats is being made.

It is necessary to bring here the total intellectual contributions of Ambedkar to the educational development of the mass of people. He is perhaps one of the first economists in the world who had realized the economic importance of education. In his debates in the Assembly and Parliament, one can find the tenor of his argument in favour of subsidies for education in general and for the weaker sections in particular. He was arguing in the Bombay Presidency Legislative debates in 1927 as follows, "We should at least spend on education the same amount that we take from the people in the form of excise revenue. The amount of expenditure that we incur per individual in this Presidency on education is only 14 annas, but the amount of money that

we recover in the form of excise revenue is Rs 2-2-9 (Rs 2.17). I think it is only fair that our educational expenditure should be so adjusted that we should spend on the education of the People as much as we taken from them in the form of excise." He has also calculated the fees income at different levels and argued that it financed 36 per cent of expenditure in collegiate education, 31 per cent high school and 26 per cent middle school education. Higher education should be made cheaper so that lower classes (not necessarily low castes) can enter higher education and benefit from the opportunities it creates. He had lamented that educational institutes were running on commercial lines during the British Raj. His words are prophetic that today higher education became a business that does not recognize 'merit', but only money power.

## Varsity Education Views

Higher education is generally related to university education that provides undergraduate education in colleges affiliated to a university and UG and PG and research mostly on campus departments now. However, university system was just evolving in the first 50 years after 1857 as it was basically used as a body to conduct examinations and confer degrees and later on developed on the lines of London University. Ambedkar was the first Indian economist who had two doctorates in Economics from two premier universities of the world - Columbia

and London School of Economics. Interestingly, he was offered a Lecturer post in Sydenham College while several others were directly offered Professorship in the University system after they with a foreign degree. If you read his debates on education in the Bombay Assembly, evidence submitted before University Reforms Commission etc, you would notice that he has carried the pain, but made constructive suggestions for the development of higher education.

Let us look at what Ambedkar noted in the Bombay Assembly in 1927. He said, "Sir, the University is primarily a concern of the intelligentsia and of the educated classes, and that as the University is to function properly it is necessary that it should be controlled by what are called the educated classes. I would accept that principle, if the educated classes who are going to control the University possessed what we called social virtues. If they, for instance, sympathized with the aspirations of the lower classes, if they recognized that the lower classes had rights, if they recognized that those rights must be respected, then probably we, coming from the backward communities, might well entrust our destinies to what are called the advance communities. But, Sir, for centuries we have had the bitterest experience of the rule of what are called the higher and the educated classes, Sir, I think it is hardly to the credit of the advanced classes that there should exist in this country a large part of the population

which is known as the criminal tribes. It is certainly not to their credit that there should exist in this country a population which is regarded untouchable. Surely, they could have raised the status of the depressed classes; they could have raised the status of the criminal classes. They could have brought their culture to us and made us equal to them, if they had only the desire to do so. But they have never done so in the past and do not mean to do anything in that direction in future. By their callous neglect of us and by their active hostility to our progress they have convinced us that they are really our enemies. There is no doubt that it is their desire to keep us where we are. I do not wish to refer to the debate that has gone on for the last few days. But there is not the slightest doubt about the fact that the opposition benches which looked upon Government as their enemy sided with it now with the sole object of defeating us on this vital question. There is no other excuse for their conduct except that they wanted to defeat the claims of the backward communities for representation through nomination. It is for that reason that they have joined Government whom they opposed in season and out of season. Sir, can we have any trust in an intelligentsia so narrow, so illiberal in its views."

He continued by saying that, "I agree with the Inspectors of the Board of Education in England that the aim and functions of University Education should be to see that the teaching carried on there is suited to adults; that it is scientific, detached and impartial in character; that it aims not so much at filling the mind of the student with fact or theories as at calling forth his own individuality, and stimulating him to mental effort; that it accustoms him

to the critical study of the leading authorities, with perhaps, occasional reference to first hand sources of information, and that it implants in his mind a standard of thoroughness, and gives him a sense of the difficulty as well as the value of reaching at truth. The student so trained should learn to distinguish between what may fairly be called matter of fact and what is certainly mere matter of opinion. He should be accustomed to distinguish issues, and to look at separate questions each on its own merits and without an eye to their bearing on some cherished theory. He should learn to state fairly, and even sympathetically, the position of those to whose practical conclusions he is most stoutly opposed. He should become able to examine a suggested idea, and see what comes of it, before accepting it or rejecting it. Without necessarily becoming an original student he should gain an insight into the conditions under which original research is carried on.

"If a University as a corporation of learning is to serve the community, then its constitution must provide (a) for a body which will keep it in touch with all varied requirements of the community; (b) for a body which will give the University a statesman-like guidance in the provision and also in accommodation of means to ends so as to bring about a working compromise between the possible misconceptions of the public and the possibly too narrow outlook of the scholar; and (c) for a body of scholars engaged in the work of teaching to give an authoritative direction to the academic business of the University. I want to impress upon the Committee that a University does not become a teaching University merely by engaging in the work of teaching through the agency of its own staff. That is not the criterion

of a teaching University. A University may undertake teaching and yet may not be a teaching University. Whether or not a University is a teaching University depends upon whether or not the scholars engaged in the work of teaching have the authoritative direction of the academic business of the University in their hands. If it is in their hands then the University is a teaching University. If it is not in their hands then the University is not a teaching University. **A teaching University is a teachers' University.**

In making these comments upon the management of the educational affairs of the Presidency under the Reform in their bearing upon the depressed classes, the Bahishkrit Hitakarini Sabha is not oblivious to the special provisions made for the education of the Depressed classes in the form of a few hostels and a few scholarships for higher education. But the Sabha begs to point out that it is useless to make provision for higher education of the depressed classes unless steps are taken to ensure the growth of Primary Education. Besides there is no guarantee that such concessions will continue. On the other hand that they depend a great deal upon the policy of the particular Minister in charge of Education and upon the voting strength of the Depressed classes in the Legislative Council, both of which are uncertain factors and cannot be depended upon.

It is also necessary here to bring in the ideas of Dr Ambedkar about the University education in his written reply to the Bombay University Reforms Committee. Dr Ambedkar had expressed his opinions about the aim and functions of university education:

1. That it is scientific, detached and impartial in character.
2. It aims not so much at filling the mind of the student with fact or theories as at calling forth his own individuality and stimulating him to mental effort.
3. It accustoms him to the critical study of the leading authorities, with perhaps occasional reference to first hand sources of information and that it implants in his mind a standard of thoroughness and gives him a sense of the difficulty as well as the value of reaching at truth.
4. The student so trained should learn to distinguish, between what may fairly be called matter of fact and what is certainly mere matter of opinion.
5. He should be accustomed to distinguish issues and to look at separate questions each on its own merits and without an eye to their bearing on some cherished theory.
6. He should learn to state fairly, and even sympathetically, the position of those to whose practical conclusions he is stoutly opposed.
7. He should be able to examine a suggested idea, and see what comes of it, before accepting it or rejecting it.
8. He should gain an insight into the conditions under which original research is carried on without unnecessarily becoming an original student.
9. He should be able to weigh evidence to follow and criticize argument and put his own value on authorities.

### **Democratic Functioning of Colleges**

Ambedkar has also expressed strong views about the relations between affiliated colleges and the university administration. He was of the view that government should have no control over the academic affairs of the university. He put forward an innovative idea that the duration of study for post-graduate degree in social sciences should be 4 years, with two stages of two years each. At the end of the first stage, the candidate should be entitled to the MA Degree should specialize in one subject only which should be the subject of his major interest. The test should consist of a written examination accompanied by an essay of some 75 typewritten pages showing his familiarity with the art of using original source and commenting upon them. At the end of the second stage, the candidate should be entitled to the PhD Degree. There the test would include an oral examination and a thesis of a respectful size fit for publication. He has always upheld the dignity of the teacher. In explaining the criterion of the teaching university, Ambedkar has proposed that both the teaching and academic business should be under the control of the teachers. He has argued for reservation of places in the universities senate and syndicate to represent the interest of the weaker sections. He wanted the use of vernacular as a medium of instruction at all stages of education. Some of his innovative ideas of pooling teaching resources at one place in urban areas appear to be more relevant today than ever before.

He was also emphatic in his arguments about the devolution of

functions between college and University. He was not at all favorable for professorial positions in the University who did not bother to teach and benefit under graduates. He gave written evidence before the University Reforms Committee wherein he had elaborately discussed the objects of higher education functions of various committees etc. which are still relevant. He has also argued in favor of more powers for the University Syndicate and also delineated the functions of senate, which he considered a Legislative Council of the university and syndicate in debates in the Bombay Assembly. He was of the opinion that the object of post graduate education is to train the student "to learn to distinguish between what may fairly be called matter of fact and what is certainly mere matter of opinion".

Ambedkar was found to be a thorough academic in his approach to problems with practical insights. He has a total understanding of education starting from primary to University level. He has expressed his scholarly vision on research. He spent most of his life for the development of education and even after retirement from active political life, he took interest in the development of educational institutions. He is the first among many Indians who had initiated a Peoples education movement for the poor in India.

In his detailed note, Ambedkar mentioned that education under the British rule in the Bombay Presidency must have a beginning with the foundation of the Bombay Education Society. It was later named as Bombay Native Education Society and was headed by Mount Stuart Elphinstone but the progress

achieved by this society was according to him, minimal. He has pointed out that, “what do these figures show? They show that although mass education was the policy of the Government, the masses were as outside the pale of education as they were, before the years, 1854 and that the concept and aborigine classes of the Hindus still remained lowest in order of education.”

### Upper Class Bias

The lacunae in the British Policy of Education according to him were its partial attitude towards the elite. The Court of Director’s mentioned that “it is our anxious desire to afford to the higher classes of the Natives of India the means of instruction in European Sciences and of access to the literature of civilized Europe. The character which may be given to the classes possessed of leisure and natural influence ultimately determines that of the whole people.

In this he found that the education in the British India was confined to few upper classes only. Ambedkar here provided the information and the arguments to show that the landlords, the higher employees and the Brahmins were the real upper classes who were benefited by the British education. See Appenix Tables for data provided by him before 1930, reproduced. Therefore, he wanted that the educational subsidy given by the British should provide opportunities to every one of the depressed classes much less the untouchables. He has provided sufficient data to prove what Mahatma Phule has brought to the notice of the British in 1882. In fact, he has extended the argument of Mahatma Phule as his spiritual heir asking for the British

support for universalizing education. In his debates in the Bombay Presidency he has opposed the introduction of Compulsory Primary Education Act as the proposed Act shifted the responsibility of educating the people to the School Boards. He pointed out that the School Boards would again implement the mandate of the elite as the Boards are dominated by higher classes and with little funding. It is irony that the country is still debating on the free and Compulsory Education to the mass of people even after 70 years of independence. The free and Compulsory Education Bill made as an Act and as a Right under Article 21A is not made fully operational. Had Ambedkar wisely included Art 45 in Directive Principles of State Policy, the Apex Court would not have directed the government to amend and incorporate Art 21A.

Ambedkar was a practical man as far as education is concerned. He registered the People’s Education Society in 1945 in Bombay to start Siddhartha College. He sent an application to government for an interest free loan of Rs 6 lakhs. While he was the Member of the Governor General Council, he made an appeal to people to contribute liberally for the establishment of the college. In his memorandum of association, he noted that the society is formed to establish a cosmopolitan college to provide education to Scheduled castes, Buddhists and others and will be managed by Buddhists. J H Subbaiah of Secunderabad was also a member of the society. The foundation stone for Milind College was laid by President of India Dr Rajendra Prasad in 1950 in Aurangabad. The land for the college was donated by Nizam and it was affiliated to Osmania University. I

had an opportunity to participate as Chief Guest of a National seminar at Milind College in 2004 where Dr Sahare and the principal had shown pictures of Babasaheb physically carrying construction material and was totally involved in building the institution.

Ambedkar was more interested in higher education and the above two examples are worth mentioning here. In his Manifesto of the Scheduled Caste Federation under Art 6 he mentioned that, ‘the set of education which the SCF has in mind with regard to these classes is not primary education, not even secondary education. What is in mind is advanced education of such high order, both in this country and outside, which will enable these classes to fit themselves for taking hold of administration.’ The SCF insisted on reservations in higher bureaucracy subject to minimum standards. Interestingly, in his memorandum to the government for loan to start Siddhartha College, he gave data relating to the enrolment of dalits in higher education as very low and appealed to the government for assistance in view of dalits being: 1. Poor, 2. Lacking accommodation and 3. for the sake of diversity in education. He noted that the institution would function affectively as it is headed by him and said, “having been a professor of Economics in the Sydenham College of Commerce, Bombay, Principal of the Government Law College, Bombay, a Member of the Senate and Syndicate of the Bombay University I feel that I can get recognition for the proposed College more readily from the Bombay University than from a University outside that Province.”

## Practical Approach

He had a pragmatic approach as far as education is concerned. In his speech for Voice of America on May 20, 1956, he said, "Can education destroy caste? The answer is 'yes' as well as 'No'. If education is given as it is today, education can have no effect on caste. It will remain as it is. The glaring example of it is the Brahmin caste. Cent per cent of it is educated, may be majority of it is highly educated. Yet not one Brahmin has shown himself to be against caste. In fact an educated person belonging to the higher caste is more interested after his education to retain the caste system than when he was not educated. For education gives him an additional interest in the retention of the caste system namely by opening additional opportunity of getting bigger job...But education may be solvent if it is applied to the lower strata of Indian society. It would raise their spirit of rebellion. In their present state of ignorance they are the supporters of the caste system. Once their eyes are opened they

will be ready to fight the caste system."

The data presented by Ambedkar from the reports of Hartog Committee and others clearly show that there were hardly a couple of graduates from scheduled castes in the presidencies in 1930, except in Bengal where there were 1670 graduates, Madras 47, Bombay 9 and in others nil. Now SC enrolment constitutes around 10 per cent of the total enrolment of higher education, while the enrolment of the nation itself is below 20 per cent. We do not have data about other castes except the reserved groups and in public institutions. The emergence of private sector under the tacit support of all non-reserved castes helped the bourgeoning of science, technology and management courses where the entry of the poor dalits, adivasis and backwards is formidable not only due to cost restrictions, but caste cleavages working against the reserved groups now.

The above analysis of Babasaheb Ambedkar and his understanding

about education and its ameliorative character tells us about his vision for the future. Babasaheb realized that unless higher education is democratized there is no future for the lower castes. It does not mean that by providing places in public institutions in proportion to the population of each caste, the inequalities and social discrimination would end. As we have witnessed during the last decade how dalit and backward caste boys and girls committed suicides for not getting admissions in to the system, but the echo system of higher education has become vicious for them to survive. Ambedkar himself has given the answer by saying that "once their eyes are opened they will be ready to fight the caste system." It is possible by popularizing and educating the learned citizens, the 'others' about the long run benefits of higher education would be higher and perpetual if your own citizens are educated and admitted as part of a democratic society as the externalities would be fabulous human development, failing which it would lead to social disaster.

**Table-1 Disparity in Education in 1923-24**

Classes of Population in the Presidency	Order in respect of Population	Order in respect of education			Primary Edu. Students per 1000 of the Class the Pop	Second Edu. Students of the Pop Class	College Edu. Students per 1000
		Per 1000 Pop of the 1000 of Class					
		Primary			Secondary	Collegiate	
Advanced Hindus	4 <sup>th</sup>	1 <sup>st</sup>	1 <sup>st</sup>	1 <sup>st</sup>	119	3000	1000
Intermediate Hindus	1 <sup>st</sup>	3 <sup>rd</sup>	3 <sup>rd</sup>	3 <sup>rd</sup>	92	500	52
Backward Hindus	2 <sup>nd</sup>	4 <sup>th</sup>	4 <sup>th</sup>	4 <sup>th</sup>	38	140	14
Mohammedans	3 <sup>rd</sup>	2 <sup>nd</sup>	2 <sup>nd</sup>	2 <sup>nd</sup>	18	14	NIL (OR NEARLY ONE)

Source: Dr Babasaheb Ambedkar Writings and Speeches

**Table-2 Educational Achievement during 1854-1882**

	<b>Primary Education Total</b>	<b>Secondary Education Total</b>	<b>Collegiate Education Total</b>
Christians	0.49	2.26	3.0
Brahmins	20.17	40.29	50.0
Other Hindus	64.69	34.84	22.3
Mohammedans	12.54	2.04	1.5
Parsis	1.12	19.66	21.5
Aboriginal and Hill Tribes	0.87	--	--
Low caste Hindus	0.87	--	--
Jews and others	0.12	0.86	0.4
Total	100.0	100.00	100.00

Source: Adopted from Dr Ambedkar as above

**Table-3 Higher Education in India by social category  
Access and Equity Program-wise enrolment 2004-05**

Program	Total	% Girls	% SC	% ST
PhD/D.Sc/D.Phil	55,352	41.2	5.8	2.4
MA	469,291	46.6	16.2	4.9
M.Sc.	198,719	45.7	10.4	2.8
M.Com.	122,257	34.0	9.2	3.0
Post-Graduate-sub total	790,267	44.4	13.6	4.1
BA/BA Hons	3,772,216	43.9	8.5	5.2
B.Sc/B.Sc	1,490,785	38.9	11.3	3.3
(Hons)	1,465,028	36.6	14.9	3.3
B.Com/B.Com (Hons)	696,609	23.7	8.5	3.1
B.E/B.Arch				
Undergraduate —subtotal	7,424,638	39.6	12.3	4.3
Medicine, Dentistry, Nursing,	256,748	34.7	11.5	3.7
Pharmacy, Ayurvedic, Unani and Homeopathy				
B.Ed/B.T	155,192	43.8	12.4	5.8
Others	3,095,099	37.9	6.0	2.1
Total enrolment	11,777,296	39.4	10.7	3.7
2015-16			18.5	13.3

\*\* Key note address delivered at Dr B.R.Ambedkar Open University, Hyderabad on April 4, 2017 on the occasion of 125<sup>th</sup> birth celebrations of Dr Babasaheb Ambedkar

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, April 23, 2017 & Posted on Wednesday April 26, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 15  
April 30, 2017

**Who Will Have Sympathy for  
the Rights of Jashodaben?**  
Sandeep Pandey

**Sweeping of  
Country by Hindutva**  
Ravi Kiran Jain

**From Destruction of  
Wombs to Liberators of  
Muslim Women**  
Irfan Engineer

**Breaking the Mould in  
French Politics**  
D. K. Giri

**Forget what a Hindu rashtra  
will mean for minorities.  
What will it mean for Hindus?**  
Saba Naqvi

Editor :  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## Another Futile Attempt

**Kuldip Nayar**

It was then Home Minister Gulzarilal Nanda who brought the question of Hindi to the fore. This time, it is Union Minister of State for Home Affairs Kiren Rijiju who has done so. Many people in Tamil Nadu then immolated themselves alive to register their protest. Thank god it has not come to that stage yet. Nanda had advised the central government departments to write notes on the files in Hindi to express their opinion.

The latest is that DMK leader M.K. Stalin has accused the Centre of trying to relegate people who don't speak Hindi to second-class citizens and of pushing the nation into becoming "Hindia". The controversy had been generated after President Pranab Mukherjee accepted the recommendation of the Committee of Parliament on Official Language that all dignitaries, including the President and ministers, especially those who can read and speak Hindi, may be requested to give their speech or statement in Hindi only.

The President has accepted several other recommendations, including making announcements on board aircraft in Hindi followed by

English. However, Union Information and Broadcasting Minister M. Venkaiah Naidu said the allegation that Hindi was being imposed is "completely false" and the government has "no intention" of imposing any language, particularly Hindi, on anyone.

The sharp reaction by leaders, particularly Stalin, indicates that at least Tamil Nadu is not yet ready to switch over. The issue is several decades old and yet it has not found any satisfactory solution. The non-Hindi speaking states repeat Prime Minister Jawaharlal Nehru's assurance that the switch over to Hindi from English will take place only when the non-Hindi speaking people say that they are ready for it. His categorical statement disappointed Hindi fanatics but the nation on the whole heaved a sigh of relief that India had retrieved from the brink.

The anti-Hindi movement gained momentum in the then Madras state where college students demonstrated against the switch over in 1965. Soon after, a full-scale riot broke out in Madurai sparking off a minor altercation between

agitating students and Congress party members. The riots spread all over the state and continued unabated for a couple of months.

They were marked by acts of violence, arson, looting, police firing and lathi charges. The then ruling Congress in the state had to call in paramilitary forces to quell the agitation. But their involvement resulted in deaths of nearly 70-odd people including some policemen. To normalize the situation, Prime Minister Lal Bahadur Shastri reiterated Nehru's assurance that English would continue to be used as the official language as long as the non-Hindi speaking states wanted. The riots subsided after Shastri's promise, as did the student agitation.

But then the agitation had led to major political changes in the state. The DMK captured power in the 1967 assembly elections and thereafter the Congress never came to power in Tamil Nadu. The Official Languages Act was eventually amended in 1967 by the Congress headed by Prime Minister Indira Gandhi to guarantee the indefinite use of Hindi and English as official languages. This effectively ensured the current "virtual indefinite policy of bilingualism" of the Indian Republic. There were also two similar but smaller agitations in 1968 and 1986 which had varying degrees of success.

In fact, within the very first fortnight of Prime Minister Narendra Modi's regime, the central government offices had received a circular that Hindi should be used on social media. This was an attempt to enter through backdoor. The non-Hindi speaking states spotted the fugitive move and protested against

it. New Delhi readily withdrew its step and declared that the circular was meant only for the Hindi-speaking states.

The latest statement by Home Minister Riju has only rekindled the fears of non-Hindi speaking people. And they are afraid of what may happen tomorrow. I am convinced that Modi's government is guided, if not goaded, by the Hindi chauvinists. The BJP has several liberal leaders who realise that the pace of switch over to Hindi would have to be slow, keeping in mind unity and diversity. Apparently, they do not have much say.

The India of today is very different from what it was 50 years ago, with each linguistic group asserting its identity. The turmoil during the States' Reorganisation process should be a warning. The idea of India can be jeopardized. The entire fabric can get torn if the sensitivities of the people are not allayed. What is the hurry? A few more decades' wait is too small a price to pay for preserving the nation's cohesion.

India has gone through large linguistic riots in the late 1950s and early 1960s following the Home Ministry instructions to different departments to make preparations for a switchover from English to Hindi as laid down in the Constitution. I wish this bilingualism should continue without anyone tinkering with it. But then Modi's men seem to be hastening the process without considering the sentiments of non-Hindi speaking people. The government wants to restrict the use of English to certain fields.

Yet, they realise that their haste can tell upon the country's unity. The

non-Hindi speaking states, particularly Tamil Nadu, have accepted the Constitutional provision that Hindi is the Indian Union's language. But they want time to learn it and come up to the standards of people living in the Hindi belt like Uttar Pradesh, Madhya Pradesh or Rajasthan.

No doubt, Modi feels at home with Hindi and his sweep in elections is primarily because of the campaign he led in Hindi, somewhat Sanskritised for northern Indians. But he should remember Nehru's promise made in 1963 that both Hindi and English would continue to be the link languages for administration throughout the country. Nehru did not fix any deadline for the exclusive use of Hindi.

Heritage is linked with languages and therefore leaders all over the country will have to devise ways and means whereby regional languages get succor. Without a long-term plan to reinvigorate them, some regional languages would fall by the wayside as the days go by. How many regional languages will survive 50 years hence is anybody's guess.

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank  
in favour of

**JANATA TRUST**

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

# Who Will Have Sympathy for the Rights of Jashodaben?

**Sandeep Pandey**

The Bhartiya Janata Party's initiative against the triple talaq is laudable. The Muslim clergy's position that it is an interference in internal matters of Muslim personal law is akin to a family accused of domestic violence claiming that it is their internal matter. Just as a woman cannot be allowed to suffer inside a home, Muslim women cannot be left at the mercy of their whimsical husbands. The truth is that whether Hindus or Muslims, the patriarchal society has not been kind to born and unborn girls. India's sex ratio at 940 is very dismal compared to 997 of our neighbour Bangladesh indicating that female foeticide remains a massive problem. Child trafficking, forcing children into sex work and begging are widespread in India. These illegal activities take place in broad daylight. One wonders why triple talaq is being given priority over more serious problems like foeticide and child trafficking? Are people maintaining silence over these issues not as guilty as those responsible for committing these crimes?

Prime Minister Narendra Modi has every right to be sympathetic to the Muslim women and raise the issue of injustice to them. Some Muslim women are quite happy that for the first time a party and a PM is taking up their issue in such unequivocal terms. But just as the PM has a right to take up issues of Muslim women one has the right to raise the matter of Jashodaben who has to lead the life of a single woman for almost five decades now without even going through the process of formal divorce. In cannot be argued

for reasons analogous to abovementioned that it is a personal matter. Moreover, in the United States, the personal life of a person doesn't matter until he/she chooses to run for a public office. The citizens there want their Presidents to have sound family relationships. Any blemish, even from the past, can cost their candidacy.

Narendra Modi's justification that he renounced family life for public service sounds specious. He may have left for sanyaas to Himalayas soon after his marriage but the truth is he came back and worked at his uncle's business. What is now being projected as a sacrifice for public life can be construed as abandoning his family obligations from Jashodaben's point of view. Narendra Modi has demonstrated that he is as prone to human weaknesses as ordinary folk by wearing for an expensive coat with his name inscribed and indulging in selfie taking with important international leaders during his visits abroad in the initial two years of his premiership. Obviously, the sacrifice of family life has not transcended him beyond worldly cravings. Moreover, Jashodaben has indicated that she still has emotions for Narendra Modi and would meet him at the right time. Between the two if anyone has made a sacrifice it is Jashodaben because she did not have control over the decision of separation. It was forced upon her. Narendra Modi can argue that the decision of marriage was forced upon him even when he was a child. But that is how most marriages still take place in India. Parents have a

key role in deciding the match. The couple is expected to live up to the expectation of their parents and the society. Is it not Indian values?

Jashodaben filed application under Right to Information Act to know her rights, entitlements and copy of the order issued for her security, as the PM's wife, but was denied all information. Interestingly, she kept writing her name as Jashodaben Narendrabhai Modi and officials continued to address her as Jashodaben Chimanlal Modi, based on her father's name. When she wanted to apply for a passport to go abroad on the invitation of some relatives, it was denied to her on the pretext that she failed to provide her marriage certificate or an affidavit from her husband. Was it not her husband's responsibility when the matter was in public domain that she got the information that she sought as well as her passport? She was denied her rights even as an ordinary citizen. Who will stand up for the rights of Jashodaben? When a Doordarshan official tried to do so by broadcasting her comments he was transferred from Ahmedabad to Port Blair. Rather than be sympathetic to Jashodaben the government chose to be vindictive to an official who tried to help her. After all, she was not demanding big things. The government should do a course correction and still provide her what she wants.

Jashodaben has been compared with wife of Gautam Buddha,

*(Continued on Page 7)*

# Sweeping of Country by Hindutva

Ravi Kiran Jain

Describing the demolition of Babri Masjid in Ayodhya as “Crimes which shake the secular fabrics of the Constitution of India”, the Supreme Court on April 19, 2017 put the senior BJP leaders L.K. Advani, Murli Manohar Joshi and Union Minister Uma Bharti on a joint trial with ‘*kar sevaks*’ in the 1992 case under various charges, including criminal conspiracy to pull down the disputed structure. The Court also ordered restoration of charges against Rajasthan governor Kalyan Singh (who was Chief Minister at the time of demolition) and eight others in connection with the case but exempted Kalyan Singh from prosecution on account of Constitutional immunity he enjoys as Governor. After this order of Supreme Court, Uma Bharti and Kalyan Singh should have stepped down. On the contrary Uma Bharti raised the political pitch saying she never had any regrets about her role in bringing down the “disputed” Ayodha structure on December 6 1992. She said she had always been proud of her participation in the Ram Temple movement. “*Na maine kabhi khed vyakt kiya hai, na maine kabhi mafi mangi hai*” (neither have I expressed any regret, nor have I ever apologized),” she said.

The *Indian Express* dated April 20, 2017 in its editorial observed “Finally, the wheels of justice are turning in the Babri Masjid demolition case. The possibility of due process leading to justice and closure in one of the most seminal cases in India’s political history

seems within reach now, 25 years after the 16<sup>th</sup> century mosque at Ayodhya was demolished by *Sangh Parivar* activists in the wake of the Rath Yatra of the-then BJP Chief L.K. Advani, shaming a nation and setting powerful new political dynamics in motion. The Supreme Court’s order on Wednesday sets back on track the judicial process and lays down conditions to ensure that the trial is not delayed or compromised further.”

In 1984 elections in which Rajiv Gandhi had a clean sweep, BJP could secure only two seats in Lok Sabha. The *Sangh Parivar* started a campaign for the construction of a magnificent Ram Janam Bhoomi Temple at the site and by 1985 built up a sizeable support in the Hindu community. In January 1986, locks were removed from the mosque and Ram bhakts were permitted to offer prayers to Ram Lalla. It is said that the Prime Minister Rajiv Gandhi ordered the Chief Minister Veer Bahadur Singh to do so, who got the District Administration to ensure this. The two major political parties BJP and the Congress started a race on pandering to communal Hindu sentiments. In 1988, Hindutva organizations led by the RSS organized a mass campaign for building a grand temple exactly where the Mosque stood. They claimed that the Mosque stood at the precise site where Ram was born.

Union Home Minister Buta Singh signed an agreement with the VHP on 17<sup>th</sup> August 1989, that bricks for constructing the temple would be

allowed to be brought from all over UP without hindrance and collected at the plot No. 586 near the mosque. This agreement was in violation of an order of the Allahabad High Court given on 14<sup>th</sup> August that no construction activity could be taken at that spot.

Later, the VHP announced that ‘*kar sewa*’ would be performed to lay the foundation stone. This was also a violation of the judgment given two days earlier, prohibiting any such activity. This repeated defiance, of the orders of the court did not weigh with the Prime Minister who inaugurated the campaign of Congress party the next day from twin city of Faizabad, and announced that the objective of the party was to establish **Ram Rajya**. Soon thereafter the BJP President Advani, at Palampur, after the National Executive Meeting, announced that the inclusion of the construction of the temple in its Election Manifesto “would fetch votes “for it. It would thus appear that the two major political parties were in a race on this issue between 1984 and 1989.

Looking back at the developments around 1989, we are reminded how *Mandalisation* was made an effective issue by the casteist forces in answer to BJP’s *Kamandalisation*. Very soon, casteist forces came to acquire political legitimacy by projecting themselves as political forces opposed to communalism, and in order to appear so, they masked themselves as “secularists”, though the truth was that they had discovered

“caste politics” as a potent instrument to win success at elections without even doing anything while in power for solving the basic problems of the masses. There emerged a consensus among various political parties to maintain their vote banks by dividing the people on caste and communal lines. Non-performance by a party in power became irrelevant because of its potential to work out a favourable caste arithmetic and win elections. Communalism on the one hand and casteism on the other thus acquired a firm sway over the Indian polity. If anything, it were the three C’s—centralisation, corruption and criminalisation—coupled with the caste and communal divide, engineered by opportunistic political forces as the shortest route to quick success, which made all the relevant issues, concerning the public, irrelevant. While corruption and criminalisation sapped the soul out of the ideal of people-oriented democratic governance, centralization of political authority led to an unaccountable bureaucratization of governance.

In this backdrop the movement to construct a Ram temple at the sight of the Mosque also gathered momentum in 1989 and continued till 1992. The Supreme Court in *M. Ismail Farooqui vs UOI*, (AIR 1995 SC 605) noticed: “A new dimension was added to the campaign for the construction of the temple with the formation of the Government in Uttar Pradesh in June 1991 by the Bhartiya Janata Party (BJP) which declared its commitment to the construction of the temple... The focus of the temple construction movement from October 1991 was to start construction of the temple by way of ‘kar-sewa’ on the land acquired by the Government in Uttar Pradesh while leaving the disputed

structure intact... There was a call for resumption of kar sewa from 6<sup>th</sup> December 1992 and the announcement made by the organizers was for a symbolic kar-sewa without violation of the court orders including those made in the proceedings pending in this court. In spite of initial reports from Ayodhya on 6<sup>th</sup> December, 1992 indicating an air of normalcy, around mid-day a crowd addressed by leaders of BJP, VHP, etc., climbed the Ram Janma Bhoomi-Babri Masjid (RJB-BM) structure and started damaging the domes. Within a short time, the entire structure was demolished and razed to the ground. Indeed it was an act of “National Shame” what was demolished was not merely an ancient structure; but the faith of minority in the sense of justice and fair play of majority. It shook their faith in the rule of law and constitutional processes. A five hundred year old structure which was defenceless and whose safety was a sacred trust in the hands of government was demolished.”

In a speech from the Red Fort in Delhi on 15th August 1992 which was broadcast, the Prime Minister P.V. Narasimha Rao had already said that “The Babri Masjid structure will be protected and the Ram temple built”. This assurance would lead people to draw a conclusion that the Ram Temple was not to be built on the site of the Babri Masjid because that structure was to be protected. The destruction of the Babri masjid had deeply wounded the religious feelings of the Muslim community throughout India and the least that could be done to sooth those injured feelings was to assure the community that the Babri Masjid was to be rebuilt. The Prime Minister gave that assurance on December 7, 1992, and referred to it again on

February 7, 1993 in the BBC ‘Phone-in programme’. He said “I thought it was necessary, it was my duty to rebuilt the Mosque.”

“The judgments delivered by the Lucknow Bench of Allahabad High Court on September 30 on the Babri Masjid cases not only flagrantly violate the law and the evidence but a binding unanimous judgment of the Supreme Court on the Babri Masjid case itself [*M. Ismail Faruqui and Others vs Union of India and Others (1994)6 Sc 360*]. It sanctified the conversion of a historic mosque, which stood for 500 years into a temple.” Said A.G. Noorani in his article “Muslims Wronged” in October 22, 2010 issue of *Frontline*. Noorani further says in the same article, “On the Babri Masjid, for 60 years from 1950 to 2010, Muslims have been woefully wronged by every single court ruling, including that of the Supreme Court after the demolition of the mosque on December 6, 1992”.

An eminent jurist and Senior Advocate of Supreme Court T.R. Andhyarujina in his article (*The Hindu*, October 5, 2010) said “The absence of any condemnation of the vandalism of the demolition of the Babri Masjid on December 6, 1992 is a conspicuous aspect of the Ayodhya verdict of the Allahabad High Court.” T.R. Andhyarujina further says in the same article: “The Ayodhya judgments of the Allahabad High Court make no note of the vandalism of December 6, 1992. On the other hand, they take the demolition as a *fait accompli*, as if the disputed 2.77 acre site was vacant land. After holding that the area beneath the central dome of the erstwhile Masjid must be allotted to Hindus because of their faith that Lord Ram’s place of birth was there,

and the areas covered by the Ram Chabutara and Sita Rasoi should be allotted to the Nirmohi Akhara, the court has said that the remaining area of the disputed site should be divided, two-thirds to the two Hindu plaintiffs and one third to the Muslim plaintiff by metes and bounds. These judgments, therefore legalize and legitimize the 1992 demolition, as the decree of the court proceeds on the basis that there is no Masjid on the disputed site today. It is an elementary rule of justice in courts that when a party to a litigation takes the law into its own hands and alters the existing state of affairs to its advantage, (as the demolition in 1992 did in favour of the Hindu plaintiffs), the court would first order the restitution of the pre-existing state of affairs.”

H.M. Seervai, one of the most distinguished constitutional lawyer in an article “Babri Masjid” published in *Economic Times* on 9<sup>th</sup> and 10<sup>th</sup> April, 1993, said: “The destruction of the Babri Masjid put an end to all previous controversies raised by Hindu organizations about their alleged rights to erect a temple on the place where Babri Masjid stood. This is because no Court will give any assistance to those who unilaterally by criminal acts destroyed the subject matter of this dispute and violated the constitution and the law.”

The Allahabad High Court verdict came on 30<sup>th</sup> September, 2010 during UPA-II regime. After Allahabad High Court judgment a grave and serious danger to Indian democracy appeared on the horizon. This verdict gave a legal shape to the political agenda of the Sangh Parivar “*Mandir wahin Banaenge*” and has legitimized the Masjid demolition on 6<sup>th</sup> December,

1992 paving them a way to claim to construct a “Grand Temple” at the sight of the demolished Masjid and gave a boost to the BJP to contest 2014 elections based on this issue. Although against the Allahabad High Court judgments many appeals were filed in the Supreme Court (which are still pending), and the question as to whether they could construct a temple at the site of the Mosque had yet to be finally decided by the Supreme Court, the *Sangh Parivar* continued with their campaign for 2014 elections that they would construct a Grand Temple. This judgment gave strength to the BJP and the power behind it - the RSS and the *Sangh Parivar* consisting of such organization as the *Akhil Bhartiya Vidyarthi Parishad*, the VHP and the *Bajrang Dal*. They gave to Indian politics a heady mixture of aggressive Hindu communalism and an equally aggressive Hindu nationalism. In that process they promoted enmity between the Hindus and the Muslims. The movement fostered by these forces contains all the essential characteristics of fascism.

After about three and a half months of 6<sup>th</sup> December, 1992 demolition, 13<sup>th</sup> J.P. Memorial Lecture was delivered by Shri V.M. Tarkunde on 23<sup>rd</sup> March 1993 on Communalism and Human Rights. Shri Tarkunde said in that lecture : “ I am of the view that the communalist nationalism which is being propagated by the BJP and the *Sangh Parivar* represents a far greater danger to Indian Democracy than the personal authoritarian rule which Mrs. Indira Gandhi and the Gandhi-Nehru family were likely to impose on the country. A personal authoritarian rule is a lesser danger because it is largely external to the

people. Most of the people do not approve it, although they are usually too afraid to stick out their necks and openly oppose it...Communalism, however, particularly when it is the communalism of the majority and can therefore take the form of ardent nationalism as well, can find a positive response in the minds of the people who are still prone to religious blind faith and among whom the humanist values of democracy, i.e, values of liberty, equality and fraternity are yet to be fully developed. Communalism in such cases is an internal enemy in the human mind and it is far more difficult to eradicate it than an external enemy like an autocratic ruler.” Shri Tarkunde cautioned about the possibility of the BJP coming into power in the next elections (after demolition of the Mosque in December 1992). In this context he said in his memorial speech “as the Congress(I) is now much weaker than before and the opposite parties are unable to unite to form an anti-communal secular platform, the BJP expects to come to power in the next election. If this happens, the secular democracy in India is liable to be replaced by a potentially fascist theocratic state.” However, it did not so happen in the next election. But in 1999 BJP-led coalition, NDA, formed the government with Atal Bihari Vajpayee as Prime Minister, with a strong opposition in Parliament. What Shri Tarkunde was apprehending in 1993 to happen, has happened in 2014 by the victory of Narendra Modi with a huge margin in Lok Sabha and a weak and divided opposition.

Now after three years of the victory of Narendra Modi in the Centre, Yogi Adityanath, a Hindu icon has been elected as the leader

of Uttar Pradesh Legislative Party and installed as Chief Minister. The BJP has secured a majority of 325 members in the Legislative Assembly having the strength of 403. Yogi has the reputation of

being a hardcore Hindu leader. His becoming the Chief Minister shows that Hindutva is sweeping the country. It also shows that secularism has not taken roots in our country.

These developments make the state of human rights in the country appalling. The concerned citizens have to seriously think as to how they have to meet the situation.

*(Continued from Page 3)*

Yashodhara, wife of Tulsidas, Ratnavali, and Savitri, Sita and Shakuntla, women from Hindu mythology, who suffered for the sake of their husbands. We are not living in mythological times. Religion and mythology cannot be quoted to justify harsh decisions. Just as triple talaq cannot be justified in the name of Islam, similarly Narendra Modi's decision of separation from Jashodaben doesn't hold any ground.

begin charity from home. He needs to acknowledge his mistake and start living with Jashodaben. In fact, he should also bring his mother to live with him. A happy family life, even at this late stage, can do no harm to his public life. If anything it may have some sobering effect over him. For example, maybe his wife can give a better advice for what now looks like an intractable problem in Kashmir.

Varanasi have also demanded this and there have been voices from several other quarters that Narendra Modi should reconsider his relationship with Jashodaben. Otherwise all his public sympathy for Muslim women will not be considered genuine. The nation expects its PM to be honest with himself and live the ideals that he is talking about. Who'll believe that a man so hardened against his own wife, for no fault of hers, has any sympathy for other victimised women?

The nation expects its PM to

Some women on women's day in

Dear friends,

We are celebrating the renowned freedom fighter, socialist leader and parliamentarian late Madhu Limaye's 95th birthday on 1st May, 2017 as 'Unity of Progressive Forces' at the Speaker Hall, Constitution Club, Rafi Marg, Delhi, from 3.00 pm to 6.00 pm.

Prominent political leaders like Sharad Yadav (JDU), Digvijaya Singh (INC), Sitaram Yechuri (CPM), D P Tripathi(NCP), Atul Kumar Anjaan (CPI), Kamal Moraraka (SJP), Raghu Thakur (LSP), Kunwar Danish Ali (JDS), Prem Singh (Socialist Party) will also be gracing the occasion.

*Organising Committee:* KC Tyagi, Santosh Bhartiya, Prof. Rajkumar Jain, Prof. Anand Kumar, Rama Shankar Singh, Ravinder Manchanda, Ravi Nayar, Vijay Pratap, Anurag Chaturvedi, Jaishankar Gupta, Arvind Mohan, Dr Sunilam, Qurban Ali.

Eminent historian Prof. Irfan Habib has kindly agreed to inaugurate this programme.

We would be happy if you could join us.

Samajwadi Sahitya Nyas,  
Narendra Niketan, IP Estate, ITO,  
New Delhi

## **Fascism in a Mask is Knocking at Our Door**

Following the defeat and death of Hitler and Mussolini and the knowledge of inhuman massacre of millions in the concentration camps of Hitler, Fascism and Nazism became dirty words all over the world. Now, they come with a respectable looking /sounding mask. In our country the mask is called Hindutva or 'cultural nationalism which conceal the Sangh's fascist ideology and agenda.

Their iconic ideologue M.S. Golwarkar is as revered after his death as he was revered when alive. He continues to be their guiding spirit .

While addressing a group of top level leaders of the RSS in 1940, he said ,” RSS inspired by one flag, one leader and one ideology is lighting the flame of Hindutva in each and every corner of this great land .I would like to bring it to your notice that this decree of ‘one flag, one leader and one ideology ‘ was also the battle cry of Fascist and Nazi parties in Europe in the first half of 20 century. What they did to democracy is well known .

The Sangh has not repudiated Golwarkar and continues to pursue the goal set by him.

**—Prabhakar Sinha**

# From Destruction of Wombs to Liberators of Muslim Women

Irfan Engineer

Heightened media coverage on the issue of triple talaq along with the statement of the Prime Minister Narendra Modi and the Chief Minister of UP Yogi Adityanath is causing harm to the struggle for gender justice within the Muslim community. Media coverage is making a public spectacle of victims of triple talaq and encouraging voyeurism for TRPs. Media manages to get a “maulvi” of dubious repute for giving sound entertaining sound bites that make buffoon of the community. Gender justice within the Muslim community will be achieved primarily by the struggle of Muslim women, of course with the support of democratic institutions. Politicization of the issue to score brownie political points will harm the cause of Muslim women. What Muslim women need is solidarity and support from the feminist movement in particular and liberal democratic forces in general.

Pronouncing the word ‘*talaq*’ (I divorce thee) thrice in one sitting and instantly snapping matrimonial ties unilaterally by the husband is once again in news as the Supreme Court is going to hear Shayara Bano’s petition on the issue and the PM has chosen to speak on the issue. This form of divorce is called *Talaq-e-bidat* (bad in theology but valid divorce) and popularly it is called as triple talaq. The ulema (learned religious leaders of the community) have validated triple talaq pronounced orally, even if in a fit of rage, in a state of inebriation, or conveyed on phone, through sms, or through post. The wife so divorced is instantly evicted from her matrimonial home or if not

in the house at the time of divorce, she is prevented from accessing her matrimonial home and children. The practice is abominable and indefensible. Yet the All India Muslim Personal Law Board has claimed in their affidavit that triple talaq is part of shari’a law which is divine and it is their Constitutional right to practice their religion. Elsewhere, we have elaborately argued that triple talaq in one sitting is unconstitutional as well as contrary to the Quranic method of divorce.

## Protectors of Muslim Women

The PM chose to speak on the issue of triple talaq at the BJP’s National Executive meeting in Bhubaneswar on 16<sup>th</sup> April 2017. He said, “Our Muslim sisters should also get justice. Injustice should not be done with them... [I]f there are social evils, the society should be woken up and efforts made to provide justice to the victims.” (TIMESOFINDIA.COM, 2017)

The Uttar Pradesh Chief Minister Yogi Adityanath said on 17<sup>th</sup> April 2017 that those maintaining silence on the “burning issue” of triple talaq were as “guilty” as those practising it. Yogi compared the triple talaq to the disrobing of ‘Draupadi’ in the Mahabharata. He also called for a uniform civil code in the country (PTI, 2017).

Both, the PM and the CM of UP, are trying to project themselves as protectors of Muslim women from the evil and inhuman Muslim Personal Law. However both have a lot to answer for, given their past. Under the watch of Modi, when he was the

CM of Gujarat, in 2002, during the riots, Muslim women’s bodies were the site on which sexual assaults were mounted and they were subjected to worst inhuman atrocities. Neither of them then had any feeling of remorse nor an urge to fight the injustice. Modi, then the CM of Gujarat had to be reminded of his *raj dharm* by the then PM—Atal Behari Vajpayee of their party. Gujarat Government refused to organize any relief work for the 150,000 survivors of the violence huddled in inhuman conditions in various relief camps. The UP CM in one of the videos on youtube (FIRSTPOST., 2014) (India Today.in, 2014) (ABP News, 2014) says that if one Hindu woman was married to a Muslim and converted, 100 Muslim women would be married to Hindu men and converted into Hindu fold!

In 2002 during communal riots in Gujarat, the Hindu supremacists who mounted sexual assaults and heinous crimes on Muslim women’s bodies did so to pollute or destroy the wombs of Muslim women that gave birth to children of Muslim community (International Initiative for Justice in Gujarat, 2003, pp. 40-41). Now they are posing as liberators of Muslim women from the oppression of their men. Modi then had sort of provided justification of the riots by terming it as a reaction to burning of Sabarmati Express in Godhara. Thereafter he never expressed his remorse that under his watch the scale of violence had reached its peak. Those who were accused of rapes and involvement in riots had little to fear the judicial process and were being acquitted until the Supreme Court stepped in



and set up SIT to prosecute the accused. Bilkis Bano's rape case trial was transferred to sessions court in Mumbai which resulted in conviction of some of the accused.

Behind the facade of getting justice for the Muslim women in general and victims of triple talaq in particular, the BJP has political motives. When the PM and the CM of UP were not on the posts they are presently holding, they stigmatized the Muslim community in harsher words using cruder language. In the year 2002, after the riots Narendra Modi took out Gujarat *gaurav yatra* (pride journey). In the *yatra* he would address public meeting during and accuse that relief camps for riot survivors to be breeding camps where the survivors were breeding like rabbits. In the next Gujarat State Assembly elections, the target of the Modi's speeches was "Mian Musharraf (the then President of Pakistan) mentality"! The subtle message was that Muslims were loyal to Pakistan and needed to be taught a lesson.

Posing as protectors of Muslim women, Modi and Yogi are achieving the same objective with more sophisticated means — stigmatizing the Muslim community as one having unjust traditions and women in the Muslim community are being disrobed. General Secretary of Hindu Mahasabha - Pooja Shakun Pandey - went a step ahead and asked all victims of triple talaq to convert to Hinduism and she would organize their marriage and do their *kanyadaan* (ritual of father gifting his daughter to the bridegroom) (Jaiswal, 2017). The Hindu supremacists then want to convert Muslim women and gift (marry) them off to Hindu men to improve their demographic figures

and reduce those of Muslim community. Rescue Muslim women only to gift them off and be property of Hindu men. Hindu supremacists opposed the Hindu Code Bill in 1950s so painstakingly drafted by Dr. Babasaheb Ambedkar to ensure gender justice to Hindu women. Hindu supremacists organized militant protests and denounced Dr. Ambedkar as an untouchable drafting laws for Hindus.

The Hindu supremacists do not problematize dowry, child marriage, female foeticide etc. Given caste hierarchies, Hindu supremacists defend the parental control over their daughters in matrimonial matters. They have never raised any voice against honour killings when daughters dare to chose their own life partners. "Anti-Romeo" squads and "love jihad" campaigns are precisely to ensure that Hindu women do not choose their life partners and do not have freedom to wear the clothes they like. Ministers in the present Government have advised women to wear appropriate (traditional) dresses to be secure from sexual assaults instead of ensuring safe space for women and inclusion in every field. BJP MP—Sakshi Maharaj and RSS *Sarsanghchalak*—Mohan Bhagwat called upon Hindu women to produce 4 children reducing the women to child producing machines for their husbands and their community.

Hindu supremacists are not very different from the religious and political leaders of Muslim community with regard to their attitude towards worth and role of women in family and community — chattels or property of the males within the family and under their complete control; slave labourers for the family confined to home for

unpaid domestic work, rearing children for men; labouring outside home if men need their incomes; confine them to religious spaces so that they are indoctrinated to serve the men in the family and accept being reduced to chattels and slaves. Triple talaq is one such weapon in hands of Muslim men to keep control over "deviant" wives. Khap Panchayats, domestic violence and misogynist culture are weapons of Hindu men. Strategies and instruments of control may differ slightly but nevertheless their objective is to control and reduce women to chattels and slave labourers and objects of sexual pleasure for men. Hindu supremacist talk of "liberating" Muslim women, but only to enslave them to new masters — Hindu men. The feminist movement and awareness and resistance of women — both — Hindu and Muslim have changed the situation slightly and progressively.

### **Stigmatization of Muslim community**

Media has been presented with an opportunity to increase their TRPs whenever issues that stigmatize Muslim community are handy. TV channels a few years ago ran extensive coverage of a fatwa which declared that Imrana who was raped by her father-in-law is now forbidden to her husband. It seemed that was the only problem faced by the nation — otherwise everything was hunky dory. One TV channel made a public spectacle of Gudiya's problems and coverage went on for hours. Gudiya, a Muslim, married another man after her soldier husband's whereabouts were not known for some years and presumed dead in war with Pakistan. However, her former husband returned after he was released from Pakistan jail. "*Gudiya kiski?*" went the title of the programme. All relatives, maulvis, the second husband

and former soldier husband and few others were assembled in the studio and public spectacle was made of her life encouraging voyeurism.

Almost all TV channels have similarly conducted talk shows on triple talaq—they got some victims to depose their tragedies, one or two maulvis to entertain their viewers with their ridiculous and provocative views supporting triple talaq and a few gentlemen around. The Islamic scholars who did not support triple talaq were obviously not favoured by invitation. The stage was then set for a match between the victims and the maulvis with some generous support from ‘nationalist’ anchors. The lung match between Muslim women and maulvis would be good spectacle attracting eyeballs of male voyeurs into a problem of Muslims and beam them various advertisements persuading them to buy various corporate products.

The louder and angrier the fight between the victims and maulvis, more would be the entertainment and fun for the voyeurs. The BJP spokespersons would be there on the panel to represent the PM and Yogi as heroes of the nation liberating Muslim women. Perhaps that is why the media loves the PM and Yogi as they keep giving them such opportunities targeting left and liberal “anti-nationals”, cow slaughterers, terrorists, Kashmir separatist and Paki agents, religious converters. Democracy and humanist values be damned so long as the voyeuristic media had their TRPs, they would support whatever politics! Is this the responsible fourth pillar of the state?

If stigmatizing the Muslim community is one objective of Modi and Yogi, subtly establishing the superiority of Hindu community, the

other political objective is to divide the Muslim community along gender lines. They have also tried to win over a section of Shias and Sufis. The political objective as spelled out by Subramanian Swamy once is to divide the Muslim community and unite the Hindus to achieve the objective of Hindu Rashtra — antithesis of democracy.

### **Muslim Personal Law Board**

Cornered by the media barrage and becoming a laughing stock for defending triple talaq and claiming it to inseparable part of divine Shari’a law, the All India Muslim Personal Law Board has come up with a new subterfuge. The All India Muslim Personal Law Board (AIMPLB) on 16<sup>th</sup> April issued a code of conduct and warned that those who give talaq (divorce) without ‘Sharia’ reasons will face social boycott (Shaurya, 2017). The ruse of social boycott is more for media consumption than a sincere campaign to curb the menace of triple talaq. Had the Board been sincere, it would not have filed atrocious affidavit in Supreme Court completely against the spirit of Quran which gives dignity and rights to women. Board’s affidavit reduces women to a status of chattel and a slave, unintelligent being.

This ploy of social boycott has occurred to them after 70 years of resisting any change in the Muslim Personal Law and ignoring the plight of victims of triple talaq. The Board has clout and power enough to silence the women suffering oppression and scaring them with curse of Allah. However, they do not have clout or sincerity to enforce social boycott against powerful men. Declaring, announcing and enforcing social boycott is also an offence in Maharashtra. Social boycott of the

husband who has pronounced triple talaq is not going to give any relief to the woman thrown out of her matrimonial home. If a man has divorced has pronounced the dreaded words in a fit of anger or under inebriation and repents the morning after, will be doubly punished by social boycott if enforced or enforceable without offering any relief to either.

### **Way ahead**

The only remedy in the circumstances seems to be to educate the women and men that any number of pronouncement of the word talaq can be considered as single pronouncement followed by arbitration and efforts for reconciliation. This is the procedure prescribed by the Holy Qur’an.

Either the Board agrees to codify Muslim Personal Law within the framework of Quran and the spirit of gender equality mandated by Quran and drawing the best from all Islamic Schools of jurisprudence. The codified law should be presented to the Parliament for being legislated.

Until the codification, Indian courts have a constitutional duty to ensure justice and equality to Muslim women and read down the provisions of various Islamic schools of jurisprudence like Hanafi, Hanbali, Shafi, Maliki, Ahle-Hadith and Shia schools of Jurisprudence that are against the constitutional mandate.

Political parties will do great disservice to the country and the Muslim community by politicization of the issue either in the name of national integration or demography or on any other ground. Peace and justice are more noble goals than winning an election or benefiting from communal polarization.

## Notebook

The victory of the BJP in the Delhi Municipal Corporation elections is as stunning as it was in UP. It would be better to conclude that the victory spree will continue for quite some time till a Bihar emerges. To say that two years is a long time in politics will be an act of deceiving oneself. In UP, after the defeat, there were many Congressmen who blamed the rout on its alliance with the Samajwadi Party. The same happened with the latter. There are no alliances to be blamed on, in Delhi. But even if there were, to blame an alliance for the defeat, as done post-UP elections, is an act of laziness. It should be realized and accepted that there is a Hindutva wave and that Modi has emerged as a person who can deliver, not merely the RSS dream, but also what he calls development. Every act of his is interpreted by most citizens as an act done in good faith and also interpreted as explained by him. Citizens are unwilling to doubt his bona fides. These two things have to be accepted and a counter strategy should be built on these for success.

A deep introspection is needed by all those political forces who do not want this victory spree to continue. The Congress, which came third in the Delhi elections, has to decide whether it should go back to its roots or continue with the reform agenda which it unleashed in the early 1990s and, though under duress, was accepted as an article of faith. It should realize that if it wants to survive in Indian politics there is no gain in this agenda. Modi has accepted the agenda in toto and is delivering it successfully and with much more vigour than the Congress under UPA could do. That the agenda is likely to soon come unstuck, like globalization, is something that has to be realized by it and going back to Nehru, or better Gandhiji, as its survival strategy is the option it should

adopt. It would do well to remember that towards his last days, Nehru confessed that he erred, and added that he should have accepted Gandhiji's path. Will the Congress be able to do it? To survive, it has to.

The left too, has a lot to introspect. It should review its past policies and boldly declare, if it wishes to remain relevant, that its' opposition of the '42 movement was wrong, it was betrayal of the country. And recognize that state capitalism can hardly undo the mischief of capitalism. On ends and means too, it will have to revise its thinking so also its assessment of Gandhiji. Many left intellectuals have already done the last. Left parties need to follow suit.

Socialists also have to introspect deeply. They should accept that there were some among them who converted a strategy to defeat the Congress into an article of principle and spoiled their fair name. After accepting wholeheartedly the mantra that means should be as pure as ends, Socialists abandoned it for power and lost their character. Socialists have to work hard to regain what it has lost and coming under one roof may help them.

And, the AAP, which lost decisively, will have to realize that politics requires some identifiable ideology. It's not enough to be anti-crony capitalism. To do justice to the poor, to the common man, a political force has to be anti-capitalist and the cadres have to be trained that way. Its banishing a group of people who were part of the anti-corruption movement and were also prominent in the party has boomeranged. The seeds of its decline were sown the day it split. Splits do not benefit a political party as the history of socialist movement shows.

To stymie the victory spree, the first step that the parties opposed to

the BJP will have to work on, is to ensure all of them come together. Efforts are on in this direction and one hopes that the Delhi results will catalyze the process. But coming together is only a strategy; it cannot deliver all that is needed. It is only an arithmetic solution. In politics, it does not work as it does in maths. The parties together need to create a vision of an inclusive India, of a polity based on some universal secular values and ethics, where ends are as important as the means; and they need to be committed to achieving it wholeheartedly.

Modi, who has emerged as a doer par excellence and the RSS which has succeeded in converting a large number of people to its idea of India have to be countered by those who are with the idea of India that has been laid down in the Constitution by positing it against the other idea of India. This idea was popularized during the freedom struggle by the father of the nation. The fight in the future has to be fought to save our Constitution, especially the idea of India that we hold dear. And the anti-BJP forces have to realize also that the freedom movement promised power to the people in the fields and factories, but those who came to power post-freedom, abandoned it. Giving power to common persons has to be the new dream and that needs to be pursued.

There is a challenge which Modi is facing. It is in Kashmir. From what is appearing in the press it doesn't seem that he has any credible solution for the Kashmir people. His problem may not be as much as the stone pelters as his own mentors. His intuition maybe telling him that he should start a dialogue, but his mentors may not allow him to do so and that can become his Waterloo.

# Breaking the Mould in French Politics

D. K. Giri

The first round of the French Presidential elections took place on 23<sup>rd</sup> April. Since no candidate got the majority, the French citizens will vote in the 2<sup>nd</sup> and the final round on 7<sup>th</sup> May. According to the French system, if no candidate gets the majority in the first round, the first two getting the maximum votes go to the second round for a run-off poll. After the 23<sup>rd</sup> April results, the top two candidates Emmanuel Macron and Marine Le pen go to the second round.

There were 11 candidates in the electoral fray, but only five were in the race. For the first time in the modern French history, the incumbent-socialist president Francois Hollande did not run for the second term. In addition to Emmanuel Macron and Marine Le pen there were Francois Fillon from the Republicans, Jean-Luc Melenchon, an ex-Socialist party member supported by the Communist Party of France and a section of the Socialist party, and Benoit Hamon, of the Socialist party, the official candidate of the party. Both the Republican candidate and Socialist party candidate were elected by the primaries of the parties, again something new in recent history of the political parties. Francois Fillon defeated the former president of France, Nicola Sarkozy, and Alain Juppe, the Prime Minister of France under Jacque Chirac. Benoit Hamon won the party nomination by defeating former Prime Minister Manuel Valls. Both Fillon and Hamon had a good start as they got their nomination through well-fought

campaigns, but were knocked off by their own doings; Fillon got mired in scandals of nepotism and corruption as he paid his wife from public money for the work she did not do, and Benoit was representing a deeply divided party which was supporting him officially, but many in the party were supporting the far left Melenchon.

Emmanuel Macron was the winner on 23<sup>rd</sup> April with highest number of votes as predicted in the opinion polls. He is most likely to win the presidency. Macron's campaign and the win in the first round have certainly broken the mould in the French politics. For the first time in French political history, the traditional left and the right, the Socialists and the Republicans have lost in the first round. Referring to the defeat suffered by both left and the right, the international observers called the vote on 23<sup>rd</sup>, "a stunning rebuke of France's mainstream political forces". Others like Le Temps of Switzerland said, "the results signaled that the French Republic was broken, and the voters wanted deep changes". The other unprecedented thing to have happened is that Macron does not even have a political party. He launched a movement a year back called En Marche (On the Move) and broke the stranglehold of the established political parties. He presented a new vision for France and the French are falling for it. The second round, according to many perceptive observers, will witness a clash of two strong visions of France, "one inclusive and open to the world and

its concerns, and the other cut off behind the French borders and its old myths". The stakes are high, and the final choice of the French people will change their country, but also the politics of Europe and the world.

Marine Le Pen's (the runner-up on 23<sup>rd</sup> April) vision for France and her world view are known as her far right party National Front has been around. But, Emmanuel Macron is a brand new phenomenon in the French politics. Although he had a brief stint as a Minister of Economy in the government of the incumbent president Francois Hollande, he resigned, created the En Marche movement with fresh ideas that resonate with the people, and announced his candidature for the post of the highest office of the President. Before this, he never contested any election, and is only 39 years old. Let us look at his ideas, what they mean for France, the European Union and the rest of the world. Also his campaign method ought to be studied by all those seeking to pursue new politics. A brief profile of Macron and the review of his ideas are therefore in order.

Macron a former investment banker did not fight any election before. He was brought to politics by Francois Hollande as his financial advisor and then made a Minister of Economy in his cabinet. As the Minister, he wanted to bring certain basic financial reforms, which were known as Macron law. The reforms were stalled by the deep divisions in the socialist party. He was frustrated.

He realized that he could bring fundamental changes only as the president. So he decided to run for it. He launched the movement in a small meeting of a few dozens of people in a provincial town of France without any fanfare. He resigned from the government and built the movement. As the movement picked up, he announced his candidature. In the French political history, this is said to be the fastest rise of a politician.

As per the testimonies of his study-mates and colleagues, Macron was a precocious child, had unusual demeanors and a quick learner; “everyone that came across him knew at the time that he was somebody extra-ordinary and that he was different”. He is said to be ambitious and determined. He would like to do things differently. His personal life, his marriage is not normal by usual standards; his wife is 24 years senior to him and he has seven step-grand children. When, as a student, he was asked about his ambition, what he wanted to become, he said he wanted to be the president of France. His movement is new, neither left nor right. Macron realized that he needed to draw people to the centre, both from the left and the right. In order to do so, one needs a strong personality. One needs some charisma to launch a movement. He cultivated for himself that charisma and personality needed to unite the people divided between the two antagonistic blocks - left and right. But to keep the people united, one needs a political programme. Such political programmes are written by the experts and consultants. But in his case, Macron used the Movement to generate ideas from the people who have their concerns

and complaints. The Movement contacted many people with just two questions: what works and what does not work for France.

Macron realized that his manifesto was to be balanced, neither left nor right. He said, “I want it to be a programme that brings France into the 21<sup>st</sup> century”. His programmes have something for everyone - help for farmers, for industry, for employers, for workers, for entrepreneurs and so on. He cuts taxes, but supports those on low income. He commits 50 billion euro for public investment on job training, renewable energy, infrastructure and modernization. He would like to unite France’s complex pension system made up of 35 different public schemes. He is suggesting cutting 120,000 public sector jobs in order to bring down the budget deficit. Significantly, he is asking the companies to renegotiate a 35-hour a week work schedule. More important, he is for European Union. He wants to deepen the integration between the Euro zone countries; he opposes immigration quotas, calls for strengthening the external borders and a unified immigration policy. This is good news if he wins. France has been the main architect of the European Union. With the exit of Britain from EU and persisting financial instability in the member states, namely Spain and Greece, European Union seems to be doddering. Although Germany has been the financial engine of the EU vehicle, France provided the political direction to move. With France recoiling on itself owing to her own problems — terrorism, Muslim integration, slow growth, rise of far right, the weakening of the left, etc. European Union is stalled. Macron’s main plank is ‘unlocking France’ and providing opportunity for all to grow,

if this happens to any degree, the EU could also be unlocked and released to grow politically by repairing its economic integration. In fact, Brexit should give a new opportunity for a political Europe. Why that is so, is the scope for another write up on the subject. But just to throw the perspective, Britain has been a reluctant partner in the European Union, and worse, it kept the Anglo-American Axis alive by stunting the growth of EU as an independent political actor in the international scene. France under Macron should see it and revive the political integration of Europe like common security policy etc.

To conclude, Macron broke new ground in politics. In Europe, where the party system is fully developed, he has been able to go past it. The French novelist Victor Hugo had talked about the power of ideas in public life. He said” no army however strong can defeat the power of an idea whose time has come”. Macron came up with a new idea and defeated the two established parties who had run out of ideas. This is a lesson for the politicians and aspiring political leaders in developing democracies including India who focus on electoral arithmetic of caste and communities, not on ideas and new organizing principles. Politics without ideas is blind. Let everyone see what politics offers and let the politicians see for themselves where they are going.

## Janata

is available at

[www.lohiatoday.com](http://www.lohiatoday.com)

# Forget what a Hindu rashtra will mean for minorities. What will it mean for Hindus?

Saba Naqvi

The secular model currently offers no counter-narrative to challenge Hindutva that claims to unite people above caste and region. Constitutionally and legally, we cannot be a Hindu rashtra but Uttar Pradesh 2017 is the point where I believe that in spirit we became one. I did not think so in (the general elections of) 2014, which I saw as an extraordinary mandate where a party (the Bharatiya Janata Party) won a simple majority with the lowest ever percentage of votes — 31%.

In 2017, after a magnificent victory (in the Uttar Pradesh Assembly elections), India's ruling party has chosen a religious leader or monk (Adityanath) to lead the nation's largest state. A few days after being chosen, he said there is nothing wrong in India being a Hindu rashtra.

So we must ask, what is a Hindu rashtra? We really do not have much experience of it in the world. Till 2008, Nepal was the only Hindu kingdom in the world and I remember my friends in the Rashtriya Swayamsevak Sangh being quite distressed when it ceased to be so.

## In the words of Savarkar

Here I would like to quote from the most intellectually engaging ideologue of the Hindu Right, Vinayak Damodar Savarkar. His speeches as president of the Hindu

Mahasabha are published as *Hindu Rashtra Darshan*. In his 1937 presidential address, he began with what he called a Homage to the Independent Hindu Kingdom of Nepal and sent greetings to the king in holding out as a Hindu power. After more praise of Nepal, he proceeds to define Hindutva, explain what is a Hindu, and why people whose motherland and holy-lands are not the same cannot be part of the Hindu nation.

He describes the Mahasabha as a Hindu Rashtra Sabha and says the Hindus are a nation by themselves. He then asks, "How the Hindus who differ so much amongst themselves in every detail of life could at all be called a nation as such?" He replies: "To such questions, my reply is that no people on the earth are so homogenous as to present perfect uniformity in language, culture, race and religion. A people is marked out a nation by themselves not so much by the absence of any heterogeneous differences amongst themselves as by the fact of their differing from other peoples more markedly than they differ amongst themselves."

Fellow Maharashtrian Dr Ambedkar looked at the same paradigm from an entirely different angle when he said that "Hindu society is a collection of castes. A caste has no feeling it is affiliated to another caste except when there is a Hindu-Muslim riot."

From what I can make out, reading the ideologues of the past and deciphering the actions of politicians of the ruling party, the first task of this Hindu rashtra is to create a particular identity by stressing the differences with others, who would be minorities. To create this imagined unity of Hindu society, they need symbols and motifs and today the cow is, I believe, the primary motif of the Hindu rashtra.

Surya namaskar, yoga, qabrstan (graveyard), cows, meat, slaughter houses, these are all code words. A sort of cultural fascism that is sought to be imposed since legally, the Hindu rashtra cannot exist.

There are some agitational templates of the Hindu rashtra, such as those who sing or do not sing Vande Mataram (never mind that it is AR Rahman, who converted to Islam in his life time, who has given India the most evocative modern rendition of Vande Mataram).

Conversion is another issue, on which Christians are attacked more than Muslims but in more remote parts of India, away from the spotlight. (As an aside, let me say that it's always easy to annoy the Right wing by pointing out that Dr Ambedkar, the father of our Constitution, wilfully converted to Buddhism.)

## Upholding two-nation theory?

So, can such a nation be created

in spirit? Before we answer this, let us remember one thing very clearly: if we keep stating overtly and covertly that we are a Hindu rashtra, then our moral position on Kashmir is lost. We are then giving a great victory to Jinnah's two-nation theory that holds Hindus and Muslims to be separate nations. (Recently, a BJP MP tweeted that the solution to Kashmir lies in depopulating the Valley).

But then the two-nation theory could not be made to work in Pakistan where religion was meant to be the unifying glue. But let's see whom they have been able to accommodate in this imaginary Land of the Pure homeland of Muslims. First, they could not stomach the rule

of Bengali Muslims, hence East and West were divided. Then, within the Home of Muslims, Punjabis dominated and competed with Sindhis. Within Karachi, the Mohajirs (those who immigrated post-Partition from India to the newly formed Pakistan) and run a reign of terror even as they claim discrimination. Shias, Ahmadiyas are all routinely targeted. Recently, we saw Mashal Khan, a young student, lynched in Pakistan because he was an Ahmadiya.

Around the same time, a few days here or there, Pehlu Khan, a cattle trader, was lynched in Alwar because he was transporting a milch cow.

Many of us do worry about

what the Hindu rashtra has in store for minorities, but equally, I would ask, what does it subscribe for Hindus? The problem is that at an ideological level, it's all very mean-spirited. Is there some grand humanist vision behind this Hindu rashtra? A moral centre? If so, I am willing to be a participant in it. I have one qualification. I do yoga every morning and that includes 24 surya namaskars. I suspect many of the BJP faithful who line up behind Prime Minister Narendra Modi on World Yoga Day (as if yoga were invented by the BJP) cannot match my facility with yogic postures. Adityanath, I am certain, can beat me to it.

**Dr. Suresh Khairnar**, who was elected All India President of the RashtraSeva Dal unopposed recently, said at the meeting to elect him that the threat of fascism is looming large on the horizon of India. Moral policing, cow-vigilantism and imposed patriotism by forcing Muslims to chant "VandeMataram" and "Bharat Mata ki Jai" are expressions of this and added that this reminds us of pre-fascist era in Italy and Germany. The shocking incident in West Bengal in which young children were used in an armed procession on Ramnaomi is an indication of the days to come.

Continuing, Dr. Khairnar said that the RSS has been built on the model of Benito Mussolin's Fascist party of Italy and Hitler's Nazi Party of Germany and is now implementing the fascist agenda after coming to power at the centre and in several states. The minorities, dalits, tribals and workers are being targeted, making their life miserable. He appealed to the RSD volunteers to make India "Sanghmukt" (free from RSS). He also appealed to all revolutionary and progressive forces to rally against the fascist forces by joining the movement initiated by the RashtraSeva Dal.

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, April 30, 2017 & Posted on Wednesday May 3, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 16  
May 7, 2017

**Morari Babu's Ram**  
Sandeep Pandey

**Turkish President in India**  
D. K. Giri

**Global Vision of Olof Palme**  
Roger Hallhag

**Being at the same time  
Chief Minister of a State and  
a Member of Lok Sabha  
is illegal**  
Rajindar Sachar

Editor :  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## The Bug of Espionage

**Kuldip Nayar**

One bug which has bitten both India and Pakistan and now Bangladesh is the espionage. Anyone who visits from the neighbouring country is considered a spy until proved otherwise. It really depends on the External and Home ministries whether a particular person would be let off freely. In other words, the police force is an arbiter. And it goes without saying that the sentence awarded to the person would be life time imprisonment or death.

Normally, the court decides. However, the case in Pakistan is different because it is ruled by the military. Still the Civil Court have their role depending upon local military commanders. They in fact have the last word. Even the death sentence is awarded by them. The question of evidence arises but it again depends on local military commanders.

The Dawn from Karachi has reported how Jadhav, an Indian businessman, was sentenced to death. "Indian RAW Agent/Naval officer 41558Z Commander Kulbhushan Sudhir Jadhav alias Hussein Mubarak Patel was

arrested on March 3, 2016 through a Counter Intelligence Operation from Mashkel, Balochistan, for his involvement in espionage and sabotage activities against Pakistan. "The spy has been tried through Field General Court Martial (FGCM) under Pakistan Army Act (PAA) and awarded death sentence," the military's public affairs wing, ISPR, announced on Monday.

Sartaj Aziz, Advisor on Foreign Affairs to Prime Minister Nawaz Sharif has admitted that there was little evidence to convict but other things, he says, add up to prove Jadhav's involvement. In any case, Sartaj Aziz words are adequate. Since Pakistan has submitted the relevant papers to the Secretary General UN. It believes that the verdict, if he at all delivers, would be in favour of Islamabad.

Indeed, it is hell for a person who visits a neighbouring country. He or she is pursued by the Intelligence department wherever he goes. Even the shopkeeper is questioned as if he is party to the buyer's selection of the place. Markets want buyers from a neighbouring country because they spend lot of money.

But the questioning by the police deters them.

I recall that once a Pakistani who picked me up from the airport was upset by the police car that followed. He stopped the car and asked the driver why he was pursuing the car. He said in reply that he was not to blame. He was doing what his superior had asked him to do. My friend, who was a leading editor, knew the military superiors. The result was that the car pursuing us increased the distance but it did not give up doing so.

Assume that Jadhav was a spy of sorts but what could he have spied. Technology has advanced so much that through a satellite you can read from air even the digits painted on car number plate. Therefore, Jadhav's guilt would be considered Pakistan's revenge for some other deed.

The Pakistan announcement did not say when the trial would commence and how long it would continue before the verdict was handed down. In the case of Jadhav, the announcement mentioned that the sentencing had been ratified by Chief of the Army Staff Gen Qamar Javed Bajwa. It has not been spelled out why and on what ground.

Since Pakistan has denied even counselor facilities after as many as fourteen requests made, it is difficult to know the reason for death sentence to Jadhav. Foreign Minister Sushma Swaraj has warned that if the sentence to Jadhav was carried out, it would be an unfriendly act. The recent surgical strike should be a warning. New Delhi can go to any extent.

*(Continued on Page 3)*

## Morari Bapu's Ram

**Sandeep Pandey**

The usual picture that one would see of Ram would be with Sita, Laxman and Hanuman, of what is called the Ram Darbar. It was not a tradition to have isolated picture or idol of Ram. Even the common greeting was 'Jai Siyaram,' Sita's name appeared together with Ram's.

Then came the Ram temple movement. A picture of Ram in aggressive posture with arrow mounted on the bow, his hairs flying towards back, appeared during Lal Krishna Advani's rathyatra. The Vishwa Hindu Parishad converted a family Ram to an aggressor Ram. Jai Siyaram greeting transformed to slogan 'Jai Shri Ram.' If the purpose of Vishwa Hindu Parishad had been to spread the message of Hindu religion then a Ram Darbar picture would have been sufficient. But VHP was interested in milking political advantage out of the temple campaign. Hence the character of dignity personified Ram was changed.

Now Ram had waged a war against Ravan. Where would one find a Ravan in this age? So, it was decided to target the Babri masjid in Ayodhya. In the name of Ram temple movement workers of Vishwa Hindu Parishad, Rashtriya Swayamsewak Sangh, Bhartiya Janata Party, Hindu Mahasabha, Bajrang Dal and Shiv Sena launched an attack on the dilapidated structure of Babri mosque. It was BJP which was in power in Uttar Pradesh and in the Prime Minister Narsimha Rao they found a Vibhishan, someone who was willing to help them in demolition of

the mosque.

The Ram temple movement helped in polarization of votes which helped the BJP. But in the process they communalized the entire society and pushing the real issues affecting people like poverty, illiteracy, malnourishment, sorry state of affairs of health care, farmers' suicides, issues of injustice against marginalized sections of society. Now cow slaughter, Pakistan, Kashmir, love-jihad, anti-Romeo squads, triple talaq have become the dominating issues in politics. People who differed from the views of Hindutva politics became its victims. Individuals like Dabholkar, Pansare and Kalburgi were murdered. The politics of religion soon turned into politics of hatred and Muslims became the easy target. Muslim citizens had to pay with their lives for suspicion of having consumed beef or while carrying cattle from one place to another. The seeds of this kind of violence were inherent in the Ram temple movement. The cases of Muslims murdered in Ayodhya on 6th December, 1992 during the frenzy of masjid demolition have not been registered to date.

The path on which the Hindutva forces are taking this country will make it a fundamentalist nation. Is this the concept of Ram rajya?

This country will have to be saved from the politics of Hindutva. It will have to be ensured that followers practice the true tenets of their respective religion and live peaceably. For peace and happiness in society

communal harmony is essential. For communal harmony the syncretic aspects of religion will have to be given preference over the fundamentalist streak in it.

Here the efforts made by famous preacher of story of Ram from Gujarat Morari Babu are worth mentioning. The idols of Ram, Laxman and Hanuman that have been installed in the Ram Darbar of temple in his native Mahua in Bhavnagar District are bereft of weapons. He believes that the Gods of future will not need any weapons. Morari Babu has thus shown a character of Ram quite contrarian to that of VHP's.

It is possible to establish communal harmony on the basis of Morari Babu's conception of Ram. The Hindus believe that their religion is very peaceful. But the politics of Hindutva, imitating the politics of

other religions which originated much later in history, is trying to radicalise it. This poses perilous threat to the very existence of Hindu religion.

The Hindu society must stick to the image of Ram as portrayed by Morari Babu or Mahatma Gandhi and decisively reject the aggressive Ram, the movement for construction of whose temple is based on violence. Only this will save the Hindu religion. To insist on building a Ram temple on the disputed site is not religion but politics. Why should the common Hindu be drawn into this politics?

If the Hindu religion has survived so long in history it is not because of its aggressive character but because of its accommodative nature and value of tolerance. We have not only welcomed people holding different views but even adopted them. The people who want to make it a

fundamentalist religion are knowingly or unknowingly harming it.

Acharya Yugal Kishore Shashtri, the priest of a temple in Ayodhya, has opposed the politicization of Hindu religion. He has decided to convert his Ram-Janaki temple into an all faith harmony centre where people believing in any religion and even atheists would be welcome. An 'All Faith Harmony' Trust has been formed. Former cabinet secretary of Government of India, late Zafar Saifullah, was also part of this effort.

The politics of Hindutva will create divisions in society whereas efforts of Morari Babu and Yugal Kishore Shashtri will strengthen the unity within various groups. The people of India have to decide whether they want a violence and rift ridden society or harmony and peace?

---

*(Continued from Page 2)*

Both India and Pakistan should sit across the table and decide the matters between them once for all. Kashmir may be separated from other problems and discussed at a separate committee. There is no reason that why two cannot do business or set up joint ventures. In fact, goodwill would be generated if they could only ease the visa facilities for tourists to begin with. Unofficial trade which is going on at the borders can be allowed to increase. Official trade would bring in all kind of problems because both countries have a long list of grievances against each other.

Prime Minister Nawaz Sharif said recently that there was no reason why India and Pakistan could not live as friendly countries. The fact of

partition is seventy years ago and whatever the wounds inflicted by both of them is a painful story. One million people were killed in the forced migration, the biggest in the world. Thirty to forty million people had to find new homes because they did not feel safe at their places after partition.

Jadhav is not the last person to face death sentence by military tribunal which sets a new precedents, of trial of civilians by military court. Apparently, political parties are not happy and they have tried to abolish military courts. The matter came up before the Pakistan National Assembly only a few days ago. There was a fierce opposition from democratic and liberal parties. But unfortunately the military had the last word and tribunals have come

to acquire a legal sanction.

Since Pakistan has a large say in the SAARC it may be prudent for other countries in the region to discuss some kind of common market and ways to establish even unofficial methods for trade and business. At present the business through Dubai is large but expensive. Agreed that Kashmir is a running sore, but some ways should be found other than pelting the stones to sort out the problem. Too much emphasis on the Islamic aspect is encouraging only the communal parties and postponing the solution.

Jadhav's sentence has become another problem between the two countries. The efforts should be how to lessen such instances of sentence-at-will. There are not conducive to peace in the region.

# Turkish President in India

D. K. Giri

The Turkish 'all-powerful' President Recep Tayyip Erdogan was in India for a two-day visit on April 30 and May 1. Before we assess the purpose and outcome of his visit to India, it may be worth our while to peep into the radical transformation Turkish politics has just undergone after the April 16 referendum.

The Justice and Development Party, in Turkish Adalet ve Kalkinma Partisi (AKP) came to power in 2002. Erdogan was the Prime Minister from 2003-14, and since 2014, he has been the President of Turkey. Erdogan has been a strong populist paternalist and a promoter of a personality cult. A Middle-East expert commenting on the style and politics of Erdogan said, "residing in a palace of more than 1000 rooms and considering himself as heir to the Ottoman sultans, Erdogan is now erratic, corrupt and a despotic strong man at the edge of Europe".

Erdogan has been systematically decimating the Turkish democratic institutions. He has ruthlessly repressed any opposition in any walk of the country - politics academia, media army, police, and so on. But, the April 16 referendum marks the nadir of Turkish democratic politics. The 'yes' vote in the referendum gives unfettered and almost unlimited powers to the President. The checks and balances that existed have been done away with; the position of the Prime Minister eliminated, the President has the right to appoint his cabinet, and all senior

bureaucrats without the approval of the Parliament; and the President rules by decree.

The campaign undertaken by Erdogan for the referendum was quite aggressive and repressive. The 'no' campaigners were hunted, hounded and harassed. Any voice of dissent was muffled; they were not even allowed to distribute flyers in favour of 'no'. The Organisation of Security and Co-operation in Europe has confirmed this in its report, albeit, a bit diplomatically that, "the 16 April constitutional referendum in Turkey was contested on an unequal playing field, and the two sides in the campaign did not have equal opportunities".

The country is evenly divided, the difference between 'yes' and 'no' vote was about 3 percent. Despite the repression by Erdogan's government, people voted for 'no' to certain constitutional changes. Turkey has been a modern society, compared to other Middle Eastern countries. Since Mustafa Kemal Pasha established Turkey into a republic out of the ashes of Ottoman Empire, it graduated from a 'sick man of Europe' to a strong, secular, and modern country, waiting to join the European Union. The standards for being a part of Europe are indicators of Turkish development as a nation. They are; full respect for democracy, the rule of law, fundamental freedoms, pluralism and human rights etc. Now the European Union is wary of Turkish slide into

authoritarianism from a pluralist democracy. But there is hope. No leader, however mighty one may be, can continue to rule in complete disregard to people's aspirations for freedom of discussion and dissent. So, Erdogan will have to change or the people will throw him out.

Against this dramatic backdrop in Turkey, we evaluate Erdogan's visit to India, the biggest functioning democracy in the world. Usually, when the heads of states visit other countries, there are talks on trade, agreements signed on economic cooperation, increase in tourist traffic, revival and strengthening of cultural ties etc. Predictably, all these happened during Erdogan's visit too. India and Turkey bilateral relations have been not-so-substantial because of Turkey's apparent proximity with Pakistan and its position on Kashmir. The political differences on Kashmir, and India-Pak acrimony were evident in the utterances of the leaders of both the countries. In an interview to a television Erdogan said, than Kashmir problem should be resolved through multilateralism, called for international involvement on Kashmir issue. India did not appreciate this stand, and reacted by saying it is essentially a problem of terrorism and Kashmir is an integral part of India and so on. Without delving into the crux of the Kashmir imbroglio, one would like to say that India needs to find an enduring solution to Kashmir problem. India's foreign policy (national interest) has been largely

influenced by the Kashmir question. The present government with a comfortable majority in the Parliament and as a coalition partner in J & K government should solve the Kashmir problem once and for all, so that we will not be wary of any head of state visiting India and making a statement on Kashmir. One cannot believe that we have run out of all ideas on Kashmir. The late Asghar Ali Engineer, a moderate Muslim thinker and activist once told me after a seminar in the University of Hull, United Kingdom, "Brother! India will not give an inch of Kashmir, nor can Pakistan ever defeat India on Kashmir; there should be such a regional structure, that Kashmir belonging to either India or Pakistan becomes immaterial". He did not elaborate on it for want of time, but here is one of the options.

Erdogan, however, made a strong statement on terrorism per se, "Turkey will always be by the side of India in full solidarity while battling terrorism - and terrorists will be drowned in the blood they shed". The political observers commented that Erdogan was expressing solidarity with India on the latest left-wing extremist attack on CRPF personnel at Sukma, Chhattisgarh. Prime Minister Modi's statement on terrorism struck a different note, as he said "countries need to work as one to disrupt the terrorist networks and their financing and put a stop to cross-border movement of terrorists.

On the trade and economic fronts, there was more convergence and promise. Both the countries pledged to increase their trade to 10 billion USD in three years from 6.5 billion

USD it is today. India and Turkey signed three MOUs; one in the field of information and communication technologies, one on training, and the last on cultural exchange programme for 2017-2020. They agreed to expand cooperation in energy and infrastructure sector. India and Turkey are both energy deficient and given that the energy needs are increasing day by day, both countries should make this sector an "important pillar in the bilateral relations". India also has invited Turkey into the construction sector. India plans to build 50 million houses by 2022. It has liberalised the FDI in construction sector. Turkish companies are invited to participate in this sector. Turkish tourism sector is more developed attracting a large number of tourists. It could collaborate with India in enhancing its tourism sector.

Coinciding with the visit, an India-Turkey business summit was organised by FICCI, where 150 business delegates from Turkey participated. The business seems to be upbeat in the bilateral relations. The Commercial councillor of Turkey expressed his satisfaction that "Erdogan's visit could well be one of the most comprehensive meetings in India in recent years; "this visit will provide significant benefits for both Turkish business people who already have investments in India and those looking to potentially invest here".

On India's UNSC membership bid, Erdogan pledged his country's support. On joining NSG, he welcomed both India and Pakistan. In view of his authoritarian style at home, Erdogan is not easy to comprehend as a leader. He has

taken bold stances vis-a-vis European leaders, stirred up the Turkish diasporas for his benefit, even wanted to go to Holland to talk to Turkish people living there. He implements radically neo-liberal economic policies, but combines them with widespread distributive mechanisms, allegedly, to garner popular support. The international commentators perceive him as a highly populist leader. But, if a strong leader is good for Turkey, then he is the man. When it comes to foreign policies, the nature of the at-home-regime does not matter much. Democratic United Kingdom was colonial in its foreign policy, and America with an established democracy at home is accused of neo-imperialism aboard. So, India, in its own interest, could build up strong economic ties with Turkey. The Indian state had good business relations with the military Junta of Burma while Indian people supported the liberation struggle launched by Aung San SuuKyi. Foreign policy is the function of promotion of national interest, although that is the conventional view. Promotion of political values in solidarity with the victims of denial of such values is also an imperative. Former President Obama did complain that India was quiet on Burmese issue whereas it should have been vocal, given its own impressive record of democracy. So, India has to do the tight-rope walk on its relation with Turkey. Erdogan's visit to India did not catch much international attention. Should it have? Is international attention the measure of successful bilateralism? It is necessarily not so, it is the benefit of the peoples of both the countries that should count.

## Global Vision of Olof Palme

Roger Hallhag \*

Unlike Ambassador Petritsch and Professor Meyer, I never personally knew my countryman Olof Palme. Still I feel part of a whole generation of then young political activists, who followed a path laid down by Olof Palme and his fellow leaders Willy Brandt and Bruno Kreisky. Like so many others at the time, I joined May Day manifestations and election campaign meetings in my home town Gothenburg, where listening to Olof Palme was the main attraction. Once Palme came and spoke at my secondary school, then as leader of the opposition before coming back as Prime Minister in 1982. I was a 23-year-old delegate to the so called Swedish People's Parliament against Apartheid, where Prime Minister Palme gave his last public speech, one week before being assassinated in February 1986.

The murder obviously shocked us greatly. When I learnt about it, my first reaction was denial - this is impossible! I shared that feeling with most, as political violence seemed so distant and unreal in a country that essentially has escaped war and violent conflicts for over two hundred years. Many refer to the assassination of Olof Palme as the moment when Sweden lost its innocence. Not even calm and peaceful Sweden was protected.

That was further proven when we lost our foreign affairs minister Anna Lindh, a social democratic prime minister in-waiting, in another assassination in 2003. Yet another such moment struck us again two

weeks ago. A man seemingly associated with ISIS sought to terrorize Stockholm, killing four persons and injuring several more.

The assassination in 1986 did not derail Swedish politics or democratic culture. The political maturity and leadership was there to act in a rational manner, instead of seeking scapegoats at home or abroad, even if feelings were strong and the police investigation did not go well.

For me, as for so many others of my generation, Olof Palme - in life and after - was a huge inspiration in opening our eyes to the world - and that was a world with much more dramatic conflicts and injustices than what we saw at home:

It was the Vietnam War that changed our view of the United States, it was military coups in Latin America leading us to welcome - yes welcome - in the 1970s new groups of refugees, after those that far earlier fled Nazi Germany - like Brandt and Kreisky - and the repression by the Soviet empire, it was the struggle to end European colonialism in Southern Africa, it was about ending both the Cold War and communist repression in half of Europe, and it was indeed the insight that appalling social conditions and poverty trapped most people in Asia, Africa and the Americas.

Palme explained and described it all forcefully. He made political sense of it and gave us a role. He made political will for international solidarity part of our identity. I want

to believe that this is one reason why Sweden, Germany and Austria have stood out among European countries in shouldering humanitarian responsibilities during the recent wave of refugees from Syria, Iraq and elsewhere.

Personally, I got deeply involved in the anti-apartheid movement and it was in that context I had my only political association with Olof Palme. As the school student unions in all the Nordic countries organized a fundraising for education for young refugees from apartheid in Southern Africa, Palme led the Nordic prime ministers - across the political spectrum - to come out in support of our campaign.

Later I had the privilege of working parallelly with Willy Brandt for a brief period. I was president of IUSY - the socialist youth international - during Brandt's last year of presiding the Socialist International. Unfortunately his health was not strong and he passed away shortly after leaving that post in 1992.

Despite the lasting inspiration Palme provided, I would say that with his passing, Sweden lost both a bit of its voice - nobody could fully take up his mantle at the world scene - and a bit of its self-confidence. A feeling of vulnerability started to set in. This trend was furthered by a severe economic crisis, hitting strongly at employment and public finances, in the early 1990s. Until then almost the entire 20th century

---

\*Former senior advisor to Prime Minister of Sweden. Roger Hallhag's contribution at panel discussion on book by B Vivekanandan, "Global Visions of Olof Palme, Bruno Kreisky and Willy Brandt", (McMillan, 2016)

had been a golden age for Sweden, moving from poverty to become an advanced economy and welfare state.

In this new reality, Sweden joined the European Union - at the same time as Austria and Finland - and did not do it from a position of strength. It has been much discussed if Olof Palme would have chosen the same route. Many of us think so, not least because of his strong European and international vocation manifested in the cooperation we discuss today. However, it is also a fact that Olof Palme revoked an initiative for membership of the European communities in the early 1970s. He realised from Denmark and Norway that social democracy split over the matter of European integration and became much weakened. Palme bought us 20 more years of social democratic hegemony in Sweden by avoiding the subject.

Palme had a sharp tongue and could be brilliantly dominant in debates. This did not always serve him well. In some key electoral debates his slower adversaries won sympathy. Even if he was measured on policy and by no means prone to extreme positions, Palme did also not shy away from controversy. That made him to stand out in Sweden, a country with a very consensus-oriented culture.

By most measures, humankind has seen great progress in recent decades. Social and economic indicators are pointing in the right direction almost everywhere. Life is longer and livelihood is better, human rights are more respected, human freedom is greater and the idea of democracy has taken root across the world. I would say that our three leaders laid the ground for this positive development, unprecedented in human history, both intellectually

and through their policies at national and international level.

The most important contribution by Brandt, Kreisky and Palme was to advocate justice, freedom and well-being not as something confined to a one or another nation state, but as universal visions for all people and societies to aspire to. This was revolutionary thought at the time. The term globalization had not yet invented and known. Decolonization was recent and not yet completed. Almost all thinking about social reforms, liberation and development was centered on what could be done in and by nation states. The notions of universal rights and global solidarity were new, maybe not in theory but in political practice.

This aspect of the pioneering political leadership by the three is eminently captured by Professor Vivekanandan in his well-written book. The professor has a long-standing, unique and deep insight into European social democracy. At the same time, it is refreshing and clarifying to read about European politics with a global and Indian perspective.

I remember with pleasure the months that professor Vivekanandan spent in Stockholm, doing research from his desk in the party office building and the archives of the Swedish labour movement.

The publication of "Global visions of Olof Palme, Bruno Kreisky and Willy Brandt" last year facilitates discussions and reflections like this and is therefore very timely. The universal ideals and visions that these men espoused can certainly not be taken for granted.

The new era of democracy, human rights and human freedom irrespective of nationality and other

identities for which these leaders fought is of course sharply challenged today, not least in Europe. I don't need to describe that. Everyday there is news about narrow, short-sighted and confrontational political responses to social challenges and conflicts.

And that brings me to the issue of the learnings from the three men. One lesson is that apart from being true internationalists with global visions, they were first and foremost social reformists in their own societies, firmly based at home and in their respective labour movements. That's where all politics start and end. You cannot exercise effective leadership without being on the shop floor.

Secondly, they decided to play to the dreams and aspirations of voters, not resorting to the all too often effective but tragic trick of playing to our worst fears. In that respect they were true leaders, not as too many politicians today who are mere followers of ignorant sentiments and prejudices.

Thirdly, with this vocation of being what we can call homegrown and positive visionaries, it is also possible to take on new challenges, even if they are hard. In Sweden, Olof Palme could actually pioneer the environmental perspective, which was not so easy for a labour movement born out of the industrial revolution and building its achievements on exploiting natural resources. In the same way, gender equality was not felt as very necessary or important for male workers when Olof Palme first put it on the agenda.

These are some of the inspirations I take from looking back at the remarkable leadership that Professor Vivekanandan has recorded so well.

To,  
The Prime Minister  
Government of India  
New Delhi

## Subject: Memorandum to ensure Communal Amity.

We undersigned have celebrated today "Communal Amity Day" in response to the call given by BhumiAdhikarAndolan at Kathua (J & K).

We wish to state that India has been known to the world for its values of tolerance, mutual respect and secular traditions. Our Constitution recognizes and reaffirms the rights of individual and communities to practice and preach their various faiths. The cold-blooded murder of Pehlu Khan at Alwar is a murder of all of these values. Not only does it add fear in societies of the growing rise of criminal elements veiled as upholders of religious purity, but also takes away the belief of a law-abiding citizen that their lives are protected by the rule of law.

Your regime is equalising the issue of communalism with anti-Muslim sentiments, in the process completely dismissing its other manifestations. This technique is appealing to the sentiments of the majority Hindu population who are failing to connect it with their daily issues. The lynching of Pehlu Khan should not be viewed as an independent case as it would divert the larger issue at hand.

The recent incident at Alwar is an attack on the livelihood of the agrarian population. The cow, a key element in agriculture is being appropriated as a symbol of Hinduism and thus being

disconnected/ disassociated from its economic credentials. This disconnect is being widened by the self-proclaimed gaurakshaks and vigilante groups which are operating under the patronage of Hindutva elements. The claims of cow protection come in conflict with contemporary circumstances of land grab and its allocation to industries as this is largely shrinking the extent of pastoral lands meant for the grazing of cows.

Demanding justice for Pehlu Khan and victims of Alwar terror, BhumiAdhikarAndolan had organised a one-day dharna on the 19th of April at JantarMantar, New Delhi. The dharna was attended by a number of Members of Parliament of various political parties, farmers and civil rights organisations from Haryana and Punjab who extended solidarity and also launched their own agitation in the States demanding justice. Continuing its fight until justice for the victims of the Alwarepisode is achieved and also to stop any further terror in the name of the cow protection, we celebrate 30th April as 'Communal Amity Day'.

In the case of Pehlu Khan's lynching in Alwar, we demand that

- Rs One crore compensation for Pehlu Khan's family and job for a family member, arrest of perpetrators of the crime, Government purchase of unproductive cows at market rate

and protection of right to cattle trade as well as right to choice of food.

- The VasundharaRaje Government of Rajasthan must provide RsOne Crore as compensation to the bereaved family of Pehlu Khan and Rs25 lakhs each to the other victims, taking the responsibility of the incident and to ensure civil and democratic rights and to give a strong message to the anti national elements which are trying to disrupt communal harmony.
- The Manohar Lal Khattar government of Haryana must ensure immediate and free medical treatment to all the victims.
- The State Government must provide government job to one family member of Pehlu Khan.
- Immediate arrest of all culprits and ensure stringent punishment. Withdraw false cases against victims.
- A special investigation team under direct supervision of Supreme Court must be assigned to ensure impartial investigation to the crime and role of the police
- A high level enquiry under the supervision of the Supreme Court to unearth the conspiracy of RSS to create communal unrest on the issue of cow slaughter.



- Ensure farmers right to cattle trade and reopen all cattle markets immediately which have been closed down by the concerned state governments.
- Make provisions in the cattle protection law to obligate state governments to purchase unproductive cattle providing market rate to farmers.
- Protect the crops from stray cattle by incorporating clauses in the law to obligate state Governments to preserve all stray cattle in shelters ensuring sufficient fodder, water and veterinary care.
- The Union Ministry of Agriculture shall call a meeting of all the peasant and agriculture worker organizations to discuss protection of the rights of farmers on cattle wealth.

**Sheikh Abdul Rehman (Ex MP)**  
Vice-President  
9858613193

**Dr Sunilam (Ex MLA)**  
National Coordinator  
9425109770

**I D Khajuria Amrit Varsha**  
Women's Coordinator  
9419152093 9419167003

Bangladesh Bharat Pakistan People's Forum

*Press Release*

## Start immediate dialogue with all stake holders including Hurriat and Pakistan to resolve Kashmir crisis

Jk forum for peace and territorial integrity organised may day celebration at Gujjar Desh Charitable Trust hall today ,function was presided over by Sheikh Abdul Rehman ,ChMasood Ahmad .

Bangladesh Bharat Peoples Forum national coordinator Ex Mla Dr Sunilam said that Bjp and it's Government must accept that their cannot be any military solution of a problem where people are united for a cause, if 5 lakh Mizos could not be suppressed militarily how 1 crore 10 lakh JK peoples voice can be suppressed? Dr Sunilam said that by arresting students and youth , imposing fabricated cases and sending them into jail is compelling them to become militants .Govt is giving them opportunity to organise themselves and prepare long term strategy. president of forum Id Khajuria said that many people say that Kashmir has become flash out after all we have seen 3 wars ,all accords are lying in the dust .What

we see are pellet guns ,bunkers,daily humiliations ,we need only one thing , dialogue without any conditions. J&K people need to unite to get justice.

Dr Juruddin said that situation is tragic. He said that New Government want to divide this country again on lines of Religion. They do not need vote of minorities. They must realise that if 8crore people can form a nation, than what 20 cr people can do ?

BBPPF Trinational president DebabratBiswas said immediate dialogue must be initiated with all stake holders including Huriyat and Pakistan.He said that BJP leaders must stop giving irresponsible statements ,MrBiswas alleged that PDP has joined hands with the forces against kashmiriat, jarurat and insaniyat, he said that BBPPF will organise peace solidarity conferences all in various states.

Ram Singh said that history of Kashmir is the history of broken promises ,he said their cannot be any solution without genuine democracy meaning that free and fair elections of block development council. Amjad Gilani from Kashmir valley said that stone throwing is the manifestation of anger of youth.

He said we are ready to become refugee & live in TN but we want Peace in our daily lives.

DrArif said that we need to establish peace centres all over not only j&k but all over the country. Head MistressVimalaKaur said that we need to isolate forces of intolerance, hatred ,secularism and fascim . MrsSantoshKhajuria said that war mongering should be stopped,war is not a solution it brings destruction .

Sheikh Abdul Rehman from Banihal said we demand Govt of India should stop step motherly.

treatment of Kashmiris. Jiyalal from Katua said that constitution is under threat. Trade unionist Raghuvier Singh said that people should be prepared mentally to involve in peace process.

Giving the valedictory address BBPPF vice president Sheikh Abdul Rehman warned countrymen that democracy and constitution is under

threat. He said that if you invest in rural development in place of purchasing War planes than poverty can be eliminated in 10 years. Mr Rehman said that Mr Modi is on the verge of imposing Presidential system in this country. He said that at the time when MPs of BJP are demanding Carpet bombing on Kashmir and Settlement of Kashmiris in TN as refugees, Prime

minister is keeping quiet.

Advocate Jamil Kazmi coordinated the programme. Mr Kazmi said that all promises must be fulfilled, democratic rights must be restored and Kashmiri must be treated respectfully.

**Dr Sunilam**  
09425109770

*Press Release: May 1, 2017*

## **Marking ADB's 50 years, Protest Actions to take place in over 100 places in India this week**

New Delhi: People's movements and other civil society organisations across India would hold over 100 actions of protest in 21 states of the country between May 1 - 7, 2017 to mark the 50th anniversary of the establishment of the Asian Development Bank (ADB), highlighting the gross human rights violations, loss of livelihood, and environmental destructions caused by the 'development model' being pushed by ADB and other international financial institutions (IFIs), using public money.

The during the first week of the May, the organisations will hold multiple programmes to expose the ADB's neo-liberal capitalist model of growth, where public money was used to promote private corporations, and its failed development paradigm, through raising the larger issues related to issues of accountability and transparency of ADB and other IFIs.

Shaktiman Ghosh, General secretary National Hawker Federation, a trade union conducting programmes in several states said, "The model of development pushed

ahead by ADB resulted in the loss of livelihood and forced eviction, pushing people to poverty, contradicting ADB's stated motto of 'fighting poverty' In urban areas, the hawkers are the badly hit ones. However with increasing privatisation of services, even the middle class will not be spared."

Some of the programmes being organized during the occasion range from organizing protests, public talks or lecture series to highlight the serious impacts of ADB's lending, at a time when ADB is celebrating 50 years of expanding its lending portfolio of just over \$3 billion during the first decade, to \$123 billion during the last decade.

The programs are geographically spread from Bilaspur in Himachal Pradesh to Thiruvananthapuram in Kerala, and to the Mundra in Gujarat to Dibrugarh in Assam. While Peoples' Forum Against IFIs, a platform of people's movements and civil society organisations working on the ill effects of international financing, is the one coordinating these 100+ events, the actions are

organised by local organisations in a manner which is relevant to them, to highlight their struggles / issues and seek transparency and accountability from IFIs.

"ADB needs to seriously review its push for hydro-projects in India, particularly in the Himalayas, in the name of clean energy program in the light of the adverse environmental and social fallouts of its projects and the complete failure of its safeguard policies in this context," Manshi Asher of Himdhara - Environment Research and Action Collective said. "Further, the escalation of costs in these projects has put a question mark on the financial feasibility of hydro power projects," she added.

ADB's investments resulting in undermining local governance bodies and other traditional institutions has come to the fore time and again. "The arrogance with which the destruction of cultures and communities by way of bulldozing our rights and the condescending belief that we indigenous peoples of the NorthEast are uniformed enough to be auctioning our rights and our

way of living to the highest 'development' bidder like the IFIs such as ADB, needs to be done away with. We are not stupid and we will do our best to protect our land and culture!" Ratika Yumnam of Indigenous Perspectives, Manipur said.

Highlighting the disproportionate influence IFIs have on the policies and other lending agencies, Leo Saldhana of Environmental Support Group Bangalore said, "ADB has always played the role of influencing a form of development that ensures revenue from loan recipient countries flows out to the coffers of countries that control the bank's stocks. For instance, ADB pushed for Metro projects in India, and after these super-expensive mega projects were well on their way but without serving the real need - of addressing public transport, the bank backed out.

"The way had already been paved of Japan Bank and JICA to step in to finance the Metro project, as is the case in Bangalore. Interestingly, the project has 300% cost over-runs and is yet not functional. Meanwhile, the entire city has been reduced to a mess of what it was before: India's 'garden city', but not any more!"

Coastal Gujarat Power Ltd (Tata Mundra) a \$4bn, 4000 MW coal based thermal power plant in Kutch Gujarat is one the projects ADB is co-financing, causing damage to people and environment. As confirmed by its own accountability mechanism, Compliance Review Panel, the project has violated ADB's policies on consultation with communities, the sanctioning of the project was based on erroneous social impact assessment and due to the project the fish catch has reduced drastically, threatening the livelihood of thousands of fishworkers.

"Our plea to ADB to restore the livelihood of the fishworkers have fell on deaf ears. While they are celebrating the 50 years, the fishworkers in Mundra are struggling to meet their ends," Bharat Patel, General Secretary of Machimar Adhikaar Sangharsh Sangathan said.

Through these 100+ actions, people's movements and other CSOs are demanding the ADB to mend their ways of lending, be transparent and accountable to people in whose name they run their business. Failing which, people will be left with no option than to strengthen their struggles, despite repressive laws curbing their right to dissent, freedom of expression and freedom of assembly.

Website: <https://wgonifis.net>

Twitter: @wgonifis

Email: [wgonifis@gmail.com](mailto:wgonifis@gmail.com)

**PMC BANK**  
 PUNJAB & MAHARASHTRA CO-OPERATIVE BANK LIMITED  
 MULTI-STATE SCHEDULED BANK  
 Since 1984 We enjoy to serve

**PUNJAB & MAHARASHTRA CO-OPERATIVE BANK LIMITED**

**Let's embrace the change and move to  
 PMC Bank Digital Banking**

**24x7**

**For Offers & Cashback  
 Visit [www.pmcbank.com](http://www.pmcbank.com)**

**Toll Free No : 1800 223 993  
 E-mail : [helpdesk@pmcbank.com](mailto:helpdesk@pmcbank.com)**

**Operating from more than 120 locations across Maharashtra,  
 Delhi, Karnataka, Goa, Gujarat & Madhya Pradesh**

Services shown in the tree diagram:  
 Petrol / Diesel, Utility Bills, Grocery, Shopping, Booking Tickets, Insurance Premium, Mobile Banking, Debit Card, Internet Banking.

\*T.B.C Apply

## Unity of Progressive Forces Needed

The emphatic win of the Bharatiya Janata Party (BJP) has led to much churning among many opposition parties, awakening them to the need for unity and even be willing to shed long held ideological positions in a spirit of accommodation. Opposition leaders made a strong pitch for unity among "secular" forces, contending that it was the "need of the hour" in order to take on the ruling BJP juggernaut. The occasion that brought these leaders on the same platform was an event to mark the 95th birth anniversary of veteran socialist leader MadhuLimaye, as "unity of progressive forces". The leaders of many opposition parties, including the Congress, Janata Dal-United, NCP, CPI and CPI-M, came together on a single platform to stop "communal forces" and emphasised the need to elect a President with secular credentials in the upcoming presidential elections. The events assume significance as the opposition leaders advocate unity to "fight the challenge to the democratic and secular character of the Constitution by the Sangh Parivar."

Veteran historian Professor Irfan Habib, who was the main speaker at this event said, "Hindu Mahasabha, RSS and Muslim League were never part of the freedom movement". Putting the current political situation in perspective, he urged the participants to work towards a larger opposition unity. "Socialists and their inveterate opposition to the Congress led to a situation where right-wingers framed our Constitution, for the Socialists refused to be part of the Constituent Assembly," he added.

Very subtly, he told those on the dais that there is little choice before them.

Speaking on the occasion, Congress leader Digvijaya Singh said, "If we have to save the country from fascists and communal forces, the only way forward is the unity of progressive forces. They have to come together. The opposition parties should keep away their differences and come together. Unity of the progressive forces is need of the country. But at the same time, I would like to convey a word of caution. If you do not define the grand alliance properly, the fight will become Modi versus others. Hence, we will have to be alert. This is not a fight of personalities, but of ideologies." Digvijaya Singh in his speech indicated that the time has come to embrace the secularism as defined by Mahatma Gandhi, and jettison the secularism of Jawaharlal Nehru. He said the secularism of Gandhi and of Nehru were distinct. "Gandhian secularism is more relevant to India," Singh said, emphasizing that it was Gandhi's secularism that had stopped the advance of Rashtriya Swayamsevak Sangh. DigvijaySingh also insisted that the phase of "anti-Congressism" was over, and said that just two ideologies were relevant today: "The fascist, communal ideology versus the secular, democratic ideals". Stating that the country did not need "anti-Congressim", the senior Congress leader asked the parties to "offer a positive narrative to save democracy from the communal BJP." Interestingly MadhuLimaye had differed with his socialist leader Rammanohar Lohia's anti-

Congressism and in his last article published on the day he died in 1995, Limaye had again stressed on the importance of the Congress to India.

CPI(M) general secretary SitaramYechury called for forming such an alliance during the presidential polls to ensure "secular supervision" of the Constitution. "There are a lot of questions on the presidential election. The question is whether the new President will be able to uphold the dignity of his office. The question is whether the supervision from the Rashtrapati Bhavan will be secular or communal," Yechuri said. Do we want communal supervision or secular supervision? The result will have a bearing on the situation in the country. So, it is going to be an acid test. We appeal that all secular parties come together. "Not just communists or socialists but every secular force should come together," he said and appealed that they should come together to "choose a secular President".

CPI leader Atul Kumar Anjaan asked Prime Minister Narendra Modi to field a consensual candidate for the presidential polls. "Or else, the opposition parties will field common candidates for the presidential and vice presidential polls," he said. Atul Anjan warned that if "centre-to-left" people don't come together, India would be in grave danger, and called for fielding an opposition candidate for President if the government does not come up with a nominee acceptable to all. "We cannot accept a "Nagpur kinarangi

*(Continued on Page 14)*

## Being at the same time Chief Minister of a State and a Member of Lok Sabha is illegal

**Rajindar Sachar**

The mysterious rise of Yogi Adityanath as a centre of power contenders amongst B.J.P./RSS leaders seems to baffle the public. It is a wrong assessment that he has been installed at the instance of Narendra Modi/Amit Shah. They are too politically astute not to create another power centre against themselves.

Though Yogi was no doubt a Thakur (Bollywood perpetual tormentor of the weak and ruthless in accomplishing his aim) – he was a Mahant for long time thus establishing easily his credential to Brahmanical family leadership of RSS. Yogi has proved this by openly announcing immediately his aim of Hindu Rashtra (against all sense of realism and which is a constitutional monstrosity) but is pleasing to Mohan Bhagwat and his coterie.

A win in 2019 could throw Modi beyond challenge and simultaneously weaken the hold of RSS. Modi has succeeded in creating an illusion of development man who by his oratory conceals his total communal stance and anti-minorityism. But Yogi on the other hand flaunts Hindu fanaticism and that is why RSS is keen to keep him as an alternative. It is a clear signal by Bhagwat and his coterie to Modi that an alternative is being created to him, if he is too neglectful to RSS bosses.

However there is a serious legal challenge to the continuance of existing position of Yogi as a Chief Minister and Member of Parliament

at the same time. This is a constitutional conundrum which ill befits a Chief Minister of biggest State in the country.

Article 164(4) permits a non-member of state legislature to remain a Minister for six months without getting elected. This anomaly is explained by historical necessity when in early periods institution of the Parliamentary system in U.K. was brought in and especially for colonies which were being given legislatures for the first time. It is a matter of fact that Ivor Jennings in his “Cabinet Government” has pointed out “that the House of Commons is however critical of such exceptions”.

Article 75(5) makes a similar provision for automatic vacation of a Central minister at the expiry of six months unless he is elected to parliament. This shows that these are two distinct bodies and separate provisions are applicable to each. This has no applicability for a situation like that of Yogi - how then is it possible for Yogi to continue as a Chief Minister of U.P. and Member of Parliament at the same time. And if someone argues for it, then it automatically means that he can simultaneously be a Chief Minister of U.P. and Prime Minister of India (by getting elected a MLA of U.P. Assembly as he is already a Member of Parliament. How ridiculous, and a constitutional monstrosity.

The suggestion if any that Yogi

can retain parliamentary seat for six months (seeking the analogy of six months from Article 75(5)) of being elected as a Chief Minister cannot stand scrutiny, because there is no such provision in law on the subject. Either the position in law can be that he cannot both be a Prime Minister and Chief Minister at the same time and thus ipso facto cannot be at the same time a Chief Minister of U.P. (may be by factually treating him as MLA under 164(5) of the Constitution;) but how does he save his position as member of the parliament at the same time, because there is no such provision to this effect under the Constitution. In my view Constitution does not permit a person to be a member of two legislatures of state and Central at the same time. The defence to Yogi is not available that he can continue Chief Minister after getting elected within six months and therefore can continue as a member of parliament for five years or at the minimum for six months. This is perverse logic and destroys the very spirit and purpose of responsible democratic government. If this argument of Yogi is to be accepted we can have a laughable queer mixture of the same person being a Chief Minister of a State and Prime Minister of India. Can any more quixotic illustration be imagined?

Under our constitutional scheme one can take advantage under either 164(5) or 75(5). You cannot invoke both, and therefore ipso facto once elected as a Chief Minister you cease to be a Member of Parliament.

Yogi is being asked to do this ill befitting role of keeping his Parliamentary seat so that he could vote for B.J.P. in the forthcoming presidential poll following Mr. Mukerjees term being over soon. It hardly befits the office of a Chief Minister of the largest state apart from the legality of holding both offices at the same time.

This argument is put forward by saying there is no specific prohibition against Yogi holding both State Assembly seat and parliamentary seat. To me this argument is totally destructive of what Dicey has pointed out in law and convention of the Constitution, namely, "That the conduct of the different parts of the legislature should be determined by

rules meant to secure harmony between the action of the legislative sovereign and the wishes of the political sovereign". This would mean that all laws must be to effectuate the will of the people who are sovereign under our constitutional set up. The conduct of the legislature should be regulated by understanding of which object is to secure the conformity of parliament to the will of the nation. That is why Dicey termed conventions as a strong law.

I am of the view that the moment Yogi became the Chief Minister his seat in parliament automatically stood vacated and his continuance as M.P. is therefore illegal. I feel that if Yogi does not resign his seat in parliament forthwith his right to Chief

Minister of U.P. would come to an end.

If however a lenient view is to be taken because of the somewhat uncertainty of law, the least that Yogi should do is to appear before Lok Sabha and Rajya Sabha and offer apology for having attended the sittings (after taking over as Chief Minister U.P.) wherein the Speaker, Chairperson, Lok Sabha, Rajya Sabha may take a lenient view and only admonish him and impose a token fine of Rs. One, and thus close the matter. Will yogi take this graceful initiative and at the same time maintain prestige and dignity of the office of a Chief Minister and Member of Parliament.

*(Continued from Page 12)*

(a saffron from Nagpur as in an RSS candidate)."

The Janata Dal(United) leader SharadYadav has been votary of anti-Congressism, but he praised former Prime Minister Indira Gandhi's foreign policy - for India's victory in the 1971 war under her leadership and for having engineered the merger of Sikkim in the Indian union in 1975. He criticised Modi government's foreign policy. Vowing for the unity of the opposition, JD-U Leader said that it should be strengthened outside Parliament too. "Opposition parties are together in the Parliament despite some differences but today's event is a step forward in the direction of a united opposition," he said. SharadYadav dwelt on Kashmir in detail and the setbacks suffered there in the recent past. "If Kashmir goes downhill, Jinnah will stand vindicated,". He also said there was

a need to aggressively push for "inclusive political ideologies" at a time when minorities across the country were feeling insecure.

Madhu Limaye's son, Anirudh Limaye, said Prime Minister Narendra Modi had become a "Teflon PM" on whom nothing seems to stick and he did not mince words in driving home the reality that the opposition was failing to inspire new blood. "Look around you? How many people here are under 30? You have to start afresh," he said, arguing for the need to build an organization to spearhead movements and then fight elections. He flagged the RSS, the BJP's ideological mentor, as an example with its variety of outfits to address different issues and wrapped up by urging the opposition to be prepared for a long haul. "This is going to be a long struggle over at least a decade; not just a few days," he said. Almost six decades ago, Madhu Limaye along with many

others fought in the Goa independence movement. He was sentenced to twelve years in prison for a public cause. Even at the peak of Nehru's popularity, socialist brigade built its own agenda, its own narrative.

Various trade union and Kisan leaders such as Harbhajan Singh Siddhu, President HMS, Ashok Singh, Vice-President, INTUC, Amarjeet Kaur of AITUC, Hannan Mollah of All India Kisan Sabha also spoke on this occasion.

The event was also attended by Socialist Party Chairman Dr. Prem Singh, LSP, President Raghu Thakur, JD(U) general secretary K C Tyagi, his NCP counterpart Prof. D P Tripathi, CPI national secretary D Raja and Amarjeet Kaur, BSP's Sudhindra Bhadoria, JD-S, Danish Ali, RLD's Tirlok Tyagi, Manju Mohan and many others.

—Qurban Ali

# The Last Refuge

HasanGhias

*"Politics is the last resort for the scoundrels" : George Bernard Shaw. "Religion is the last refuge of a scoundrel" : George Orwell. When combined together, they provide a feast for scoundrels!*

Religion is about charity, love, peace, spirituality and understanding. It seeks to connect man with his Maker and give life a deeper meaning. The vast majority of those who populate the Indian subcontinent, be they Buddhists, Christians, Hindus, Muslims, Parsees or Sikhs, are deeply religious and religion resonates with their thoughts and lives. When practiced in its true essence, it produces men and women like Mahatma Gandhi, Mother Teresa, Abdul Sattar Edhi and the Dalai Lama. When exploited to promote enmity and hatred, it produces the worst kind of atrocities and horrors played out by the worst specimens of the human race.

Politics, said Charles de Gaulle, is too serious a matter to be left to the politicians. When endowed with ethics and integrity, it produces men like Nelson Mandela - a supreme example of sacrifice and selflessness, forgiveness and reconciliation. When exploited without scruples, you get examples too numerous to enumerate. Politics, as now prevalent in our region, is a magnet for a very dangerous breed of crooks, vicious criminals, moral degenerates and mental perverts. They are hungry for power and hungrier for wealth. They need a political cloak of respectability to conceal their nefarious pursuits and vile designs. Long gone are the days when inspired by the cause of freedom, educated, intellectual and

moral men and women joined the great political movement for India's independence. At that momentous midnight hour when our nation's soul found utterance and India awoke to life and freedom, our political leadership thought it fit to "take the pledge of dedication to the service of India and her people and to the still larger cause of humanity." It is wrenching to contemplate the descent from that pinnacle of moral purpose to the present depths of moral depravation.

The men who mislead India are enacting a dangerous drama of death and destruction, shamelessly misusing religious appeal and stoking emotions to fuel bigotry and hatred. Religion, the essence of which is sublime spirituality, is being dragged through the muck of politics to divide the nation for political gain and to grab the reins of power. Perversion of justice that is hard to fathom: life in prison for killing a cow and scot-free after committing genocide! Put to trial the family of the man murdered on suspicion of storing beef in his refrigerator, but not the killers who lynched him! An inclusive, pluralistic, secular democracy being replaced by brute majoritarianism, where fascist outfits dictate what you eat, what you say and what you sing, whom you love and who you marry.

A virulent strain of the communal virus has been injected, via politics,

into our academia, bureaucracy, police, media, social and religious organizations. Can our armed forces and judiciary remain immune from this epidemic? There is a very heavy price to pay for the reckless wrecking of the institutions of civil society, upon which rest the foundations of the modern nation state, and indeed of civilization itself. Other nations have travelled this path and are caught in a maelstrom of their own making, unable to find a way out. Shall we follow their example and expand the space for hell on earth, or shall we be guided by the wisdom of the founding fathers of modern India and steer clear of the rogues who are pushing us in that direction? From these scoundrels, O' Lord, provide refuge to my nation!

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank  
in favour of

**JANATA TRUST**

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



# **GANNON DUNKERLEY & CO., LTD.**

*An infrastructure company established since 1924*

## REGD. OFFICE :

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A.K. Nayak Marg, Fort, Mumbai 400001.  
Tel. : 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# jananta

Vol. 72 No. 17  
May 14, 2017

**Path To Kashmir's Solution**  
Sandeep Pandey

**Why and How "Secularism"  
in Our Constitution**  
Ravi Kiran Jain

**Europe is Making History**  
D. K. Giri

**Judicial Brinkmanship**  
J. L. Jawahar

**Free Speech, Nationalism  
and Sedition**  
Ajit Prakash Shah

Editor :  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## Ugly Side of War

**Kuldip Nayar**

War is ugly. It becomes uglier when it is between two inveterate neighbours. They go to any extent to harm and humiliate each other. Pakistan has mutilated and killed two Indian soldiers when they are said to have crossed the Line of Control (LoC). Understandably, India has retaliated and destroyed Pakistan's posts on the border.

Defence Minister ArunJaitley has condemned the reprehensible and inhuman act saying that "such acts don't take place even during war. It is an extreme form of barbarism. The whole country has full faith in our armed forces which will react appropriately. The sacrifice of these soldiers will not go in vain." Condemning the despicable act, Army chief BipinRawat, too, has vowed an "appropriate" response.

This has come closely on the heels of Turkish President Recep Tayyip Erdogan's suggestion that multilateral dialogue on Kashmir was the solution to end the impasse between India and Pakistan. New Delhi is opposed to his view because it believes that Kashmir is a bilateral issue and it should be solved by the

two countries while sitting across the table.

Beheading soldiers is nothing new. The army on both sides is said to have indulged in it before. What is annoying is Pakistan's flat denial of the incident. Unfortunately, there was no regret, no grief. The UN probe to verify facts could have been a possibility. But since New Delhi has stopped the International Court at The Hague from taking up a Pakistan complaint against India on the plea that the two countries settle their disputes bilaterally, it could not allow a third party to probe the incident.

However, the episode is too serious to be left at that. During earlier incidents, India had evidence to prove that Hafiz Saeed, the Lashkar-e-Taiba chief, who has been placed under house arrest now, was at the border before the clashes. But Pakistan, on its part, had failed to order a probe. Maybe, it is the doing of irregulars who, regretfully, seem to constitute a part of Islamabad's combative force. The country is already experiencing violence from

within. The Taliban are daily killing 20 to 25 Pakistanis and there is no place which is beyond the range of their guns.

When there is unabated domestic violence and when Pakistan is fighting against the Taliban in the Federal Administrative Tribal Area, it is not understandable why it should open a front with India? In fact, Islamabad has withdrawn some forces from the Indian border to fight on the West. Inter Services Intelligence (ISI) has declared publicly that it would concentrate on the threat posed by internal forces instead of engaging India. Therefore, there is no question of unnecessary hype.

New Delhi should realise that Pakistan is its front state. If it ever goes under, India would be directly threatened by the Taliban and face the danger of destabilisation. The policy should be how to retrieve Pakistan from the hopeless situation it is in. A weak Pakistan is a threat to India, which is powerful enough.

Any escalation of tension or a suitable retaliation at an appropriate time would only aggravate the situation. Dialogue is the only way to improve and it should never be suspended or downgraded. There is no option to talks. But I am surprised at some irresponsible statements emanating from Pakistan that dialogue between the countries should go on despite skirmishes on the border.

Indian Foreign Minister SushmaSwaraj has shown restraint and maturity and has not commented anything adversely. But the government's decision to keep the new positive visa policy on hold will only lessen people-to-people contact

which is essential for better understanding. Prime Minister NarendraModi's statement that business with Pakistan cannot be as usual is understandable and his ordering surgical strikes earlier have had the desired effect.

Yet my experience shows that Islamabad resiles from its rigid stand if and when New Delhi steps back and reflects. We have to learn how to live with an intransigent Pakistan. I recall what Director General of Trade Ismail Khan in Pakistan occupied Kashmir had said a couple of years ago. He said that trade and travel across the ceasefire line would remain suspended until the skirmishes subsided. This was an unwise step which must have hurt Pakistan as much as it did India.

For some reasons, former military officers on both sides have turned out to be more hawkish. Some years ago, I was shocked to hear Admiral Iqbal of the Pakistan Navy reminding India about Muslim rule in the country for 1000 years. Equally jingoistic was the suggestion by a retired Army Major General that the solution to India's problems with Pakistan was through military action. Both should realise that the engagement of the two countries would not be a street brawl. They have nuclear weapons and the worst can happen.

Civil societies in both the countries have proved to be disappointing. Instead of analysing the situation dispassionately, they have supported the stand of their country. Regretfully, civil society is always on the side of the establishment whenever there is a clash on the border or when a dispute assumes dangerous proportions. Were the two civil societies to put their weight behind peace and call a spade a

spade, their voice would be heard.

New Delhi's estimate that the ceasefire violations were meant to give cover to terrorists to sneak into Kashmir may be true. But the security forces in the Valley are strong enough to chastise them. The fallout of tension affects the people in Kashmir. They feel more insecure and fear the worst. The separatists, including Yasin Malik and Shabbir Shah, do not realize that they are increasingly becoming irrelevant. The same is the case with the Hurriyat.

I wish the establishments both the countries consider the ceasefire line sacred. This has been converted into LoC through the Shimla Agreement. The then Prime Minister, Zulfikar Ali Bhutto, hailed it as the "line of peace" in an interview to me. And it has been seldom violated for the last three decades. Blood at the border has unnecessarily disturbed the status quo. Soon the two sides should realize that some agreement was necessary.

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank in favour of

**JANATA TRUST**

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

# Path To Kashmir's Solution

**Sandeep Pandey**

We were told that surgical strike was a decisive blow to Pakistan and it had been taught an appropriate lesson. Then we were made to believe that demonetisation would break the backbone of terrorism and naxalism. It was hoped that such incidents would cease. But these measures doesn't seem to have had any effect. Pakistani, terrorist and naxalite attacks continue to take place as before.

Targetting Pervez Musharraf in Gujarat assembly elections and claiming to possess a 56 inch chest Narendra Modi had boasted of having the ability to teach Pakistan a lesson. But he seems to be clueless about how to check these incidents. Narendra Modi, with the objective of establishing India's credentials in the world, made a whirlwind tour of nations all over the globe but today our relations with a number of them, including our neighbours Pakistan, China and Nepal, have soured. India has been cornered in United Nations. India didn't allow the UN Human Rights Commission team to visit Jammu & Kashmir whereas Pakistan allowed them access to the part of Kashmir in their control. What is India trying to hide in Kashmir from the world's gaze?

One cannot remember when the situation in Kashmir was this bad. The reason is that the ruling Bhartiya Janata Party and the wider Hindtva pariwar believes in the binary that you are either a patriot or an anti-national. Earlier some youth from Kashmir had been to Pakistan to receive training in terrorism. But

today, it is children, students and women who hurl stones at security forces. The Government of India believes that all of them are anti-national and Pakistani government instigates them and aids them financially.

This is incomprehensible. Pakistan is an external agency. Kashmir has been with India for 70 years now. How is it possible that Pakistan is able to manipulate every individual in Kashmir and the people there don't consider themselves as part of India? Somewhere the Indian government has been at fault in its approach towards the Kashmiri because of which the Kashmiri, over a period of time, got thoroughly disillusioned with India. Kashmiri women and children, fed up of the presence of military and the danger of being humiliated by them, are sufficiently outraged to pick up stones against the security forces. They want the security forces to vacate Kashmir. Perhaps they feel, even this freedom will bring relief to them.

But when Omar Abdullah, as Chief Minister of J&K, suggested the withdrawal of Armed Forces Special Powers Act from J&K, it was vetoed by the army.

The government of India would like to think that life in Kashmir is normal, there are regular elections, local parties run the governments, but doesn't allow the state government to function democratically and independently. In the name of national security the army overrules

the state government and even the national government doesn't intervene in such a situation.

Normalcy cannot return to Kashmir without the withdrawal of army. The government of India must completely trust the state government to govern on its own once and let the army take care of security at borders. What to talk of special provisions under article 370 of the Constitution, Indian government doesn't even extend the freedom to J&K which other states enjoy.

We blame the Kashmiris that they do not consider themselves as part of India. Truth is we don't consider Kashmiris as part of ourselves. For if we did we would never use pellet guns there which have made hundreds of people there physically challenged or visually impaired. It is unthinkable that these guns could be used anywhere else in India. When a Member of Parliament Raghav Lakhanpal Sharma attacks the residence of Senior Superintendent of Police in Saharanpur, UP along with two Members of Legislative Assembly and supporters it is not considered an anti-national act but when a Kashmiri throws a stone at security forces it is considered as such. What is the difference between the two incidents? In both people who represent the Indian state are being attacked.

In the process of administering Kashmir with the help of Army for such a long period of time, the people

of Kashmir have become disillusioned. Syed Ali Shah Geelani has been a MLA in J&K three times but the Indian government's policies transformed him into a separatist. Geelani's hold on people is greater than any of the people's representatives there. The Indian government says it'll not talk to separatists but in Nagaland it did engage them and also reached an agreement. It is a different matter that the agreement has not been made public.

Some people have begun offering suggestion to Kashmiris that if they don't want to live in India they should leave Kashmir. This represents a feudal and colonial mindset. It is a right of people anywhere in the world to decide how they would like to live. In our struggle against the British we considered it our right to choose a system of government of our own for ourselves. If we're not able to convince the Kashmiris to live with us it is their right to decide an appropriate system of their choice

for themselves. This will be good for both India and the Kashmiris. If the Kashmiris decide on their own to live with India it'll be a more harmonious relationship because then it would not be a decision imposed upon them by the Indian government. India should not treat Kashmir as its colony. Instead, it should be granted a degree of autonomy. Otherwise people will continue getting killed or seriously injured on both sides without a solution emerging.

## Durable Opposition Unity - Common Minimum Programme of Equality, Justice and Secularism

**Bharat Dogra**

The BJP has been on a roll winning one electoral battle after another, or using other methods to install its government even in states where it could not win the most number of seats. There is now a real possibility of not even a single national level opposition party being able to play a strong opposition role at a time when this is badly needed. In such a situation there is serious requirement for opposition unity.

However most talks of opposition unity in recent times have been in terms of cobbling together some form of fragile agreement to either try to win an election or at least avoid a washout. Even if this limited aim is achieved, there are generally no durable gains for democracy and justice from such hurried and often opportunist efforts for accord.

Often and increasingly even this limited aim is not achieved as the BJP's powerful election campaigns are able to tear apart the

weaknesses of such election-based unions.

Hence there is a very strong case for building an opposition unity based on principles of equality, justice, democracy, protection of environment and governance reform with special emphasis on a strong campaign against corruption, black money and tax havens.

Representatives of some leading opposition parties should get together to prepare such a programme on the basis of which unification talks can be held.

If this is not forthcoming, then some senior and widely respected individuals can take a lead to prepare an agenda on their own and then present it before opposition parties as a document for initiating unity talks based on principles.

This task is extremely important. One cannot emphasize its urgency

enough. I hope the Opposition parties realize the necessity and do not delay too long.

### Books by Surendra Mohan

1. **Vikas Ka Rasta: Nai Arthik Neetiyon ka vishleshan..** Price 600 rupees.
2. **Samajwad, Dharma Nirapekshata aur Samajik Nyaya** Reissued as second edition; Price 500 rupees
3. **Vartaman Rajneeti ki Jwalant Chunautiyan.** Price 400 rupees.
4. **Dr. Ram Manohar Lohia ki Neetiyan:** (This booklet was published late last year.) Price 25 rupees.

Published by Anamika Publishers and Distributors, Ansari Road, New Delhi 110002

# Why and How “Secularism” in Our Constitution

Ravi Kiran Jain

Any discussion on secularism would need first to focus on two basic aspects: Firstly, the word ‘secularism’ has no substitute in any of our languages. Like ‘war’ is the opposite word of ‘peace’, in common parlance in the Indian context, ‘secularism’ is understood by its antonym ‘communalism’, while in the Western context, ‘secularism’ is understood by its antonym ‘theocracy. Secondly, the word ‘secularism’ was nowhere mentioned in the Preamble of the Constitution when it was enforced. It was included in the Preamble by the controversial 42nd Constitution Amendment during the Emergency with effect from January 3, 1977.

It is interesting to note that the Preamble, though the Constitution opens with it, was not the first to come into existence. It was the last piece of drafting adopted by the Constituent Assembly at the end of the first reading of the constitution. The motion to adopt the Preamble was moved on the 17<sup>th</sup> October 1949. It was suggested during the debates that the Preamble be taken up when the Constituent Assembly would meet in November for the third reading as by that time the Drafting Committee would also have submitted its final report to the House. Maulana Hasrat Mohani objected to the postponement submitting that unless the Preamble was passed on that day at the first reading itself, the Drafting Committee could not produce any report on the second reading. K M Munshi supported Maulana Hasrat Mohani by making a humorous comment — “Once in my life I support the Maulana Saheb!” The President ruled that the Preamble should be passed on that day to enable the Constitution as a

whole being passed in its second reading and the Preamble forming part of the Constitution. Several amendments were suggested to the Preamble but they were all negated. At the end, the President moved the motion — “That the Preamble stands part of the Constitution.” The motion was adopted on November 2, 1949. The Preamble was added to the Constitution.

In the words of Justice Jagan Mohan Reddy in his judgment in *Kesavananda Bharati v. State of Kerala, 1973 (4) SCC 225,-*

“The Preamble to the Constitution which our Founding Fathers have, after the Constitution was framed, finally settled to conform to the ideals and aspirations of the people embodied in that instrument, have in ringing tone declared the purposes and objectives which the Constitution was intended to sub serve.”

The question arises as to why it was introduced during the Emergency. Was it not a challenge to the wisdom of the Constitution-makers? The Constituent Assembly consisted of persons who had no partisan motive nor they had any axe to grind. They were men of vision; they inspired confidence, and were all products of the struggle for independence.

In the struggle for independence, the people of different religious pursuits had a natural worry as to what sort of religious freedom they would be able to enjoy in an independent India. When Mahatma Gandhi appeared on the scene and transformed the freedom movement into a mass movement in 1920s, it

was realized that people could hardly be motivated to go the whole hog for the freedom struggle unless they were assured that their religious beliefs and systems would be secure in a post-independent India and that they would not be marginalized and sidelined, in case they belonged to the minority community. It was in the pursuit of this very assurance that Gandhiji gave to the people the much-valued concept of ‘*Sarv Dharm Sambhav*’—the principle that all religions are equal. The Muslim League had boycotted the Constituent Assembly when it started its session on December 9, 1946, and it continued to boycott it even thereafter. Evidently the pressure worked, and on June 3, 1947, Lord Mountbatten announced the coming into existence of two independent States with effect from August 15, 1947.

On August 14, 1947, the President of the Constituent Assembly, Dr Rajendra Prasad remembered Mahatma Gandhi in the following words while speaking on the floor of the Assembly, “Let us also pay our tribute of love and reverence to Mahatma Gandhi who has been our beacon light, our guide and philosopher, during the last 30 years or more. He represents that undying spirit in our culture and make-up which has kept India alive through vicissitudes of history.” And then he went on to say, “To all the minorities in India we give the assurance that they will receive fair and just treatment, and there will be no discrimination in any form against them. Their religion, their culture, and their language are safe, and they will enjoy all the rights and privileges of

citizenship...To all we give the assurance that will be our Endeavour to end poverty and squalor and its companions, hunger and disease: to abolish distinction and exploitation and to ensure decent conditions of living.” These words of Dr Rajendra Prasad on the floor of the Constituent Assembly were clearly influenced by the overwhelming concept of “Sarv Dharm Sambhav” which reigned supreme in the minds of the members of the Constituent Assembly, and this later found ample manifestation in the provisions specifically incorporated in the Constitution. Article 15 says, “The State shall not discriminate against any citizen on ground only of religion, race, caste, sex, place of birth or any of them” and also Article 25 provides that “all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion”. What needs to be taken note of is that absolutely nothing happened in the country from 1950, when the Constitution was enforced, to 1977 to hasten the urgency of bringing about a Constitution Amendment to incorporate the word “secular” in the Preamble of the Constitution.

As a matter of fact, the politics in the country remained during all these years focused on issues, people participated overwhelmingly and spontaneously in the poll process, and the public debates were focused primarily on the key issues concerning the masses of this country. In fact, cutting across all barriers of castes and religion, people voted on the issue of “*garibi hatao*” at 1971 Lok Sabha election. Paradoxically, however, the post-1971 years unfolded nothing effective to tackle the problem of poverty and economic disparities, but, instead, the State, literally dominated by one individual, gave place to a process of demolition

of Constitutional institutions. Three Judges of the Supreme Court were superseded. Then followed the Emergency, letting loose a reign of terror, and one of its fallouts was the apex court verdict in ADM Jabalpur case. Against this backdrop came the controversial 42nd Constitution Amendment.

Nehru told the members of the Constituent Assembly on August 14, 1947, “The service of India means the service of the millions who suffer. It means the ending of poverty and ignorance and disease and inequality of opportunity.” The country was to achieve this objective on the basis of the principles contained in Part IV of the Constitution, which were “fundamental in the governance of the country”. Incidentally, in the Statement of Objects and Reasons in respect of the 42nd Constitution Amendment, similar expression has been used in the following words, “The question of amending the Constitution for removing the difficulties which had arisen in achieving the objective of socio-economic revolution, which would end poverty and ignorance and disease and inequality of opportunity, had been engaging the active attention of government and the public for some years...It was, therefore, considered necessary to amend the Constitution to spell out expressly the high ideals of socialism, and integrity of the nation”.

Paradoxically, after the word “secular” found place in the Preamble as a result of the 42nd Amendment that it was lapped by sections of opportunistic politicians to fuel a highly retrogressive and diversionary debate of secularism vs communalism and vice versa. What the country saw in its wake? The demolition of Babri Masjid and the resultant communal

holocaust followed by Bombay, Surat attacks on minorities and in other cities in January 1993, thereafter Gujarat communal massacre and then the recent Muzaffarnagar communal riots.

Looking back, communalism vs secularism debate has only resulted in throwing into the background primary goals such as eradicating poverty, illiteracy, disease, and inequality of opportunity. While making non-issues into issues, the real problems became non-issues in politics and polls, and what has been worse, it generated its own pernicious offshoots. Politics and elections got additionally hooked onto the caste versus caste card. The real issues, confronting the people, like poverty, disparity, exploitation, hunger, unemployment, illiteracy, power crisis, environment degradation, and water scarcity, alarming loot and destruction of our forests, and population explosion have been sidelined. Likewise, criminalization of politics and corruption have also become non-issues.

There has been no difference between various governments at the Centre or the States during the last two decades on the question of following the economic policies on account which the forces of globalisation have slowly but solidly deprived India of its economic and political sovereignty so much so that the country has lost its right to determine its own agenda of governance and development, which now rests with international powers, multinationals and world-funding agencies. The question is how long shall we permit this to continue by keeping the people involved in nationally detrimental quarrels over secularism versus communalism and castes versus castes?

# Europe is Making History

D. K. Giri

On May 5th, Paul Krugman, economist and New York Times columnist wrote, "What is the matter with Europe." He was referring to the elections in France, the second-round on May 7 where far right Marine Le pen, was defeated by Emmanuel Macron, the centrist newcomer. Macron won the presidency and created history. In a bit, we will see how.

Krugman was analysing the individual countries and their supranational regional body, European Union (EU). But, one should be not surprised at the developments in Europe, which has been the cradle of innovation, revolution and radicalism. Revolutions that changed the course of the world, took place in Europe - the French revolution, the industrial revolution, the Marxist experiments, all of which heavily influenced the politics and economy of the world. Europe is capable of thinking and doing the unthinkable and undoable. Three major countries of Europe, France, Britain and Germany led the world in the three revolutions just mentioned. In recent times again these three countries initiated epoch - making changes in Europe. In Germany, the biggest economy in Europe, the Berlin wall was pulled down. The wall was created after the Second World War to divide the Allied Powers-occupied West Germany, and the Soviet controlled-East Germany. With the wall torn up, history was re-written. Britain voted on 29 June 2016 to exit from the European Union. Few in Britain and the world had expected it to happen.

David Cameron, then the Prime Minister of Britain was too shocked to continue in office. That decision is historic as Britain was a member of EU for over four decades since 1973.

All the three big powers have elections this year. On May 7, France created history by electing a rank newcomer as president. Emmanuel Macron the president-elect does not even have a party, led a movement called En Marche (on the move) for a year. He is a greenhorn in politics. The old, established parties both of right and left could not make it to the run-off. Britain will elect its new Parliament on June 8, and Germany will have its federal elections on September 24. Let us look at each of these three big powers in Europe making history.

France, once a world power is undergoing radical political changes. It has been subjected to recurring terrorist attacks recently. Along with Germany, it was the main architect of the European Union. As a matter of fact, the detente between France and Germany after the Second World War was the foundation over which the European Union was built. Britain was an outside and reluctant player in EU. To recall, the powerful French president De Gaulle had twice vetoed - once in 1963, and again in 1967 - the British application to join EEC, now EU. What is happening in France now? They just elected their new president, Emmanuel Macron, who, at 39, is the youngest president France has had so far. Who is Macron and how is his victory so unusual in French

history? Macron is a newbie in French politics. He was not elected before to the French National Assembly or any other position. He was a banker drafted by the incumbent president Hollande as his economic advisor, then appointed for two years as a Minister of economy. Macron is said to have been a brilliant and a precocious student with high ambitions. He married his teacher 25 years older than him, who is now 64 year old. Macron apparently had said to her, "if I can persuade you to marry me, I can become the President of France". Macron, after two years of political activism became the president by pushing both the Republican and Socialist Party to the third and fourth position. Only these two parties had ruled France for so long. For the first time in French history, candidates of both these parties were eliminated in the first round itself. That is making history.

Britain voted to exit from Europe with a very slim margin, to the surprise and disappointment of many in Britain, Europe and elsewhere. Without going into the gains and losses of British withdrawal, Brexit is history in making. Britain, by far the number one world power in the past will try to chart a new course in world politics. It was playing a visible role alongside its ally USA more than any other country in the world as occasionally it was bound and restrained by its membership of the European Union. A Britain 'unchained' from EU will be desperate to look for new pastures for its foreign policy.

Britain goes for general elections on June 8 this year. It is a snap poll. British Prime Minister, Theresa May had to get a parliamentary clearance to hold this mid-term elections as Britain, since 2011, has fixed-term-parliament for five years. The elections were due in Britain only in 2020. One wonders why Theresa May called for elections. The issues in the election may lead us to an answer. Brexit is the main issue. The Prime Minister wanted a strong endorsement from people for negotiating the exit from EU. Education and skill is another major issue. Britain needs to focus on technical education, high-quality apprenticeships, and better support to help people find work: which is the way to building a new economy. The main opposition party, the Labor Party is promising a million high-quality jobs, better management of public utilities etc; but it is 20 percent behind the ruling party. Whatever be the results of elections, Britain is about to re-write the politics of Europe from outside the European Union.

Germany has its federal elections on 24 September 2017. The German chancellor Angela Merkel faces a tough challenger in Martin Schulz. Germany, since its defeat in the Second World War has been rising steadily as a great economic power. It used the treaty imposed by Allied Powers to its advantage and emerged as the biggest economy in Europe, from the ashes of defeat and destruction in the war. Now, it calls the shots in European Union politics and economy because of its unmatched economic might. But it has recently plunged into political controversies and challenges because of the huge exodus of refugees from Syria and other Middle Eastern countries. Germany also has

been accused of mismanaging the EU economy by forcing austerity policies on countries like Greece and thereby further crippling their weak economies. Germany is called upon to repair the cracks in EU member states. It has pulled itself higher in domestic issues but will it succeed beyond its borders in Europe and elsewhere.

What are the issues in German elections? First is the choice of personality between Merkel and Martin. Many think that Martin is a team player, has the ability to overcome adversity, and has greater will power. This characterization is drawn from his humble background and from his rise to the high position from an ordinary bookshop he ran for years. His opponent, the incumbent-chancellor Merkel has been there for 12 years. People seem to be simply fed up with Merkel. They use a phrase in German, 'Merkel muede' or Merkel tiredness. She recently capitulated on the question of refugees. She seems to have run out of ideas on EU. The migrants issue is going to be the main talking point between parties in the coming elections. This is a sensitive and an emotional issue. People could debate and decide on whims and hearsay. Security, after the Berlin Christmas attack has become an issue. Austerity has become a bone of contention in Europe which Germans will have to talk about during elections. However, the unrest, insecurity, violence and rioting in relation to refugees in Germany is going to be the main issue in the election. On this, Merkel will face major competition from the rising appeal of the anti-immigration party, Alternative for Germany (AfD).

Irrespective of the results of the

general elections in Germany and Britain, and with Emmanuel Macron as the new president of France, Europe will continue to make news in world politics. The international politics will not remain the same, influenced by a single super power, USA with occasional muscle-flexing by Putin's Russia. Europe will come in as another player to match British moves. The political growth of European Union was slow due to differences between the member-states mainly Britain and France, between the idea of deepening and widening and so on. With Britain gone, the consensus on the political role of EU will be easier to achieve.

A thought or two on what it means for India. It is a new opportunity for India to engage with the European Union and Britain. It will be the opposite of non-alignment. It will be the time for active engagement. For political cooperation, India could turn to Britain which is strong on diplomacy and has proximity with USA. For economic relations, India should look up to the European Union. In the past, there has been a mismatch between politics and economy in India's policy towards EU. Although India's trade deficit with EU was big, India did not have a serious EU policy. It needs to be corrected. Europe and Britain will also need India as a partner, the biggest democracy in the world and now fairly a big market. A closer relationship between European Union and the Union of India may prove to be historic in world politics.

## Janata

is available at

[www.lohiatoday.com](http://www.lohiatoday.com)



# Judicial Brinkmanship

**J. L. Jawahar**

It is something unexpected and unforeseen. It is unfortunate that such unprecedented things happen to our judiciary creating stress in the system. The case relating to Justice C S Karnan is an example in extreme which points out the need for judicial restraint without giving space for ego or prejudice on both sides. The persons acting as judges shall look at the problem in an impersonal and dispassionate manner. It is more necessary in such cases where the reputation and respect for the system is involved. That reputation cannot be upheld by sweeping the problems under the carpet. The institution must be strong enough to face the situation and solve it to its best capacity in a judicial manner.

The primary allegation against Justice Karnan is that he made certain allegations against other judges and has gone to the extent of circulating the same to some other constitutional authorities, (but not to the public). He also complained that he is being mistreated by his colleagues. The Supreme Court tried to solve this problem by transferring Justice Karnan to the Calcutta High Court. But he was irritated by that order and refused to comply with it. As a judge, he himself suspended that order of transfer. It was no doubt a confrontation with the Supreme Court. Later he relented and joined the Calcutta High Court. At the same time, it has to be noticed that neither the Hon'ble Supreme court nor the statutory authorities to whom Justice Karnan sent his complaints against other judges, felt it worthy of investigation.

Even at Calcutta he persisted with his allegations and added that he is being mistreated as he is a Dalit. Fortunately, none of the Dalit organisations took up the cause. It is not clear why the allegations made by him against other judges are considered defamatory without investigation or trial. When allegations come from no less a person than the justice of the high court itself, it should have been taken with some respect.

Notices were issued to him to present himself before the Supreme Court and explain why action shall not be taken for contempt of the Court. It is certainly a rare development in the history of Indian Judiciary.

Earlier Justice (Retd) Markandeya Katju was also issued notice of contempt. He appeared before the Court and apologized. The matter ended there. But Justice Katju had retired whereas Justice Karnan is still in court.

Supreme Court told the Chief Justice of Calcutta High Court not to assign any judicial or administrative business to Justice Karnan. Justice Karnan called it more harassment and disturbing his life. He said that the justices of the Supreme Court do not have that right against a justice of a High Court and so they are liable for damages. He advised them stating "You should not show any prejudice at the time of holding any cases, but should follow the procedure of law. It is quite evident that the Hon'ble Justices deliberately and wantonly failed due

to lack of legal knowledge; this kind of worst type of acrimonious behavior will only endanger ultimately the general public. Hence I request you to close the contempt proceedings and restore my normal court assignments in order to maintain law and justice across the nation and to keep the dignity and decorum of courts intact." Still he denied he committed any contempt of the Supreme Court and refused to present himself before the Court. The Supreme Court felt it necessary to get him arrested and brought before the Court. They issued orders to the Director General of Police of West Bengal state to issue the bailable warrant to him, subject to a bail of Rs.10,000. If he refuses to accept the warrant, it is implied that he be arrested. But he accepted the warrant and did not offer any bail. "The West Bengal judicial jurisdiction is a part of my control and command. Therefore the bailable warrant becomes improper and untenable", he declared. The Attorney General Mukul Rohatgi, who yielded to the pressure of the Court in forming the unconstitutional collegium, demanded that strict action shall be taken against the recalcitrant Justice Karnan as his behavior is damaging the reputation of the judiciary itself.

No doubt, the Supreme Court has the right to consider the defiance of Justice Karnan as contempt of itself. The right to punish the contempt of itself is given to the Supreme Court under Art.142(2) which states that "...the Supreme Court shall, as respects the whole of the territory

of India, have all and every power to make any order for the purpose of securing the attendance of any person, the discovery or production of any documents, or the investigation or punishment of any contempt of itself.” But this authority is preceded by the omnipotent clause “Subject to the provisions of any law made in this behalf by Parliament...” The provisions made in the Supreme Court (Decrees and Orders) Enforcement Order, 1954 as amended from time to time does not extend that power to the privileged justices. After all, the High Court is not subordinate to the Supreme Court. The Justices in both courts have same and similar privileges.

But Justice Karnan is not trying to hide behind the privilege. He suggests that the case may be referred to the Parliament, where he thinks he can get justice. But the Parliament cannot discuss the behavior of a judge except as an impeachment process. Whether the impeachment leads to removal or not finally, is a different matter. But the matter should be considered by Parliament, he says. It is not clear as to who should take the initiative to place the matter before the Parliament — whether it is a Member of Parliament or executive (ministry) or the judiciary itself. Even then the process cannot be certain.

Recently there was an allegation against a judge of a high court that he mistreated a district judge who happened to be a Dalit. As the victim could not get justice from courts, he is reported to have approached an honorable member of Rajya Sabha to get the behavior of the judge discussed and take necessary action. The Hon’ble Member verified the record and was convinced that it is serious enough deserving discussion

in Parliament. He convinced some of his colleagues and obtained consent of required number of supporters for moving in the House. By the time the Sabha was ready to take up the matter, majority of the members who supported the cause announced that they had withdrawn their support and also their signatures. The matter could not be taken for discussion. We do not know what happened to it later. Perhaps, it is not a matter to be decided by law whether the signatures given can be withdrawn by oral statements. That is a different matter.


Meanwhile, the Hon’ble Supreme Court is aggressively pursuing its course of action against Justice Karnan. They have gone to the extent of suggesting that Justice Karnan has lost his mental balance and asked for a medical certificate in that regard. Still they insist that the judge shall make an unconditional apology to the judges against whom he made allegations. Is the court willing to accept that the mental condition of Justice Karnan is normal if he tenders an unconditional apology? Unfortunately, the two parties to the dispute appear to take it as a question of prestige and pulling in opposite directions. It is ultimately leading to discredit the judiciary itself. First of all, the matter could have been suppressed in the initial stage itself if the Hon’ble Supreme Court stated that the allegations made by Justice Karnan were verified and found to be baseless. Instead of that they called it defamatory and asked the judge to offer an apology which he naturally refused. Then the Supreme Court considered it a case of contempt of court which is a serious allegation. Justice Karna offered to get the matter referred to parliament. As it

is the only way provided in the constitution to remove a judge, it should have been accepted and reference made to the parliament. It is obvious that the Supreme Court considers him to be unfit to be a judge on the High Court as they deprived him of his functions as a judge. It is not clear what prevented the Court from referring him to the parliament. Even if he is not allowed to function as a judge and even if he is declared mentally unfit, the only way to remove him is through parliament. Why is the Court hesitating to take that step? Justice Karnan himself is asking for it.

It is a bad omen that some of the Justices in the higher judiciary are inclined to take arguments as personal and become touchy. Judges should show magnanimity and dignity and try to stay above the petty statements that the parties may be making before them. Judicial restraint earns more respect than aggrandizement.

Who knows what happens even if the case of Justice Karnan is referred to the Parliament as suggested by him? Strange things are happening with our judiciary!

Acharya Javadekar  
A Satyagrahi Socialist



G. P. Pradhan

**Price: Rs. 20/-**

**Janata Trust**

D-15, Ganesh Prasad, Naushir  
Bharucha Marg,  
Grant Road (W), Mumbai 400 007.

## Memorandum

Date: 4 May 2013

His Excellency  
ShriPranab Mukherjee  
President of India

### **Sub. : Request to bring back the mortal remains of Bahadur Shah Zafar.**

Most Respected Sir,

The Socialist Party would like to request you to direct the Indian government to bring back the mortal remains of Bahadur Shah Zafar from Rangoon (presently Yangon), Myanmar, to Delhi. The Socialist Party takes inspiration from the thoughts of Dr. RammanoharLohia. Dr. Lohia had suggested that in case a leader passes away in a foreign country, her/his last rites should be performed there itself. The Socialist Party accepts this view of Dr. Lohia that would lead to strengthen the bonds of world brotherhood. But the case of Zafar was all together different. He was arrested by the imperialist rulers, tried and brought to Rangoon in captivity in 1857. He passed away there on 7 November 1862, at the age of 87, longing for two yards of mother land for his burial. Zafar, a poet of his own style, expressed his pains of exile in his famous couplet: 'kitnaa hai badnaseeb Zafar dafanake liye, do gaz-zamin-bhi-na mili kuue yaar mere'.

As you know, it is a long pending demand made by several citizens of India time to time. The first such request was made by the Bahadur Shah Zafar Memorial Society in 1949. However, the government has not conceded the demand though it knows very well that Zafar had expressed the desire to be buried in India after his death.

One can understand that the colonial rulers kept Zafar, the symbol of revolt and Hindu-Muslim unity, in captivity and then buried him in exile as a non-entity. But it remains unexplained why the rulers of free India are not ready, even symbolically, to undo the insult and injustice meted out to Zafar by at least bringing back his remains to India and put him to rest at the place of his choice — Dargah Qutbuiddin Bakhtiyar Kaki at Mehrauli, where an empty grave awaits his remains.

Sir, the demand to bring back the remains of Bahadur Shah Zafar to India is not merely an emotional issue for the Socialist Party. Zafar was the leader of our First War of Independence against the colonial powers and a symbol of Hindu-Muslim unity. Therefore, it should be the duty of the Indian government to bring back his remains. Further, a grand memorial should be constructed in the memory of the martyrs of 1857 for the benefit of present and future generations..

We would like to draw your kind attention towards the tribute paid to Zafar by NetajiSubhash Chandra Bose, addressing a ceremonial parade of INA at his tomb at Yangon. Netaji ended his speech quoting famous couplet of Zafar: 'Ghazion me in burahegi jab talakimanki/ Takht-e-London tak chalegi tegh

Hindostanki!' (As long as there is faith in the heart of the freedom fighters / The sword of India will pierce through the throne of London). Netaji declared on that occasion, "This parade is the first occasion when India's new revolutionary army is paying homage to the spirit of the supreme commander of India's first revolutionary army."

Sir, we make a sincere appeal to you to kindly take personal interest in this matter of great importance and convince the government to concede to the demand at the earliest.

With best regards,

**Dr. Prem Singh**

General Secretary/Spokesperson

**Madhu Dandavate**  
**By**  
**B. Vivekanandan**  
**Price: Rs. 20/-**

**Janata Trust**  
D-15, Ganesh Prasad,  
Naushir Bharucha Marg,  
Grant Road (W),  
Mumbai 400 007.

# Free Speech, Nationalism and Sedition

Ajit Prakash Shah

“A parochial, selfish, narrow minded nationalism has caused so much misfortune and misery to the world. A mad and exaggerated form of this cult of nationalism is today running rampant....” This statement made by M.N. Roy, as far back as 1942, may resonate with many even today, particularly in these times we live in.

...Today, we are living in a world where we are forced to stand for the national anthem at a movie theatre, we are told what we can and cannot eat, what we can and cannot see, and what we can and cannot speak about. Dissent, especially in the university space, is being curbed, and sloganeering and flag raising have become tests for nationalism. We have a 21-year old University student who is subject to severe online hate, abuse, and threats, only because she dared express her views.

In any society, at any given point of time, there will always be people holding divergent views. Such views are integral and inevitable in a healthy, functioning democracy. Nowhere has this been better expressed than by the judgment of the Bombay High Court in *F.A. Picture International v CBFC*, where the Court said:

“History tells us that dissent in all walks of life contributes to the evolution of society. Those who question unquestioned assumptions contribute to the alteration of social norms. Democracy is founded upon

respect for their courage. Any attempt by the State to clamp down on the free expression of opinion must hence be frowned upon”

Unfortunately, however, our institutions of learning are under attack today and there is a concerted attempt to destroy any independent thought. Today, sadly, in this country I love, if anyone holds a view that is different from the government’s “acceptable” view, they are immediately dubbed as “anti-national” or “desh-drohi”. This marker of “anti-national” is used to intimidate and browbeat voices of dissent and criticism, and more worryingly, can be used to slap criminal charges of sedition against them.

All these factors have led me to choose the present topic to generate further discussion and debate. I think it is all the more important to discuss and talk about nationalism.

## What is Nationalism?

At the very outset, I would like to caution against, what the celebrated Nigerian author Chimamanda Adichie terms, the “danger of a single story” — the danger of understanding an idea only from a single perspective and ignoring the diversity of views present.

Mridula Mukherjee points out the nuances in the word “nationalism” and how it encompasses the ideas of progressive nationalism, a

revolutionary pro-people nationalism, and a regressive and jingoistic nationalism. Hitler’s nationalism, after all, was very different from Gandhi and Nehru’s nationalism. The European conception of nationalism, developed from the days of the Treaty of Westphalia and in the age of imperialist expansion, focused on the enemy within, whether the Jew or the Protestant. In contrast, the Indian conception of nationalism, developed as an opposition to an external imperialist British state, was more inclusive in uniting the people against them. This was then, an “anti-colonial nationalism, where the primary identity of an Indian was not their religion, caste, or language, but their unity as equals in their demand for freedom. It is thus important to remember that there is no single overarching “right” conception of nationalism.

How then did M.N. Roy understand nationalism? In Roy’s view, nationalism was representative of the desires and ambitions of a group of people within a certain geographical area, as opposed to people uniting on the basis of class. Nationalism thus emphasised the placing of one’s country’s interest over the interest of the rest of the world. There was a time in the 19<sup>th</sup> century, when countries were still isolated from each other, when nationalism was a historic necessity, under whose banner people came together and humanity progressed. However, he believed, it had now become a selfish, narrow-minded

“antiquated cult”, and the world should progress towards internationalism and international cooperation. The ambitions of different nations began to conflict with each other, contributing to an exaggerated and irrational form of nationalism, which manifest itself in the rise of Fascism and Nazism, eventually leading to the Second World War. Nationalism, in Roy’s eyes, had thus become a synonym for revivalism, whose advocates were consigned to glorify the past and advocate for a return to the bliss of the middle ages and a simpler life.

Rabindranath Tagore, the composer of the Indian national anthem, had even more radical views on nationalism. He believed that a fervent love for the nation represented a conviction of national superiority and a glorification of cultural heritage, which in turn was used to justify narrow-minded national interest. Writing in 1917, Tagore said, “when this organisation of politics and commerce, whose other name is the Nation, becomes all powerful at the cost of the harmony of higher social life, then it is an evil day for humanity.” He thus cautioned against such an exclusionary and self-aggrandizing form of nationalism that was based on a hate culture against an imagined or actual Other, who was viewed as the enemy.

On the other hand, the revivalists focus on the glory of ancient India, going back to the Aryan race as the building block of the Indian civilisation. This takes the form of cultural nationalism, where anyone celebrating “Western” festivals such as Valentine’s Day or even couples merely holding hands are to be ostracised and attacked. As religious nationalism, it endorses the two-

nation theory, which envisages a nation under Hindu rule, a Hindu rashtra in Akhand Bharat (a United India). This is premised on the belief that only a Hindu can claim the territory of British India as a land of their ancestry, i.e. pitribhumi, and the land of their religion, i.e. the punyabhumi. As Vinayak Damodhar Sarvakar propounded, “Hindu Rashtra (state), Hindu Jati (race) and Hindu Sanskriti (culture).” Muslims and Christians are viewed as foreigners, who are not indigenous to the territory of India, and whose religion originated in a separate holy land.

At this point, I would like to share my personal background. My maternal grandfather was the President of the Hindu Mahasabha in the 1940s, and the first literature that I ever encountered in my school days was Sarvakar’s writings. Writing in 1938, when Hitler was on the rise, Sarvakar justified Hitler’s policies towards the Jews and driving them away from the motherland. He said, “A nation is formed by a majority living therein. What did the Jews do in Germany? They being in minority were driven out from Germany.” I am not sure whether his views changed after World War 2, and when the extent of the holocaust came to be known. Sarvakar further believed that minority groups must lose their separate existence and separate identity if they want to live in India.

Roy, unsurprisingly, was critical of such views. While discussing the declaration made by the President of the Hindu Maha Sabha that “the majority is the nation”, Roy said that it sounds quite in “tune with formal democracy”, but in reality “particularly in the prevailing

atmosphere of Indian politics, it means that in a nationally free India the Muslims, constituting nearly 1/3<sup>rd</sup> of the population, will have no freedom”. He was thus against removing an imperialist regime and replacing it with a nationalist regime, which would continue to deny real freedom to most of the Indian people.

It is important to remember that both Tagore and Roy wrote in the context of the First and Second World War respectively. They had thus, witnessed first hand, how the pursuit of the glory of the nation had resulted in the great wars, and betrayed the ideas of liberty, equality, and fraternity of the French Revolution. Today, in independent India unfortunately, having such views is almost blasphemous and perhaps seditious.

India is a diverse country and people hold different views about nationalism, the idea of India, and our place in the world. We must respect these differences, not silence those who hold a different view on nationalism and patriotism for the country. Elevating only a single view — one that idolises the nation and staunchly rejects any internal or external criticism — will only polarize citizens against each other.

At the end of the day, it is important to question, what is the defining characteristic of a nation — is it the territorial boundary or the collection of people that is a country’s defining feature. Our Constitution starts with a solemn declaration of “We, the people of India...” In this context, is being anti-national equivalent to being anti-Government or is the hallmark of an anti-national that they are against the interest of the people, especially the minorities

and the depressed classes? Can an entire University and its student body be branded “anti-national”?

Our current state of affairs is especially sad when we consider that the freedom struggle gave us a country and a Constitution that was committed to the ideals of democracy, free speech, civil liberties, and secularism. Unlike Pakistan, religion is not the founding basis of our nation. Our right to free speech and expression is not a gift or a privilege that the Government bestows on us; it is our right, guaranteed by the Constitution of India, and won after decades of struggle and sacrifice by the people of India.

### **Free speech and the Constitution**

Writing in *Young India* in 1922, Gandhi said, “We must first make good the right of free speech and free association before we make any further progress towards our goal. We must defend these elementary rights with our lives.”

Gandhi’s views were based on his belief that liberty of speech is unassailed even when the speech hurts and that “freedom of association is truly respected when assemblies of people can discuss even revolutionary projects.”

Gandhi was not alone in his ideas. Our early nationalist leaders too, from Raja Ram Mohan Roy to Bal Gangadhar Tilak, made the grant of civil liberties to ordinary Indians an integral part of the national movement.

These very ideas were incorporated into the Constitution by the Constitution drafters. They

understood that while the freedom of worship is part of democracy and is a fundamental right, the edifice of modern democracy has to be the freedom of thought and expression. Our Constitution is drafted as a positive, forward-looking, inclusive document that binds the aspirations of all Indians. The Preamble expresses the resolve of the people to constitute India into a sovereign, socialist, secular, democratic republic securing justice, liberty, equality, and fraternity of its citizens. This achievement is all the more noteworthy if we consider, as Fali Nariman recently pointed out, that in a Constituent Assembly of 299, 255 members (85%) were Hindus. Despite being in a massive majority, the Constitution drafters took pains to protect the interests of the minority, the oppressed, and the dissenters.

Having been given a magnificent and inclusive Constitution, it then fell on the Supreme Court to protect the rights guaranteed therein, especially the right to free speech and expression.

### **Free speech and the Court**

The Supreme Court has repeatedly emphasised the value of free speech, noting that the freedom of speech and expression lies at the foundation of all democratic organisations, inasmuch as free political discussion facilitates public education and enables the proper functioning of the processes of government. The Court has emphasised the function of free speech as promoting autonomy and self-fulfilment, maintaining truth, and performing the function of a watchdog. It has also given express recognition to the value of free

speech in a “market place of ideas”, by quoting the famous dissent of 1919 of Justice Holmes in *Abrams vs. United States*:

“But when men have realized that time has upset many fighting faiths, they may come to believe even more than they believe the very foundations of their own conduct that the ultimate good desired is better reached by free trade in ideas - that the best test of truth is the power of thought to get itself accepted in the competition of the market, and that truth is the only ground upon which their wishes safely can be carried out.”

The value of free speech is thus, both intrinsic and instrumental, and has consistently been linked to democratic ideals. For example, the censorship of the play “*Mee Nathuram Godse Boltoy*”, which was extremely critical of Mahatma Gandhi was not permitted by the Bombay High Court. In an insightful judgment in *Anand Chintamani Dighe vs State Of Maharashtra*, the Court highlighted the importance of respect for, and tolerance of, a “diversity of viewpoints”, as being essential to sustain a democratic society and Government. The Court further went on to state, “Popular perceptions, however strong cannot override values which the constitution embodies as guarantees of freedom in what was always intended to be a free society.” In the same vein, the Supreme Court in *Director General, Doordarshan vs Anand Patwardhan* held in 2006 that the State cannot prevent open discussion, regardless of how hateful such discussion was to the State’s policies.

The importance of dissent is best understood by the Supreme Court’s

view in *S. Rangarajan v P. Jagjeevan Ram* that “In a democracy it is not necessary that everyone should sing the same song..”.

It has thus long been understood that free speech has to be countered by more speech; that the response to criticism is not to shut it down, but to engage with, and respond to, the speaker. Moral vigilantism, as Upendra Baxi rightly recognises, has no place in our Constitutional polity and democracy.

Free speech, though, is under attack. The joy over the striking down of Section 66A of the IT Act in *Shreya Singal* was soon replaced by despair over the Supreme Court’s decision to uphold the constitutionality of criminal defamation in *Subramaniam Swamy v UOI* and its “order” directing all cinema halls across India to play the national anthem before the start of a film, and requiring the audience to stand up as a “show of respect”.

Just last month, in relation to the comments made by Azam Khan regarding the Bulandshah gang rape, the Supreme Court raised the question of whether the right to free speech under Article 19(1)(a) is to be controlled singularly by the language under Article 19(2) or is it also impacted by the expansive right to life and personal liberty under Article 21 of the Constitution. The answer to this question will have a profound impact in restricting the scope of Article 19(1)(a) and undermine our Constitutionally guaranteed right.

Even the Bombay High Court, whose decisions I have referred to above, has on occasion failed to protect the right to free speech.

Recently, it constituted a three member committee (comprising of two lawyers) to give a report on the scenes in the movie *Jolly LLB-2* it found “objectionable”, because it was prima facie of the view that certain scenes — those involving a cowering judge and some dialogue between the lawyers — were in contempt of the judiciary and the legal profession. Mind you, this was a movie where the CBFC, i.e. the Censor Board, has given the requisite certification for its release. It was also a case where the High Court entertained the writ petition (later converted to a PIL) based only on two trailers and some photographs! As Justice Lodha had said, while dismissing a similar petition when *Jolly LLB-1* released, if the Petitioners don’t want to watch the movie, no one is forcing them. The Bombay High Court’s order, the report of the three member “committee”, and the proximity of the release date, essentially forced the producers and director of the movie to “compromise” and undertake to make the requisite modifications and deletions to the objectionable scenes.

I only hope that these judgments are aberrations in an otherwise glorious history of the Indian Judiciary in protecting and promoting the Constitutionally guaranteed right to free speech and expression.

However, free speech has to be protected institutionally — not only by the Courts, but also by statutory institutions and the media. Unfortunately, we read about reports where the CBFC, our “censor board” has refused to certify a movie such as *Lipstick under my Burkha*, because it was “lady oriented”, contained “sexual scenes, abusive words, audio pornography”; deleted the line “mann ki baat” from the

upcoming movie *Sameer* because that is the name of the Prime Minister’s radio show; and demanded that the *Hanuman Chalisa* be muted from a scene in *Phillauri*, because it failed to ward off the ghost. How can you forget that in *Udta Punjab*, a Adult-only certified movie, the Censor Board demanded 94 cuts (based on 13 suggestions), including deleting the name “Punjab”, deleting certain abuses and deleting the words “Election”, “MP”, and party worker”. If this is not an assault on the freedom of speech and expression, then I don’t know what is.

The freedom of the press is part of the freedom of speech guaranteed under Article 19(1)(a). This is because a free press is essential to disseminate different views, and promote democratic ideals. More importantly, today, when mass-communication and digital media have become prevalent, the media assumes an even greater importance in playing the role of the opposition and checking facts. In fact, no other institution wields as much power and influence on public opinion as the media. However, in recent times, a section of the media, through its biased and one-sided reporting, has unfortunately aided in the restriction on free speech. A news channel airs false and doctored footage, while others openly fan the flame of this patriotism and anti-national debate. It is ironic that the media, which played a critical role in asserting its right to free speech during and after the Emergency, and in the process helped develop our Article 19(1) jurisprudence, is now the institution that is compromising and challenging the same freedom of speech of the dissenters today.

*(To be concluded)*

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, May 14, 2017 & Posted on Wednesday May 17, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 18  
May 21, 2017

**Nurturing Shared Values**  
Uday Dandvate

**Disciplined India**  
D. K. Giri

**No Use Asking “Eye for Eye”**  
Pannalal Surana

**The Modification of India —  
the impact on  
Development and Gender**  
Nandana Reddy

**Free Speech, Nationalism  
and Sedition - II**  
Ajit Prakash Shah

Editor:  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## Doubts Persist on Growth Story

**Mrinal K Biswas**

It was inconceivable that the demonetization aftermath would escape any retarding if not crippling effect in the Indian economy. What is surprising is the Modi government mandarins' consistent claim that India's GDP growth story stays robust defying the critics' insistence of a dent in the third quarter of the 2016-17 fiscal because of the total withdrawal of 500 and 1000 rupee notes as legal tender in November last. The saga of sufferings because of severe cash shortage for months together leaves an indelible impression on the minds of the countrymen. However, economic consequences of demonetization still continue to be a living issue for those who have expertise on the subject in the country and abroad.

Former finance ministry chief adviser now back to US academy after a short stint in the World Bank Kaushik Basu feels it necessary that an assessment is now called for the country's state of economy as six months have elapsed since the demonetization/remonetization exercise, his tinge of doubts on the issue is not unknown though. Jagdish Bhagawati of Columbia University, widely believed to be a

Nobel laureate-in-waiting, had already contested Amartya Sen's anti-demonetization stand, and maintains that October-December 2016 period though supposed to be hard hit by the cash crisis shows only a modest dip of only one-half of a percentage point in GDP growth. Former Prime Minister Dr Manmohan Singh accusing the government of “loot” of the economy had ominously predicted 2 per cent drop in the GDP. Too many others pointed out to the near paralytic situation during the third quarter of fiscal 2016-17 against whom government claimed hard work not only stemmed any kind of rot in the economy while the country indeed is on the robust path of attaining 7 to 7.5 per cent growth in the 2017-18.

But what about the effects on the labour market? Contrary to government claims, the central labour bureau survey shows that during 2016 October-December period some 1.52 lakh temporary workers or daily wage earners lost jobs, some 46,000 temporary workers remained idle because their paymasters lacked cash. No such survey was however reported from

the agriculture sector. While this picture is discomfoting the claimed 7.5 per cent GDP growth becomes suspect when one gives a hard look into finance ministry estimates, given in the economic survey.

The survey itself after recording the growth figures of 2016-17 second quarter decided of a 7 per cent plus GDP growth for the fiscal as a whole. The big effect of the demonetization, which rattled the economy in the 2016-17 October-December third quarter (Q3 FY 17), was either not pre-estimated in the second quarter account or unrealistic assumptions were made. In the overwhelmingly cash-dependent unorganized sector, though this segment was bound to suffer heavily in Q3 FY17, the production indices were taken by referring to those of the organized sector without any economic rationale. This will surely distort GDP growth, according to some economists.

Another discordant version comes from the government-owned premier State Bank of India. Its group chief economic adviser Soumya Kanti Ghosh while giving credence to GDP in October-December 2016-17 (Q3 FY17) at Rs 30,27,893 crores found a serious afterthoughts in the Central Statistical Organization (CSO) which while giving the GDP of the same period previous year(Q3 FY16) changed the figures three times: Rs 28,52,339 crores estimated in on February 9, 2016, Revised to Rs 28,51,682 crore on May 31, 2016 and final revision was made at Rs 28,30,760 crore on February 28, 2017. Why?

Obviously the government will feel comfortable with the latest

estimate. Because the differences between Rs 30,27,893 crore of Q3 FY 17 and Rs 28,52,339 crore of Q3 FY 16 will give a GDP growth at 6.2 per cent. Similarly, revised Q3 FY 16 estimates (Rs 28,51,682 crore) vis-a-vis Q3 FY 17 estimates (Rs 28,51,682 crore) would again give the GDP growth at 6.2 per cent during the October-December 2016 period when the cash crunch hit hard the economy. Both these positions being unpalatable to the government the pliable CSO came out with another (final) revision of the October-December 2016 GDP growth at Rs 28,30,760 crore. By taking the revised figure of this Rs 28,30,760 crore of Q3 FY 16 the GDP growth in the tortuous October-December 2016 period dramatically touches 7 per cent, higher than the growth in the third quarter of 2015-16. Because the difference between Q3 FY 16 and Q3 FY 15 becomes larger at Rs 1,75,554 crore and increases the GDP growth at 7 per cent. The government thereby was freed from any damage control measure as to the alleged GDP dip in the demonetization exercise.

Finance Minister Arun Jaitley was quick to mention at the April G-20 meeting that India is on the path of a robust economic way of 7.5 GDP growth in 2017-18 fiscal against 7.1 per cent in 2016-17 while Prime Minister Narendra Modi attributed the positive growth rate to hard work.

But doubters are still not off the scene. They maintain gross value added (GVA) in the muddled third quarter would give a more realistic estimate than gross domestic production (GDP). There two ways of calculating GDP: First, on the production side GVA is measured by

taking into account the entire production in the cycle and then adding net indirect taxes to obtain the GDP figure. Second, on the expenditure side apart from government and private spendings, fixed capital formation, changes in stocks and valuables with exports minus imports estimates lead one to GDP. Usually, expenditure side is less than production side because of data lags pushing the shortfall under a head called discrepancies. Ghosh has shown that the first quarter of 2016-17 the discrepancy was Rs 30,645 crore. This was Rs 45,378 crore in the second quarter. But beyond any economic logic the third quarter showed an excess of Rs 6,767 crore, the inevitable shortfalls disappeared. This anomalous development, if taken at face value, would show GDP on the expenditure side was higher than production side. This is an absurdity, says Ghosh.

While he contends the impact of valuables on total estimates from the expenditure side tell the story of demonetization. Avijit Viniyak Bandopadhyay, MIT Economics professor in the US, says actual production indices of the most affected sector of the economy in the wake of demonetization was not available. Though the government firmly goes on claiming there was no setback and asserts that there was 7.1 per cent GDP growth in 2016-17 despite demonetization of 500 and 1000 Rupee notes from November 8, 2016.

# Janata

is available at

[www.lohiatoday.com](http://www.lohiatoday.com)

# Nurturing Shared Values

**Uday Dandvate**

Some reflections as the Narendra Modi government completes three years.

First of all, I want to thank all of my friends on Facebook who are supporters of Narendra Modi for keeping me alert, aware and in a constant state of reflection through your comments. You have helped me re-examine many of the beliefs I inherited growing up in a family of social democrats. You helped me question my assumptions and focus on what is most important to me.

Let me start with the things that unite us and not the things that divide us. We all love India. We want India to become a land of opportunities for everyone. We all recognise that corruption in the system is a root cause of many problems that get in the way of India becoming a land of opportunities. We also want our children to grow up in an environment where they get the best education, nurturing and caring community support, freedom from fear, encouragement for applying their creativity, and reward for hard work. We agree that we deserve a system of governance where every voice is heard and every life is protected. Access to education, healthcare and justice should not be not a privilege but a fundamental right. We take pride in our culture and traditions but at the same time, we do not want traditions to become a barrier to progress nor an excuse for discrimination. Above all we deserve elected representatives and administrators who are driven by a genuine commitment to public service.

Now my thoughts on three years of Narendra Modi government. The government was elected in the backdrop of wide spread anger and resentment against corruption. While Anna Hazare's movement was able to galvanize aspirations for change, the movement did not throw up a credible alternative that was not a part of the established system. During the 2014 parliamentary election, instead of disrupting the system from outside, people opted for someone from within the system to take away power from the hands of the corrupt Congress party. Narendra Modi was able to sell the idea that a Congress Mukt Bharat would fix all the problems that had crept into India's political system.

This time there was a major shift in the narrative for change. In the past India's vision of change involved insulation from influence of big money on government, cultivation of inclusive values, and respect for Gandhian simplicity. With the advent of liberalization, and failure of both the Congress and other opposition parties to practice what they preached for seven decades, the masses were willing to give a chance to a leader who promised to demolish the corrupt Congress by hook or by crook. For several decades the Congress party had access to big money - to demolish the Congress party, Narendra Modi was able to surpass the Congress in using money power and expended it on a massive scale in the campaign. People did not care where that money came from. To demolish the

Congress party Modi was able to demonize the values that were traditionally sacrosanct in India - secularism, social justice, simplicity and liberal thought and replace them with aggressive Hindu Nationalism through the razzle dazzle of new age media blitz. The new narrative was "Restoring power and prosperity to the majority".

Mr. Modi is indeed delivering on what he promised with the audacity he demonstrated during his campaign. He is systematically cultivating a dominant place for Hindu traditions, rituals, culture and symbols in the political discourse. He is making every effort to demolish the Congress party and simultaneously working at debunking and discrediting the ideas of secularism, social justice and liberalism and removing them from popular imagination. He has blurred the boundary between politics and big money, as well as between politics and religion.

A new arrogance has set in amongst the ruling political class at the grass root level that reminds me of the arrogance of Wall Street investment bankers. Just as the frenzy for accumulating properties gripped the minds of home buyers prior to the sub prime mortgage crisis, India is beginning to invest in a home of Hindu Nationalism that we cannot afford and in the process squandering away the inclusive values that defined us and sustained us as a modern democracy and a stable society in a relatively unstable region.

We have entered a future where the Congress party has been replaced by the BJP. I can see a population cheering the demise of a corrupt party, but not realizing that the corrupting forces remain and are gaining more power. It feels like Half Time in football, where the teams have changed the position in the field but the game continues. The spectators are consumed by the loud

cheering and drum beating. The game is very intoxicating. The Jumla is working.

Some of us old timers refuse to give up on traditional values. We still believe that the values we all shared that arose out of our freedom struggle need to be nurtured if we want to avoid destruction of our social fabric and ensure equitable

progress and prosperity for the entire society. We must continue to engage in a conversation with our political opponents, however difficult it maybe to be heard above the loud cheering, and however small our voice maybe. Perhaps, even from acrimonious debates we may be abler to generate a shared set of values that will keep us progressing together.

## People's Campaign Against GM Crops is Supported by Significant Statements of Scientists

**Bharat Dogra**

Although very high level lobbying by very powerful forces has been carried out in recent times for approval of GM food crops in India nevertheless it needs to be pointed out that the important points made by people's campaign against GM crops in general and GM Mustard in particular are supported by growing scientific evidence.

Several eminent scientists from various countries who constitute the Independent Science Panel have said in their conclusion after examining all aspects of GM crops, "GM crops have failed to deliver the promised benefits and are posing escalating problems on the farm. Transgenic contamination is now widely considered to be unavoidable, and hence there cannot be any co-existence of GM and non-GM agriculture. Most important of all, GM crops have not been proven safe."

In April 2009 the Union of Concerned Scientists published a report titled 'Failure to Yield' concluding that "after 20 years of

research and 13 years of commercialization, GM crops have failed to increase yields" and that "traditional breeding outperforms genetic engineering hands down."

In a widely quoted paper published in the *Ecologist* and titled 'The Biotechnology Bubble', Dr Mae-Wan Ho (head of Biodynamic lab of the Open University in the UK), Joe Cummins (Prof emeritus of genetics in Canada) and Hartmut Meyer have said that there are many signs of problems caused in genetically engineered organisms. These have been particularly disastrous for animal welfare. The scientists give several glaring examples. In a field trial of Bt cotton in Thailand, 30 per cent of the bees around the test fields died. Dr Sagari R Ramdas, co-director of Anthra, a veterinary research organization in India has written, "Between 2005 and 2009 Anthra, an organization led by women veterinary scientists researching the impact of Bt cotton on animals in different parts of India, has been closely investigating

the reported morbidity and mortality observed in sheep and goat flocks, which have been grazed on harvested Bt cotton crop in Andhra Pradesh. Shepherds unambiguously declared that their animals, which had never died or fallen sick while being grazed on regular cotton fields since the past ten years, began to exhibit morbid changes when grazed on the GM crop."

After pointing to many failures of genetically engineered organisms these scientists conclude, "It is important to realize that the failures are not just teething problems. They are very much the result of a reductionist science and a hit or miss technology. The transgenic foods created are unwholesome, because they involve stressing the developmental and metabolic systems of organisms out of balance. There are bound to be unintended effects including toxins and allergens, which current risk assessments are designed to conceal rather than reveal. The major problem is the instability of transgenic lines."

# Disciplined India

D. K. Giri

India is being talked about as a big power in the making. The much vaunted magazine, the Forbes has an advice or two for Prime Minister Narendra Modi, on how he can make India a super power. It sounds promising. But, how is a super power measured? Is it by GPP growth (China), military might (USA and ex-Soviet Union), or any other criterion. The conventional tools to measure the might of the country are economy and military. If we recall Gandhiji gave us a healthy tool to assess the greatness of a nation. That is the character of its people. That indeed, should be the real measure. Character, which is a loaded, sensitive and contested term, can be simplified into discipline. Do we observe discipline as a nation? Certainly not. The Prime Minister is planning digital India, Swatchh India, and Make- in-India and so on, but, can we also talk about a 'Disciplined India'. To be sure, if we have discipline, life would be much easier, and a lot of stress, strife and soreness would be done away with. Some of our bad habits which can be called indiscipline signify our backwardness as a country. We have many aspects in our history and culture we can be proud of, which lend us greatness. However, they are in the realm of spirituality or our philosophy, one is referring here to our living culture on the streets; to our interactions with people, to our attitude towards others. Let us exemplify the charge of national indiscipline.

On punctuality, many Indians and foreigners talk pejoratively of 'India

time', which perhaps, means, whenever the expected person comes or the event happens. This is inefficient, unprofessional and disrespectful. Inefficient because, you lose time, waste other people's time, disrupt the process and outcome of any activity. It is unprofessional because one is not focused on the work. If one is late, making other people wait, it is disrespectful. There is a proverb, time and tide waits for none'. People in business sector, who tend to monetise things, would say 'time is money'. In the greatest Indian epic Mahabharata, the narrator would begin by saying 'I am the time', I decide things' etc. But, do we respect time? One is not comparing India with other countries, simply asking, are we punctual? Can we be punctual? In the olden times, with less technological support, people could reach in time; do things in time, but no more. Why is it getting worse? Arguably, this is largely because of growing individualism, consumerism and cynicism and absence of community-ness, public spirit and national purpose (not nationalism). Let us again illustrate how these tendencies play out in our daily life.

Honking is a major contributor to noise pollution. Have you noticed? If not, try it. Why people blow the horn, when and where. I bet, you will not be able to find out. People use the horn as a toy, blow it anywhere, anytime without rhyme or reason. One has to ignore it as most of these horns are meant for nothing, but if you do, you may risk being hit,

knocked off, or run over etc. You are in traffic, either in a congestion or red-light. As soon as the light is green, many behind you will blow the horn. Everyone is moving and alert, yet, horns are honked. One wonders why. Second, you are driving safely in a lane; there are five cars in front of you moving at a similar or higher speed, you get the horn from behind. Why? Is the guy asking you to move aside, you cannot, as the road is single carriage way or in a bigger road, the other lanes are occupied. Where do you go? How do you give him side? How do you respond to the horn? Only by turning a deaf ear. But can you escape the harassment and tension?

If you are a pedestrian, you have no 'right' to be on the road. Whether you are old, physically challenged, carrying a baby, you have to move fast or aside as soon as a car comes near you. The driver will not bother to look at your position in the road, you will get the horn and you must react. If you are fellow-car driver, you can withstand the bullying, but as a pedestrian, you cannot risk being hurt, the car will menacingly approach you as the horn would be blaring. The fact that, the drivers are uneducated, uncouth and insensitive could be the excuse. But, the educated ones are no less; they are equally noisy with their horns as others.

Breaking the queue is considered smartness and a show of strength and status. Just look at the bus-stops, railway stations, or now metro stations. There is no queue, and

people are jostling with each other to get in. If they are in a queue, it will be easier and comfortable for all. But that is not to be. In the metro stations, in Delhi, namely at the biggest junction, Rajiv Chowk, people stand in the queue and appear to be quiet and disciplined, busy with their cell phones. But as soon as the metro-train chugs in, all hell breaks loose, the queue is broken into pieces, as people jump over one another to enter.

Another interesting trend is seen in the shops. You go to a shop for buying something, you are being served, you may be waiting for another item, another shopper comes along, without waiting for your transaction to be complete, he shouts out his order. Even stranger is that, the shopkeeper also attends to him first, then comes back to you, and such queue-jumping takes place till the last customer. In the shop keeper's mind, you are hooked, you cannot leave without settling the bill or with items left to be picked up, and so he can attend to the new customer and sell to you at the same time. The shopkeeper also knows Indians are short on patience, cannot wait, so he cannot lose the second customer.

People hardly respect other people's space - physical as well as psychological. People will intrude into your space, if you are in a bus, train or even aeroplane, people will sit touching and nudging. In psychological terms, people do not respect other's space, become patronising and suffocate their juniors. Spitting and littering on the roads is so common. How does this habit sit with 'Swatch Bharat', Do we have enough common washrooms in the cities, spittoons kept in crowded places, and litter-

bins available. Where do the people throw their litter? It is a habit and discipline people must develop not to throw litter anywhere. Have you noticed people throwing banana peels or food-carriers out of the windows of flashy cars on the roads? Does it show any respect for fellow-travellers or concern for cleanliness. India is a hot climate, dust is unavoidable, but litter, plastics, cans, empty bottles are surely dispensable, and that could be nicely done.

Talking loud, interrupting others is common. If two people have a conversation, a third person, usually a friend or an acquaintance comes around and without notice, without waiting, s(he) would announce their presence by saying something louder than your voice, and forcing you to stop and look up.

How can we remedy such indiscipline? I make a distinction between habit and discipline. Habit is behaviour repeated over time and habits are inherited, followed consciously or unconsciously through generations etc, but discipline is taught through mentoring. You are trained to do certain things in particular ways. That is discipline since the changing habits mentioned above require a civilisational shift, which is not easy; one could inculcate new habits through training and creating a new 'discipline'. We have been advocating Indian youths to undergo conscription, a compulsory military training for a year before they take up any service either in private or public sector. This will give them all common training in similar habit-formation and public spirit. Second option is to draft people into National Social Service (NSS), which again should be made mandatory. NSS would infuse public spirit and

sense of sacrifice, concern and compassion for others. Third, all Indian should undergo citizenship training conducted by the trained social mobilisers. The syllabus for such training should be common throughout India although language could be state-specific. Anyone without citizenship training cannot vote in an election. After the training all voters will be given the citizenship cards which they carry as their I-card, too, or their training certificate included in the Aadhar card, so that by swiping the Aadhar one would know the citizenship status. It is a crying need for the country to be disciplined through the good habits of its citizens. If the simple habits are changed, the citizens would desist from committing bigger crimes like rape, violence, theft, and rioting etc. That is how we can become a big power have a healthy nation, and a strong state.

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank in favour of

**JANATA TRUST**

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

## No Use Asking ‘Eye for Eye’

**Pannalal Surana**

The mother of a Jawan killed by a terrorist near Poonch (J &K) on 30<sup>th</sup> April, 2017 was shown repeatedly on TV channels saying “Bring fifty cut-off heads to compensate head of my son”. Such utterances may be sympathetically listened to. But whipping up mass frenzy on that line of emotional outburst would only escalate chain reaction of violence - would that save lives of our Jawans and as also of inhabitants of the border areas? Violence begets violence. Only firm resolve to prevent terrorist attacks, backed by resolute action can ensure peace.

Any sober person would agree that cutting supply lines of finance and arms to terrorists can alone check terrorist attacks.

That does not mean that we should avoid forceful resistance if any terrorist intrudes and indulges in violence. The sentries posted on the border are expected to react instantly and effectively. But the policy should be to disable likely intruders to cross border or to resort to violence.

Terrorism thrives on unlimited supply of money and arms or explosives. They don't get it as a gift of God. Some crooked agencies and/or smugglers are responsible for their uninterrupted supply.

In the days of sputnik-aided IT and reconnaissance instruments, why does not our security men get information, or at least inkling of probable intrusion from across the border or of gathering 300 armed

persons in the thick jungle of Sukma District of Chhattisgarh? Is it so difficult to put live vigils on the LoC, all the area through which broad highway is being built? Surely that should be a child's play for the nation that prides in sending 104 sputniks in the sky in a single shot. Our army and security forces like CRPF and local police should seek, and get, the required designs and materials to erect necessary intelligence units. If neither is being attempted, all those occupying high posts in Defense and Home departments of Government of India must be held responsible. High technology that located and captured Osama Bin Laden should not be considered a monopoly of one nation. We can certainly devise radars, sensors and drones required for that. The legacy of the great APJ Abdul Kalam should not go waste.


Thanks to the uncanny ingenuity of our businessmen and Babus in devising escape route out of the regulatory network of RBI, identifying and deactivating sources of financial supply may be a little difficult, but not impossible. What is required is to form a small group of persons of impenetrable integrity and empower it to device and execute necessary operations. After all there can be only a few havala channels through which money would be flowing to the terrorists or Naxalites. What is needed is dedicated ruthlessness. Indian nation should not be found wanting it.

The rulers at the top should put aside their political agenda of Hindu Rashtra which in practice boils down

to Muslim baiting and weakening the unity of the nation. Instead of coining new slogans day in and day out, they should concentrate on the projects outlined above and that should be done without any pomp and show. Full concentration is all that is called for.

Can anybody chasten our frenzy-crazy media? Let it be left untouched. Instead all persons who want to save precious human beings should talk to the fellow countrymen through small gatherings, pamphlets and occasional marches, not only on thoroughfares but in the lanes and bye-lanes of localities inhabited by poor masses. Social media may also be put to proper use. Kabir's dohas may be recited as also utterances of saints and Buddha and Mahatma Gandhi.

**Acharya Javadekar  
A Satyagrahi Socialist**



G. P. Pradhan

**Price: Rs. 20/-**

**Janata Trust**  
D-15, Ganesh Prasad, Naushir  
Bharucha Marg,  
Grant Road (W), Mumbai 400 007.

# The Modification of India — the impact on Development and Gender\*

Nandana Reddy

## Introduction:

We live in very troubled times, times that are a combination of terror, anxiety, uncertainty. These are also times that bring a realization of the fragility of our democracy.

We live in times of an unprecedented evolutionary transition from the age of intellect and reason to an age of moral cowardice, spiritual bankruptcy and apathy towards the suffering of our fellow citizens and where hate and fear seem stronger than tolerance and humanity.

Unlike the 70's, we live in times where we easily give in to authority and the spirit of dissent seems to have evaporated.

Three years into Modi's rule and we have witnessed the flagrant violation of our fundamental rights. We are being told what to eat, what to wear, how to pray, what and what not to say. Our freedom of speech is curtailed. NGOs are threatened with charges of sedition and critics are labelled 'anti-national' or 'desh-drohi'. Development has taken on a new meaning — a fast track for the corporate houses and multinationals to seize our economy.

This smacks of an undeclared, amorphous, insidious State of Emergency, the second we have faced since India gained her independence.

## Emergency Then and Now

There are both similarities and differences between the 1975 State of Emergency declared by Indira Gandhi and Modi's model.

The common factors are - self promotion as a cult figure; 'Indira is India' is now the *Modification* of India; the wardrobe, the slogans, the international events, a cultism built around catchphrases not actions. The other is the promise of sops. Every household will have a toilet, the Beti Bachao Andolan and the Swacha Bharath Andolan [that has resulted in the biggest garbage disposal crisis we have seen in recent times] all reminiscent of Indira's 20 point programme and 'Garabhi Hatao'.

Both these Prime Ministers hardly attended Parliament and while one muzzled the media; our PM of today just ignores them! One jailed thousands of dissenters, while the other just cuts off their source of funding. Modi has systematically dented the check list that defines a democracy — our right to dissent; freedom of association; freedom of speech including a free press; freedom to practice our religion,

speaking our language and enjoying our culture.

But they also differ in their modus operandi. Indira misused a Constitutional provision; Modi has not tampered with the Constitution. Indira used compulsion and coercion, mass arrests and press censorship, surveillance and tapping of telephones; Modi is using a clever combination of fear and seduction to obtain peoples' submission and compliance and his brigade of Hindutva hooligans are his executors. The nation appears to be responding to obsolete dogmas and outworn slogans.

Manmohan Singh's lament that our 'democratic institutions are under threat', rings true, but we must remember that it was during his tenure that the erosion began and paved the way for the undeclared 'Emergency' we are now experiencing. No one is blameless in this coup d'état; there are no 'innocents'. We are all culpable for allowing things to progress so far.

With each passing day I can't help but feel the gnawing sensation that the shadow of authoritarianism is

---

\*This article was based on the Annual Endowment Lecture on Gender and Development in Memory of Dr Poornima Vyasulu on May 5, 2017



reaching its tentacles deeper and deeper into our lives, eroding our fundamental rights and freedoms.

Unfortunately, few recognise the signs. Forty years have gone by and the present generation have no knowledge of the 1975-77 Emergency and history has not recorded it. There are only a handful of us left with memories of those painfully dark and silent days. We who cling to our principles to protect democracy and its institutions are a mere handful, isolated and numbed by the sheer onslaught of the so-called modern, consumerist, *Modified* India. But we recognise Modi's dictatorial moves and authoritarian model of governance as elements of an undeclared emergency.

L K Advani, one of the survivors of the Emergency feels that now the *"forces that can crush democracy are stronger"*. He is right, because the environment is weaker. But his hope that having experienced *"Emergency"* once, India could have been inoculated against it is wishful thinking. This may have been true 20 years ago, when those who had experienced both the struggle for freedom and the State of Emergency were still alive. Today, Advani does not *"see any sign in our polity or any outstanding aspect of leadership that assures"* him as *"a commitment to democracy and to all other aspects related to democracy is lacking."* This is ironic coming from a senior leader of the BJP and yet rings true!

I was recently rereading 'The Anatomy of a Dictatorship' authored by CGK Reddy and circulated during Indira's Emergency in Europe to muster International support. It was distributed under George Fernandes' name as CGK was still

with The Hindu. It records the Indira recipe that led to the declaration and continuance of Emergency and her modus operandi reads like a text book with step by step instructions for a potential dictator. It would appear that Mr Modi and his backroom boys have studied her methods and learnt their lessons well and this time around have managed to usher in a dictatorial regime seemingly within the Constitutional purview and without having to resort to Article 352, which in any case has been made more difficult to use since its amendment in 1978.

On the contrary, in 2015 MJ Akbar said that *"now Indian Democracy is too strong"* for another emergency to be declared. This is a surprising statement for him to make when the present Government even then undermined every institution and smashed every vestige of democracy. But then as a newly recruited spokesperson of the BJP, I guess he would.

Meanwhile, wooing the masses with empty promises keeps the charade alive. While people with newly opened bank accounts wait for Modi to bring back the black money and deposit their share, Modi travels the world making friends and promoting his 'image'. While millions wait for basic needs like water, housing and sanitation, Modi twitters his elite twitter buddies in cyberspace. While communities are trying to resolve their differences, Modi's ministers spread the RSS ideology banning beef, telling our Muslim brethren to go to Pakistan and spout medieval patriarchal comments against women.

### The Media

The fourth estate was meant to

act as a watchdog, to expose the ills in society by maintaining a check on the State and keeping citizens informed. But news has become black and white and there are no grey areas, no nuances, no attempt to tell it as it is. The media doesn't report news, they portray it according to their partiality and prejudices and who it is more lucrative to support.

Most sections of the media are now also misreporting, spreading misinformation and by that helping to push the Modi agenda. The recent reports on the Supreme Courts *supposed* verdict on the use of Aadhaar is one such example. On October 15, 2015, a five judge bench had heard a series of applications for multiple uses of Aadhaar and refused the plea.

However, the Attorney General, Mukul Rohatgi, not only suppressed this information before a three judge bench in an unrelated case but deliberately misinterpreted a casual comment as making UID mandatory for income tax and PAN cards. This is a serious breach of legal etiquette and a vile attempt to mislead the public when the legal position as of now is that even the use of UID is a contempt of court, let alone making it mandatory.

Though this has been explained in detail by several legal experts including Dr Usha Ramanathan, no newspaper has carried a clarification or correction. So the myth continues.

What Jürgen Krönig, the UK editor of Die Zeit says applies so aptly to India: *"So without a free press there is no public sphere, no informed citizen and thus no democracy. For a democracy to be sustained, we need informed*

*citizens and an aware civil society. Instead, what we now have is an electorate which is highly informed about entertainment, consumer goods and celebrities, while being uninterested in and/or deeply cynical about politics, equipped with short attention spans and a growing tendency to demand instant gratification.*” Be it the Trump’s victory in the US or Brexit, this appears to be a world phenomenon that we are yet to analyse and understand.

LK Advani had said during the Emergency *“that when journalists were asked to bend, they crawled; and now they are behaving like trained circus animals, jumping through hoops on Modi’s command. Worse, they have lost their credibility. So a few days back, when on World Press Freedom Day, the Malayalam newspaper Mathrubhumi blackened the front page of their daily, reminiscent of The Indian Express and The Statesman who ran blank editorials as a mark of their resistance during Indira’s Emergency; their true intentions were questioned by many. Was it sensationalism or a sincere form of dissent?”*

## Social Media

On the other hand, the Modi campaign used social media to great effect. The branding of the ‘future’ Prime Minister, constructing the image of an effective strong administrator who would lead India into prosperity and the modern global era, won him the 2014 elections. Now the Modi strategists are employing social media to spread myths and rumours to induce fear and uncertainty. What they cannot do legally, is being achieved by making people believe it exists.

My husband got a WhatsApp message a few months ago. It said: *“The Central Police have issued an order that anyone who discusses politics or religion or passes on information regarding politics or religion will be arrested”*. This message had been doing the rounds for a while and no one had bothered to stop and think. Hey, we are a democracy, [at least the last time I checked], and our Constitution gives me the right to discuss politics and religion and anything else! And, we don’t have a ‘Central Police’ in India!

I got a message a few weeks ago. Many of you must have got similar messages. It was titled *“Ministry of Interior Regulation”*. It read as follows: *“From tomorrow e.i. 11/04/2017 onwards there are new communication regulations. All calls are recorded. All phone call recordings saved. WhatsApp is monitored. Twitter is monitored. FaceBook is monitored. All social media and forums are monitored. Inform those who do not know. Your devices are connected to ministry systems. Take care not to send unnecessary messages. Inform your children about this and to take care.”*

Interestingly this came from the sister in law of a union minister who was brought up in a Socialist household. I sent her the usual message reminding her that we are still a democracy — Modi or not — and such messages are a Constitutional violation. And we do not have a Ministry of Interior. She messaged back: *“I know it is against freedom of speech and the Constitution, but it’s still a scary thought.”* Who needs to amend the Constitution when we can be so easily taken in?

Martin Luther King, Jr. believed that: *“Any nation or government that deprives an individual of freedom is in that moment committing an act of moral and spiritual murder. Any individual who is not concerned about his freedom commits an act of moral and spiritual suicide.”*

Two years ago, I was at a lecture given by Gopalkrishna Gandhi in honour of JP, the founder of the People’s Union for Civil Liberties. He said:

*“The fear that is prevailing in our country is the starkest and most palpable among the minority communities of India. This level of fear among those communities has precedence only in times of riots that have defaced the history of our country. But in times when there are no riots or riots in real time there has never been a time when fear has been so pronounced in the hearts and minds of the minority communities in India. JP would not have been able to stand or stomach the sight of a cow being slaughtered but he would not have allowed cow slaughter to become a political tool in the hands of a majority party which is using the majority community’s susceptibility, sentiments and heartstrings to needle the minority community, in this case the Muslim community in particular.”*

*“During the Emergency, ‘75-‘77, there was a kind of an attempt to combine socialist rhetoric with the realpolitik or opportunism. Today there is a great attempt at combining two pulls, two compulsions in the public. One is the inborn set of prejudices that all of us have about other communities, polarisation by bringing about things like temples, cow slaughter. But the other great*

pull, the pull for the good life via the world model of globalisation, the corporate communal binary is like the great combination of two demi-gods wanting to snuff out dissent by a combination of fear and seduction.”

“The latter is even more difficult to resist than the former and in the Emergency which JP faced, the problem was fear not seduction except when it came to some small loaves and fishes of office. But today it is much more different and that is why it is much more important to resist. In the northern Hindi-speaking parts of India, JP was hailed as “andhere mein ek prakash, Jayaprakash, Jayaprakash” (in this darkness there is one light...) There is not an andhera yet but there is a kind of twilight that could slip into andhera, but I don’t think the people of India will allow that to happen.”

Two years later, I feel we are closer to *andhera* than we think. The hood is slowly but steadily clouding our judgment and fear has got our tongues.

Writing in *Young India* in 1922, Gandhi said, “*We must first make good the right of free speech and free association before we make any further progress towards our goal. We must defend these elementary rights with our lives.*”

Gandhi based his view on his belief that liberty of speech is indisputable even when the speech hurts and that “*freedom of association is truly respected when assemblies of people can discuss even revolutionary projects.*”

Among several others, Raja Ram Mohan Roy and Bal Gangadhar Tilak were committed to this too and civil

liberties became an integral part of the national movement and incorporated into the Constitution. They understood that while the freedom of worship is a part of democracy and a fundamental right, the foundation of modern democracy has to be the freedom of thought and expression.

### Modi and Development

Modi proclaimed an 8 point development agenda; the Strengthening of the Federal Structure, Agricultural Reform, Urban Development and Infrastructure, Health Care for All, Children’s and Women’s Empowerment, Inflation and Price Control and Education and job opportunities for youth.

These are rather ambiguous statements. Who these moves will benefit is not clear. Will it be a pro poor pro farmer agenda based on social justice or to the advantage of big business?

Modi’s unilateral demonetisation ‘strategic strike’, was purportedly to clean up black money and stem corruption, but we all know that was not the case. The real motive was to usher in a cashless economy that would put small vendors and enterprises out of businesses and facilitate FDI in retail. Rural India, especially those just barely making a living as landless labourers or running small businesses selling vegetables or managing small eateries, unable to manage on credit, have been hard hit by demonetisation. Having no surplus to sustain them, they have been driven to sell their homesteads or the little land that they own, forcing them to join the ranks of the unemployed. Suddenly displaced and not having

the necessary skills demanded by the urban labour market, these rural refugees, mostly women struggle to survive.

Modi’s proposed land acquisition ordinance was to further ease the way for multinationals to buy agricultural land and with mechanisation and technology Modi’s promise of ‘more crop for every drop’ would be realised, except that the farmers would be landless and penniless.

The poor in urban metropolises is no different. The cash crunch in ATMs and the restrictions on the withdrawal on our own money is taking business away from small enterprises to the Reliance and Food World retail outfits.

This was essentially the Gujarat model. Guaranteeing investors, particularly big investors from India and abroad, land at throw away prices with no consideration for whom or how many were displaced as a result. As a third of our population reel under draught and the distress of our farmers escalate, the Modi budget brings them no relief.

Further, the proposed amendments to labour laws, undermining the protection for the working class by promoting a ‘hire and fire’ policy combined with outsourcing has weakened labour unions as never before. And the Goods and Services Tax [GST] has converted the whole country into a single common market wresting control away from the States to the Union Government. So much for his promise of strengthening the Federal Structure!

*(To be concluded)*

## Free Speech, Nationalism and Sedition - II

Ajit Prakash Shah

We also have social media, where online trolls and threats of rape and murder are regularly made against people supposedly making anti-national statements. I am left to ask myself, which part of Indian culture permits or promotes the making of such statements threatening a girl with rape or murder. Who are these people on Twitter and other social media, who take comfort in their anonymity to make such aggressive threats against individuals?

Laws criminalising speech such as sedition, defamation, and blasphemy have been used against activists, dissenters, and even political cartoonists to silence and harass them. In such a situation, using these offences to deter a person from speaking, instead of engaging with the underlying concerns of their speech, is detrimental to democracy. In fact, the chilling effect and consequent stifling of free speech caused by the threat of invocation of these offences and tactics undermines the constitutional protection to free speech guaranteed by Article 19(1) of the Constitution. More worryingly, though, a debate around nationalism and patriotism prevents a real conversation about the social and economic problems that ail the country.

Having discussed the meaning of nationalism and the importance of free speech in some detail, it is appropriate for me to now turn to examine issues that are raised by nationalistic fervour, whether

sedition, the national anthem, the attack on universities, and cow slaughter. A common theme linking these topics is the idea of “cultural nationalism”, where cultural conformism is being foisted upon the entire nation, without consideration of people’s personal choices, values and regional differences.

### Nationalism and Sedition

Sedition is a word, almost everyone in India has heard of today, because of the events at JNU last year. Historically, our conversation around sedition centred around British injustice in convicting and sentencing Tilak and Gandhi to prison for their publication of allegedly seditious material. Tilak, before his arrest in 1908, reportedly told a police officer, “The government has converted the entire nation into a prison and we are all prisoners. Going to prison only means that from a big cell, one is confined to a smaller one.”

Gandhi, in 1922, pleaded guilty to the charge of sedition, stating that he was proud to oppose a Satanic government.

These stories are shared with bristling outrage about the British misuse of this law and pride with which our freedom fighters opposed them. More than 90 years later, however, we are still grappling with the fact that the crime of sedition was invoked against a group of 20-something University students for

doing what students in a campus should feel entitled to do — raise slogans, debate, disagree, and challenge each other on complex, political issues that face the nation today.

Sedition laws were enacted around the 17<sup>th</sup> Century in England in a bid to protect the Crown and the State from any potential uprising. The premise was that people could only have a good opinion of the government, and a bad opinion was detrimental to the functioning of the government and the monarchy. It was subsequently introduced in the Indian Penal Code in 1870.

The first major case was when Bal Gangadhar Tilak was brought to trial for sedition in 1897 for his lectures and songs at the Shivaji Coronation Ceremony. Given that these speeches and songs made no mention of overthrowing or disobeying the government, the Court widened the interpretation of sedition by equating “disaffection” to “disloyalty,” and including within it hatred, enmity, dislike, hostility, contempt, and every form of ill will towards the government. This interpretation became a part of the legal text, when Section 124A was amended to add the words “hatred” and “contempt” alongside “disaffection”, which was defined to include disloyalty and feelings of enmity. Thereafter, in 1908, Tilak was again charged with sedition for the publication of a critical article in his magazine Kesari. He was held guilty and sentenced to six years’

imprisonment by the Bombay High Court, which ruled that no one was permitted to “attribute dishonest or immoral motives to the Government.”

The next landmark sedition case pre-independence was Gandhi’s trial for the offence of sedition for his articles in the Young India magazine. The trial itself was remarkable for his decision to plead guilty to the charge of sedition and Justice Broomfield’s reluctance to sentence him, because he did not believe that Gandhi deserved to be charged with sedition in the first place.

Interestingly, during the Constitution Assembly debates, there were two attempts made to include sedition as a ground for restricting free speech. Eventually, however, due to trenchant opposition by members of the Constituent Assembly and their fear that sedition would be used to crush political dissent, it was dropped from Article 19(2) and the Constitution. These actions of the framers were expressly noted by the Supreme Court in 1950 itself, in its decisions in Brij Bhushan and Romesh Thappar.

The decisions of the Supreme Court prompted the First Amendment to the Indian Constitution, wherein Article 19(2) was amended and “undermining the security of the State” was replaced with “in the interest of public order”. However, while speaking in Parliament, Nehru clarified:

“Take again Section 124-A of the Indian Penal Code. Now so far as I am concerned that particular section is highly objectionable and obnoxious and it should have no place both for practical and historical reasons, if you like, in any body of laws that we might pass. The sooner we get rid of it the better.”

Finally, in 1962, a Constitution Bench of the Supreme Court had the chance to authoritatively decide on the constitutionality of Section 124A of the IPC in *Kedarnath Singh v State of Bihar* in light of the “public order” restriction in Article 19(2). It had to grapple with conflicting decisions of the Punjab and Patna High Courts on the constitutionality of sedition. The Court upheld the constitutionality of sedition, but limited its application to “acts involving intention or tendency to create disorder, or disturbance of law and order, or incitement to violence.” It distinguished these acts from “very strong speech” or the use of “vigorous words” which were strongly critical of the Government.

The final case that I would like to discuss is the 1995 decision of the Supreme Court in *Balwant Singh v State of Punjab*, where it acquitted the persons who had shouted slogans such as “Khalistan zindabaad, Raj Karega Khalsa” outside a movie hall a few hours after Indira Gandhi’s assassination on charges of sedition. Instead of simply looking at the “tendency” of the words to cause public disorder, the Court held that “raising of some lonesome slogans, a couple of times... which neither evoked any response nor reaction from anyone in the public” did not amount to sedition, for which a more overt act was required. The Court took cognizance of the fact that the accused had not intended to “incite people to create disorder” and that no “law and order problem” actually occurred.

It is through this lens that one should view the JNU incident. The law, as we saw above, is quite clear on the distinction between strong criticism of the government and the incitement of violence, with only the

latter being related to sedition. Thus, regardless of whether the JNU students’ slogans were anti-national, hateful, or an expression of contempt and disdain against the government, as long as they did not incite violence, it does not get covered under sedition. As Upendra

Baxi reminds us, we should remember the distinction between “constitutional patriotism” (and fidelity to the Constitutional purpose) and “statist patriotism” (what Gandhi called “manufacturing affection for the state”). Keeping this in mind, I would like to express my anguish on the language of the Delhi High Court’s bail order and the unnecessary invocation of patriotism and nationalism.

Gandhi said, “Affection cannot be manufactured or regulated by the law. One should be free to give full expression to their disaffection unless it incites violence.” This, as we have seen above, is in fact the standard of *Kedar Nath*. Unfortunately, the broad scope of Section 124-A allows it to be used by the State to go after those who challenge its power, whether it is the JNU students, activists such as Hardik Patel and Binyak Sen, authors such as Arundhati Roy, cartoonists such as Aseem Trivedi, or the villagers of Idinthakarai in Tamil Nadu protesting against the Kudankulam Nuclear Power Plant. These examples are demonstrative of the misuse of the provision. The law is clear that mere sloganeering is not enough, and has to be accompanied by a call for violence. However, at the stage of registering the FIR and initiating criminal proceedings, the question of the interpretation of the section in line with the Supreme Court’s jurisprudence, does not arise. Thus,

sedition charges are easily slapped, but seldom stick, but cause immense harassment in the process. Even if one is eventually acquitted of sedition, the process of having to undergo the trial itself is the punishment — and more importantly, the deterrent against any voice of dissent or criticism.

The enforcement or the threat of invocation of sedition constitutes an insidious form of unauthorised self-censorship by producing a chilling effect on the exercise of one's fundamental right to free speech and expression. That is why the law needs to be repealed. However, it is unlikely that any government will give up this power, and it is therefore left to the courts to re-examine the constitutionality of sedition. It is not enough to expect an acquittal by the courts after 4-5 years; we need to stop the misuse of the law to silence dissent by removing the source of the power itself.

Interestingly, England, from whom we have inherited the offence of sedition, recently repealed the offences of sedition and seditious libel, along with defamatory libel, and obscene libel. In doing so, the Justice Minister, Ms. Claire Ward observed in 2009,

“Sedition and seditious and defamatory libel are arcane offences - from a bygone era when freedom of expression wasn't seen as the right it is today.... The existence of these obsolete offences in this country had been used by other countries as justification for the retention of similar laws which have been actively used to suppress political dissent and restrict press freedom... Abolishing these offences will allow the UK to take a lead in challenging similar laws in other

countries, where they are used to suppress free speech.”

### **Nationalism and the University Space**

It seems that February is the season for targeting dissent. If it was JNU and azaadi in 2016, this February saw the Ramjas-DU protests. University spaces are traditionally meant to be spaces for dissent, where students engage and challenge each other and the dominant narrative, in an attempt to develop their own principles and beliefs. In fact, the best universities in the world are those that champion free thinking and disagreement amongst their students, faculty, and administration. However, this space is under challenge in India.

Just think about the events that have transpired over the last couple of years that have sought to undermine academic institutions and academic freedoms — from the backlash against University of Hyderabad's Rohit Vemula's mother, declaring that she was not a “dalit”; to the charges of sedition levelled against JNU students; to protests at Ramjas/DU about the organisation of a seminar; and the outcry against an undergraduate student's tweet.

As part of the FightbackDU campaign that was launched in response to the Ramjas protests, a 21-year old LSR student, Gurmehar Kaur, tweeted a photo “I am not afraid of ABVP”. A video, where she held a placard saying “Pakistan did not kill my father, war did” went viral and became the subject of intense national discussion and debate, with cricketers, actors, and politicians all joining in to criticise the girl. In fact, she was subject to such hostility, threats, and violence,

especially online that she had to get security and leave Delhi. Have we really reached such a stage of insecurity that a 21-year old's views have to be met with such backlash? That the Union Home Minister for the State has to tweet, “Who is polluting this young girl's mind?” The guarantee of freedom of speech rings hollow, if the State cannot guarantee freedom after speech.

The inaction of State institutions like the police in light of the violence and bullying by certain groups leads to a fear psychosis amongst students. Unless some remedial action is taken, we will produce an entire generation of students who will never have been encouraged to question the dominant ideas and encouraged to think differently. This will influence not just the nature of democratic citizenship, but will have a direct impact on the innovation and creative thinking that are necessary for economic progress of a nation.

### **Nationalism and patriotism**

Before concluding, I would like to talk about two more issues connected to free speech and nationalism. The first relates to the Supreme Court's national anthem order requiring all movie-goers to “stand up in respect” for the national anthem before the start of a movie in order to “instill a feeling within one a sense of committed patriotism and nationalism”. The order of the Court, which seems a little short on reasoning to help understand how such an interim order was passed baffles, and seems contrary to the spirit of the Constitution and past precedent, Bijoe Emanuel, which made it clear that we cannot be forced to sing the anthem. It is important to remember that the right to free speech and expression also

includes the right not to speak or express ourselves. However, under the guise of “law”, the Court has now stepped in and restricted our fundamental rights.

As Pratap Bhanu Mehta points out, the order fails to understand a distinction fundamental to liberal democracy — everything that is desirable or makes for a better citizen does not, and should not, be made compulsory. In fact, making something compulsory undermines the very meaning of that action and the respect that is normally accorded to it. It is a form of, what I would call, “conscripted nationalism”. Just as joining the Army is a noble career path, our lawmakers have rightly decided that India will not follow conscription, presumably because they believe in the liberty of the individual and the right to choice. Unfortunately, the Judiciary thought otherwise.

I know of many people who considered themselves patriotic and would always stand when the national anthem was played. But the Supreme Court’s order has fundamentally changed their relationship with the anthem and has resulted in undermining its import. The order may have ensured that cinema audiences throughout are now standing before the national anthem plays, but what the Court fails to have realised is that such an action is a performance, motivated by fear of being beaten up, rather than genuine respect and love for the anthem. In the end, it has actually undermined patriotism amongst fellow Indians.

Similarly, preventing people from eating the food they want and effectively forcing a life choice on them undermines any feelings of

nationalism and unity, and is another insidious form of cultural nationalism. Recently, Mohan Bhagwat called for a national law against cow slaughter. But we must be wary of forcing a single ideology or way of living on the entire country, especially a country as diverse as India, where States such as Kerala, or the various states in the North East consider beef a staple part of their diet. One reads multiple reports about slaughterhouse crackdowns in UP, crackdowns that are primarily targeted at Muslim butchers, leaving lakhs of people with fear, but without stable employment. We also recently had the horrific incident in Una where seven Dalits were beaten by cow-vigilantes for alleged cow slaughter. And how can we forget the lynching of Akhlaq, who was suspected for allegedly storing and consuming beef, but where the first thing that was sent for forensic examination was not his body, but the food that is in the fridge. Is this what the value of human life comes to?

Nationalism, when it devolves into such a form of cultural nationalism, is disturbing. I am personally very proud of being an Indian and of the Indian culture. My wife and I practice Yoga. But I am not comfortable with the drive to make Yoga compulsory, to be foisted upon everyone, as if that were a badge of nationalism and Hindu pride.

Enforced nationalism cannot promote true culture. When a culture is arbitrarily prescribed and foisted, freedom of the creative spirit of man disappears or is suppressed. Only free souls can create abiding cultural values; they may physically belong to one particular class or geographically to a particular country; spiritually, they transcend all social and territorial limitations.

## Conclusion

It has long been known that suppressing and censoring people’s speech will not remove the underlying simmering sentiment. In fact, it will only serve to alienate that section of the population further. If we have to give true meaning to the Prime Minister’s promise of “sabka saath, sabka vikaas”, then we must celebrate not only those who profess affection for the State, but also those, who believe that change is necessary or injustice is being committed. We cannot have an Orwellian situation, where the government speaks in one language, but then fails to walk the talk. After all, as Desmond Tutu said, “if you are neutral in situations of injustice, you have chosen the side of the oppressor.”

The strength of a nation is not gauged by the uniformity of opinion of its citizens or a public profession of patriotism. The true strength of a nation is revealed when it does not feel threatened by its citizens expressing revolutionary views; when there is a free and open press that can criticise the government; and when citizens do not resort to violence against their fellow citizens, merely for expressing a contrary view. That is when we will have achieved liberty of speech. And that is when we will be truly free.

I would like to end this speech with a short poem “Speak” from one of my favourite poets, Faiz Ahmed Faiz: Speak, for your lips are free; Speak, your tongue is still yours Your upright body is yours Speak, your life is still yours .... Speak, this little time is plenty Before the death of body and tongue Speak, for truth is still alive Speak, say whatever is to be said  
(concluded)

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, May 21, 2017 & Posted on Wednesday May 24, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 19  
May 28, 2017

**Can China-Pakistan Economic Corridor Lead To A Solution Of Kashmir Crisis?**  
Sandeep Pandey

**Mongolia hosts Social Justice & Sustainability Conference**  
D K Giri

**GM Crops - Modi needs to listen to the criticism of his Ministers and Allies**  
Bharat Dogra

**The Modification of India - the impact on development and gender\* - II**  
Nandana Reddy

Editor :  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## A Jalianwala Bagh-like Situation

**Kuldip Nayar**

Hashimpura is as deep a tragedy as the anti-Sikh riots in 1984. Both minorities have not allowed the wounds to heal because they go on reminding them of the killings at that time. The perpetrators, the Provincial Armed Constabulary (PAC) from the UP Police, are hoping that the dust would settle down sooner or later and the nation would consider the tragedy as part of ugly history to move on.

I remember the whole thing vividly. It was some towards the end of May when I went to Meerut in 1987 because of the killings. On the outskirts of the city on my return, some people stopped me and pointed towards Hashimpura mohalla which they said was the scene of deliberate, blatant killing of 42 Muslims by the PAC. To my horror, I found some bodies floating in canals, including in River Hindon. This, I was told, was a premeditated murder.

The story goes that a group of men were rounded up by the Army and the police from the largely Muslim Hashimpura mohalla in Meerut and handed over to the PAC. One such truck of men was taken to

the banks of a canal, and shot at close range. Forty-two died, in perhaps the single largest custodial killing in the history of independent India. But a closer look at the events led to that tense afternoon in Meerut 30 years ago offers a glimpse into a largely unreported dimension of the motives behind the massacre.

The most commonly accepted motive, mentioned in the charge-sheet filed by the CID of the UP police, is the alleged assault on the PAC the same day and loot of two rifles belonging to the force. "Upon that, on 22.05.1987, a search for illegal arms in Mohalla Hashim Pura, Meerut was launched," the charge-sheet said. But a less explored dimension, also mentioned in the charge-sheet, was the death of a young man named Prabhat Kaushik, who was killed by a stray bullet as he stood on the terrace of a building abutting Hashimpura.

Experts, including some police personnel, described the killings as among India's worst incidents of custodian violence. The trial began only in 1996 and a couple of years ago all accused were cleared of all

charges by a trial court in what activists have called a grave miscarriage of justice.

Naturally, the reaction from the survivors or, for that matter, the relatives of those killed was along the expected lines because it had taken 28 years for a judgment with all the accused going scot-free. Many families are not hopeful of a breakthrough and say that the investigation was shoddy.

In fact, the then Meerut Superintendent of Police, Vibhuti Narain Raio, who has written a book on the incident says: "It took me nearly five to six years to realise that my belief that the killers would receive exemplary punishment for such a heinous act would remain just that – a mere belief. As time flew by, it became evident that the Indian state was just not interested in penalizing the guilty. All the stakeholders of the state kept playing hide but not seek with their responsibilities and many shielded themselves behind criminal negligence. And it worked for them."

Even today, according to reports, the Hashimpura locals are traumatized by that day's incident and say that the PAC was organized and planned. The locality is almost-U-shaped, making it difficult for people to flee, and the constant hum of handloom machines is the daily companion. Most houses are rundown with flaking paint, as if locals have given up hope of a better life.

This should remind us of the Jalianwala Bagh tragedy where over 1,500 innocents were killed in walled boundary. (Prince Phillip accompanying his wife, the Queen,

to Jalianwala Bagh after the tragedy remarked that the number was exaggerated!). Subsequently when I met General O'Dyer and mentioned about the killings, he did not show even an iota of remorse.

The description of events by the survivors at Hashimpura is heart rending. According to one account, hundreds of men were sent to prison for weeks where they were interrogated and beaten up because they were Muslims. Some people were dragged out of their houses and taken to the police station. According to eye-witness accounts, the killings happened in two phases—the first at Gang Canal of Muradnagar and the second at Hindon.

During the anti-Sikh riots in 1984 in the wake of Mrs Indira Gandhi's assassination, Delhi witnessed killings over 3,000 Sikhs as officially announced. The number could be more. The perpetrators included the top Congress bigwigs. Even a finger was pointed out at Rajiv Gandhi at whose behest the deployment of the Army was delayed to allow the rioters a free-hand. The cases which were closed are being reopened. But no one has been punished so far. The connivance of authorities at time has allowed the evidence to be rubbed off.

Many victims of the 1984 riots are still seeking rehabilitation. There is no difference in the case of Hashimpura either. The survivors are still struggling for normalisation, hoping against hope that the Delhi High Court, where an appeal is pending, would get them justice sooner than later.

My experience is that the tragedy

is before the public for some time but then it recedes into the background. The past gets revived when another tragedy takes place. There doesn't seem to be any permanent solution. I have been a mute witness to innumerable riots where the complicity of police is apparent.

Hashimpuras can be stopped only when the two communities come to realize that their animosity led to the partition of the country. This cannot be repeated but continued enmity will lead from one thing to another and put in peril the ethos of the country: democracy and secularism. Efforts should be made whereby the minority communities in the country feel as equal partners and enjoy what the constitution guarantees to all citizens of the country.

## Janata Subscription

Annual Rs. : 260/-  
Three Years : 750/-  
Demand Draft / Cheque  
on

Mumbai Bank  
in favour of

**JANATA TRUST**  
D-15, Ganesh Prasad,  
Naushir Bharucha Marg,  
Mumbai 400 007

## Janata

is available at

[www.lohiatoday.com](http://www.lohiatoday.com)

# Can China-Pakistan Economic Corridor Lead To A Solution Of Kashmir Crisis?

**Sandeep Pandey**

A good part of Narendra Modi's energy during his whirlwind international tours in the first two years after he became Prime Minister were spent in trying to convince the world leaders that Pakistan was a terrorist state and wanted the world to isolate it. When China called the One Belt One Road summit about one third of the countries of the world were represented and it was India which isolated itself by not participating. Pakistan was the centre of attraction as China-Pakistan Economic Corridor is an important initiative of OBOR, an effort to link economies of Asia and Europe.

Before the OBOR summit Narendra Modi made a visit to Sri Lanka in an effort to keep the island country on India's side. Shared Buddhist heritage was highlighted as the occasion was a big Buddhist festival. Modi invoked Buddha's message of peace as an answer to growing violence. However, this didn't prevent Sri Lanka or for that matter Bangladesh or Nepal, from participating in the OBOR summit indicating the influence China has on these nations. China, in fact, used the concept of Buddhist globalisation to gain support for its economic project OBOR. It can be anybody's guess as to who'll be more successful in mobilisation using the Buddhist identity - Narendra Modi or Xi Jinping?

India boycotted the summit because it has objection to CPEC being built through Pakistan occupied

Kashmir, which it considers as its territory. It is not clear though, how by not participating in the OBOR summit, it is going to stop the joint China-Pakistan project? If anything, it should have used the opportunity to put forth its point of view in front of the assembly.

A Line of Control (LoC) which separates Indian and Pakistani controlled regions of Kashmir was designated in 1972. Given the balance of power it is unlikely that Indian or Pakistani ambition of controlling the whole of Kashmir is going to be realized anytime soon. A solution proposed is to freeze the LoC as the international border. As PM, Manmohan Singh proposed the idea of a borderless Kashmir. This implied a unified Kashmir under joint administration of India and Pakistan.

Considering the strong aspiration for Azadi among the Kashmiris probably the best solution would be respectable degree of autonomy to Kashmir in a mutually agreed framework between the Indian and Pakistani governments. The building of CPEC may not be a bad idea at all because it will expand the number of countries which will now have interest in a peaceful Kashmir. China can play the role of a mediator between India and Pakistan to resolve the Kashmir dispute and work out the joint arrangement under which Kashmir will participate in the joint economic project as an equal partner. The approval of the Kashmiris is necessary before any

project is built in their area.

This should not be seen as India giving up its claim on whole of Kashmir. For one thing Pakistan will also have to give up its similar claim. Moreover, in the increasing sensitivity towards human rights globally, the rights of Kashmiris cannot be subsumed under Indian or Pakistani ambition. India or Pakistan cannot hope to govern Kashmir with the help of their respective armies forever. The deadlock which continues to persist for 70 years must end so that Kashmiris get a chance to live a normal life. An entire generation has grown up in Kashmir now who don't know what life is like without the presence of security forces. Certainly Kashmiris deserve a better deal.

In fact, the CPEC can help create an atmosphere in which the animosities between India and China and between India and Pakistan can be ended when these countries will have better economic cooperation. All the governments since the time economic policies of globalisation, privatisation and liberalisation were implemented have been trying to attract investment. Additionally, Narendra Modi has been trying to boost manufacturing as part of his Make in India programme. Now India has an opportunity to be part of a regional but big enough economic forum but it is trying to shut itself out from it.

If China takes the initiative, supported by Russia, then a Europe

like model can be created in Asia where the economic union will make the requirement of passport and visa across the border between countries redundant. Needless to say it'll ease the pressure on defence budgets and loss of life in low intensity warfare between India and Pakistan will end. Most importantly Kashmiris will have a sigh of relief.

Once the issue of Kashmir is resolved then other disputes between India and China would have to be resolved. China has been claiming Tibet to be its integral part, like the

Indian or Pakistani claim about Kashmir. However Tibetans consider themselves to be an independent country and have a government in exile in India. India being a democracy, human rights violations in Kashmir are easily reported but that is not the case with Tibet. The non-democratic government of China has been involved in brutal suppression of people's aspirations in Tibet. How can this go on in a modern globalised world? China would have to be ready to give up its claim on Tibet if India and Pakistan do the same for Kashmir.

Autonomous Tibet and Kashmir will bring happiness for its people. China will also have to give up its claim on Arunachal Pradesh as there is no aspiration for autonomy or independence in this region unlike Kashmir and Tibet.

In a similar vein Pakistan will have to grant autonomy to Baluchistan, an issue which Narendra Modi raised briefly but dropped due to some inexplicable reason. With the regional aspirations duly addressed it is hoped the peace will return to South Asia.

---

## Role Of Government Officials

In the May 4, 2017 judgement of the Bombay High Court related to BilkisBano gang rape and rape and murder of 14 other family members including her three and half years old daughter Saleha in her presence during the 2002 infamous Gujarat communal violence, 19 accused were convicted. These included five police officers and two doctors who were acquitted by the Sessions Court in 2008. The role of these officials was attempt to cover up the crime. This is the first time that in a case related to 2002 Gujarat violence government officials have been convicted. This raises the question - on whose directions were these officers acting? Does it not point to the complicity of the state, which is slowly being accepted as the unspoken truth about 2002 communal violence.

It is quite common in our country that government officials, specially police officials, are used by the government of the day or people in positions of power to serve their

interests. Hence, on one hand we have cases of innocent people who are made accused by the administration and then police tries to shore up false evidence so that the accused can be convicted.

On April 26, 2017 Supreme Court bench of Chief Justice JS Khehar and Justice DY Chandrachud asked the Uttar Pradesh state counsel for how many more years did the government intend to keep Gulzar Ahmed Wani in jail? Wani has spent 16 years in jail and has been acquitted in 10 out of 11 terror cases filed against him. He is presently undergoing trial in the 2000 Sabarmati train blast case. The prosecution has examined only 20 out of 96 witnesses in the last decade and a half. Justice Khehar asked why Wani should suffer in jail merely because police cannot come up with any evidence. The Bench gave the trial court time until October 31, 2017 to complete the trial, failing which Wani would be released on bail on 1st November, 2017 irrespective of whether the trial

is completed or not. Gulzar Ahmed Wani was a PhD scholar before the police decided to make him a terrorist 16 years ago. This is a classic example of how innocent suffer at the hands of police.

On the other hand we have cases like that of BilkisBano in which initially police refused to name the accused in the First Information Report. In about a year's time a Judicial Magistrate decided to close the case as police report pointed to inconsistencies in the charges. Even the state Crime Investigation Department was harrasing Bilkis in the name of investigation. SC had to ask Central Bureau of Investigation to take up the case. Had it not been for some meticulous investigation and uprightness of some CBI officials and a public prosecutor the culprits would have gone scot free.

How difficult it may be for a government official to take a stand is clear from the case of dalit jail official from Chhattisgarh

Varsha Dongre who was suspended following revelations by her of the sexual abuse that tribal girls are subjected to at police stations there. She reported how these young tribal girls are stripped and given electric shocks.

She has taken a position that as civil servant she is accountable to both, the government as well as the people and if she feels something is unconstitutional she considers it her duty to point that out. She feels sad that it is her compatriots that are dying on both sides in the struggle of the state against Maoism. She is not only raising the issue of human rights violations at individual levels but also the larger issue of how rights of tribals over their natural resources are being violated in Schedule V (of the Constitution) areas in order to benefit private corporations.

She considers it her right to freedom of expression to air such opinion and doesn't think that by becoming a civil servant this right is compromised in any way. This is indeed an exemplary stand taken by her because most government officials simply choose to keep mum on any irregularities taking place inside the system under the notion that as servants of the government they are supposed to protect all its legal or illegal doings.

This is not the first act of bravery of Varsha Dongre. After being snubbed by the Chief Minister Raman Singh in 2006 when she went to him with a complaint about irregularities in recruitment for 147 civil services posts in 2003 by the Chhattisgarh Public Services Commission, she filed a petition in court. It took ten years but she won

the case. The court remarked that it was because of her persistence and tenacity that irregularities in recruitment were exposed. A fresh merit list was ordered to be prepared.

An officer like Varsha Dongre needs to be awarded and promoted so that she can be in some responsible position and take decisions to free the system of the rot by which it is infested. The government must realise that corrupt, arrogant officers cannot solve the problem of Maoism. If anything, they will probably complicate the situation

further as they have done all these years. By sidelining an extremely competent and brave officer like Varsha Dongre the government is denying itself of her services which could have been beneficial for it.

The propensity of governments to rely on corrupt and arrogant officials is self-defeating in addition to such officials becoming an anathema for the people. Officials like Varsha Dongre will always enjoy the confidence of the people and will remain extremely popular. This will also be their ultimate reward.

—Sandeep Pandey

### **Book Release**

Rajmohan Gandhi, *Why Gandhi Still Matters: An Appraisal of the Mahatma's Legacy*, Aleph Book Company, May 2017

Close to 150 years after he was born, how relevant is Mahatma Gandhi? In our country, he is revered as the Father of the Nation; his face still adorns currency notes, postage stamps and government offices; streets and welfare schemes continue to be named after him but has he been reduced to a mere symbol? Do his values, message and sacrifice have any meaning for us in the twenty-first century? In *Why Gandhi Still Matters*, Rajmohan Gandhi, the Mahatma's grandson appraises Gandhi and his legacy by examining some of his most famous (and often most controversial) ideas, beliefs, actions, successes and failures. He analyses Gandhi's commitment to democracy, secularism, pluralism, equality and non-violence, his gift to the world of satyagraha, the key strategies in his fight for India's freedom, his opposition to caste discrimination and

his equations with Churchill, Jinnah and Ambedkar, as also his failings as a human being and family man. Taken together, the author's insights present an unsentimental view of aspects of Gandhi's legacy that have endured and those that have been cast aside by power-hungry politicians, hate groups, casteist organizations, venal industrialists, terrorists and other enemies of India's promise.

### **About the Author :**

Rajmohan Gandhi's last two books are *Understanding the Founding Fathers: An Enquiry into the Indian Republic's Beginnings* and *Prince of Gujarat: The Extraordinary Story of Prince Gopaldas Desai, 1887-1951*. Until end-December 2012 he taught political science and history at the University of Illinois. Since then he has served as visiting professor at the Indian Institute of Technology, Gandhinagar and Michigan State University.

Email: rajmohan.gandhi@gmail.com

# Mongolia hosts Social Justice & Sustainability Conference

**D K Giri**

The progressives of the world - socialists, social democrats and centre-left groups gathered in Ulaanbaatar, the capital city of Mongolia from May 24 -26, to discuss how to shape the world by ensuring justice in societies and the sustainability of the resources. The discussion is taking place in reference to the SDGs - the sustainable development goals to be secured by 2030. To shape the future where everyone has a right and the opportunity to a decent life is a huge challenge. The challenge consists of food security, social inclusion, decent work, equitable health care, migration and gender equality, and infrastructure changes, environmental, marine and climate protection, regulation of the financial markets and international trade and investment, establishment of efficient and transparent local and national institutions and of regional and global governance and security structures and so on. The priorities will vary from one country to the other, depending on the degree of development and the political context obtaining in a particular country. But what is of universal importance is the initiation and consolidation of democracy, ensuring social justice, and sustainability. These three are the focus of the discussion at Ulaanbaatar progressive alliance conference. Social justice, sustainability and democracy, one way or the other form parts of the six fundamental principles of social democracy; liberty (basis of democracy), equality, justice, identity,

pluralism, solidarity and security (part of sustainability). Let us discuss the three principles in some detail.

## **Democracy**

Democracy despite its conceptual infirmities and deficits in practice has become the universal aspiration. Kofi Annan, the former Secretary General of United Nations, said in 2014, on Democracy Day, September 15, "Democracy is a universal aspiration not bound by religion, ethnicity, culture or religion". So, in the 70 years or so, after the Second World War, the growth of democracy in the world has been fairly impressive. In 1950, there were only 22 electoral democracies, accounting for 31 per cent and 21 countries with 'restricted democracies' accounting for 12 per cent of the world population. By the turn of the century, in 2000, out of 193 member states of the United Nations, 120 accounting for 58 per cent of the world's population had electoral democracy. However, of these, countries which practiced basic human rights and rule of law were only 85 accounting for 38 per cent of the world population. We see in Mongolia, an inspiring example of a peaceful and enduring transformation to democracy. However, there is nowadays talk of 'crisis of democracy' and the concern is no totally unfounded. The progress of democracy is stalled in many countries and worse, democracy faces reversal in many a country. If we look at Asia, after

encouraging growth of democracies in Malaysia - the opposition is making electoral gains, in Myanmar - the junta ceding power to elected civilian leadership, in Indonesia - a grassroots-based person getting elected as the president, there is revival of authoritarianism in countries like Philippines and right-wing populism in India.

There are several reasons for slow and halted growth or reversal of democracy. One is social insecurity or uncertainty. Many feel betrayed that the promise of good life based on provision of basic necessities and scope for upward mobility has not been met. There has been an unhealthy compromise between democracy and capitalism. Again, taking the example of Asia, many countries have registered impressive economic growth, but it has not been accompanied with progressive principles of governance like equality, sustainability, justice and security. In Mongolia, the extractive industries have created uneven and unsustainable growth with corruption and cronyism undermining the confidence in political leadership. At the same time, the emerging markets in Philippines, Indonesia and Thailand are facing huge income divide and lack of well paid jobs.

The second reason is growing inequality. Asian societies are quite unequal. But even beyond Asia, in the world, inequality has increased in many societies. Only one per cent of the world owns more than what

ninety-nine per cent hold together. Surely, the trend towards inequality and the structures that support it is growing. Inequality makes it harder to combat poverty and often prevents the neutral functioning of the institutions. It cements unequal power relations, undermines democracy, creates political instability, and intensifies alienation within the societies. Today, many people consider the huge inequality unacceptable and unjust, and resent it, at times violently. Thirdly, the growth of elitism in politics is detrimental to democracy. Due to elitism, popular participation in politics is marginal and ineffective. Consequently, more and more people feel that they are excluded from the social progress and state institutions. To add to the problem, the progressive parties neither include them successfully, nor assuage their fears and address their needs.

The consequence is that the internal contradictions in economy and politics of mainly the Asian countries have let the out-of-box political actors tap into the grievances and frustrations of the people. Just look at the bloody anti-drug crack down in the Philippines, resurfacing of the sectarian fissures in Indonesia, right-wing revisionism in Japan, unstable politics in Mongolia, and revival of ethno-nationalism in India. Besides, authoritative regimes in Malaysia and Thailand have managed to marginalize the opposition and reconsolidate their positions with brute force. Thus, in promoting and preserving democracy, the progressives face the twin-challenge of authoritarianism and right-wing populism.

## **Social Justice**

In order to strengthen democracy, it must be combined with the concept and implementation of social justice. The principle of justice is the method to make real the freedom of every individual. It opens the door to equal rights and equal life-opportunities in society. It means preferential opportunity for the traditionally oppressed. As a social right, justice makes sure that the jointly achieved social product is shared equally bringing about a dynamic social equilibrium among the different groups in society. It is an intermediate and supplementary value. The concept of justice differs in every culture. It is a legal as well as philosophical instrument by which fairness is administered when there is gross or obscene inequality in a society, or the rights ensuring equality are violated.

However, apart from redistribution, leveling out, ensuring fairness which constitute justice, in many countries, justice is denied in other forms too. Take for instance, the environmental crisis caused by climate change; the pollution of the large parts of the bio-sphere, reckless, unplanned urbanization etc. Those who are affected by the environmental degradation are not the offenders. The industrialized countries pass on the environmental cost to the developing countries. The raw material supplies from the developing countries continue to cause pollution by extraction and on-site processing of minerals. In Mongolia, climate change recently exacerbated a phenomenon of extremes in weather conditions. Millions of livestock were killed;

thousands of herders lost their livelihoods, and were forced to migrate to urban areas causing social and infrastructural pressure. The rapid growth of Mongolian cities is causing severe air pollution endangering the health of citizens. Such environmental crises created by the capitalist industries deny justice to the poor and the weak by robbing them off a healthy and secure life.

## **Sustainability**

The concept and practice of sustainability are used here in the context of globalization. A word on globalization; it is the increased interdependence of countries through rising flow of goods, capital, labor, ideas and knowledge which has been spurred by trade liberalization, deregulation, and technological progress. The growth model followed in the wake of globalization is unsustainable in social, economic, and ecological terms. In social terms, without ideological underpinnings, globalization meant to create prosperity for one and all, benefits a few and leaves many poorly off. Thus, it has created winners and losers, the latter suffering from increased inequality and poverty. It has made people migrate for better and safer livelihoods. Immigration is not always good for people, as they migrate to alien lands and suffer more; they face the resentment from locals often leading to conflict and violence. The economic consequences are equally bad; the number of unemployed increased to 197 million (2015) which 27 million more than before the financial crisis in 2008. Worldwide, 45 per cent of young people who are fit to work are

unemployed or live in poverty despite having a job; 21 million are subjected to forced labour, 830 million are 'working poor' who have less than 2 dollars a day. Women get less; a lot of people are stuck in the informal economy where productivity is less and working conditions are poor. Workers in formal sector do not have rights and the scope for participation at the work place. In ecological terms, the big industries are squandering away the natural resources; emitting intolerable amount of carbon into the atmosphere causing climate insecurity and irresponsible consumerism is disturbing the ecological balance.

The progressives must recognize the negative fallouts of globalization while building on the positive gains. The populists and the right-wing nationalists on the other hand, are cashing in on the frustration of the people and keeping them under the illusion of a better life by demonizing progressive forces. The progressives have to shape the future of the world by addressing the emergent problems of the people and re-emphasizing the perennial values of social democracy that secure a win-win position for all. Fighting policies that are ecologically destructive, morally negative, socially divisive and economically unviable is one thing, but creating goods services, sound living conditions and adequate prosperity for all is another. Progressives have to play both reactive and pro-active roles, adopt distributionist as well as productionist policies, oppose as well as govern. There is hardly any other choice.

## GM Crops - Modi needs to listen to the criticism of his Ministers and Allies

**Bharat Dogra**

As the debate on genetically modified (GM) crops heats up once again, with the recommendation of the Genetic Engineering Appraisal Committee (GEAC) for approving a GM variety of mustard as possibly the first GM food crop to be introduced in India, it is likely that we will be hearing a lot on both sides of the debate in the days to come.

However one interesting aspect which has received relatively less attention is that there are important critics of the Union government's pro GM crop policies within the government and its close allies. Will the government ignore the views of even its own Cabinet minister and close allies?

One of these critics is the Minister of Women and Child Development in the Union Cabinet Maneka Gandhi. She is a prominent animal rights activist and is known to be well informed about biodiversity. Her column on these issues in *The Sunday Statesman* is widely read. On April 30 she took up the issue of badly threatened bees in an article, *On the brink of a Crisis*, which was splashed prominently on the last page of the newspaper.

While explaining why bees are threatened Maneka Gandhi has written, "The bees are disappearing for one major reason -the use of neonicotinoid pesticides. I have repeatedly asked the government to ban these, but they refuse because they need these terrible pesticides for the GM Cotton crops which Monsanto forced on India by

promising that these cotton crops would not need any pesticides at all. This turned out to be a lie - in fact, GM cotton needs many more vicious pesticides which are now killing off pollinators and people."

This statement can be broken into a number of important assertions -

- \* Monsanto forced GM cotton crops on India.
- \* To facilitate this the company claimed that its varieties would not require any pesticides.
- \* This claim was a lie, as is proved by the continuing use of vicious pesticides to grow them.
- \* These vicious pesticides are now killing pollinators and people.
- \* Maneka Gandhi repeatedly warned the government about this and she has also asked the government in particular to ban neonicotinoid pesticides.
- \* These warnings were ignored by the government, as it was keen to continue with GM cotton and hence accepted the accompanying serious health hazards.

The special significance of her statement is that she is a senior member of the Union Council of Ministers and also, it can be easily said that she is one of the most well-informed ministers on this issue.

So when a senior minister with



recognized expertise on the subject says that her warnings have been repeatedly ignored by the government and as a result people and pollinators have been dying then surely this is important. When in addition she says that a powerful multinational company has forced these crops on India while also providing false information on them then the issue raised becomes even more important.

Another strong critic of GM crops is the Swadeshi Jagran Manch (SJM). This organization is very much a part of the wider Sangh Parivar and so should normally be seen as a close ally of the Modi government. However from time to time the SJM has embarrassed the Modi government by its criticism of government policy, particularly on issues where the government policy is seen by SJM to be favourable to multinational companies at the cost of national interests.

This criticism has been damaging for the Modi government as this government has sought to gain support on the basis of nationalist rhetoric and when this balloon is being "punctured" by someone within the family. This criticism by the SJM has been the strongest in the context of the GM crops policy and it is precisely this aspect of the critical stand taken by the SJM which has attracted the most attention. So it is interesting to see what exactly the SJM has to say on this issue.


In a letter written last year to the Prime Minister by the SJM they voiced their unhappiness of the Governments policies, "Now that it is established that Prof Pental's GM Mustard is neither swadeshi, nor

high-yielding as compared to indigenous hybrids nor even good for our health, environment and biodiversity, the undue hurry being demonstrated by the authorities is beyond comprehension and raises serious questions."

This letter goes on to praise the transparent processes initiated by Jairam Ramesh, Environment Minister in the UPA government, which had helped to prevent the


introduction of Bt brinjal. Then this letter compares this to what has been going on under the NDA government led by Modi in the context of GM Mustard – "By hurrying up the process of approval for GM Mustard, all decency, transparency, scientific rigour and previous practices have been kept at bay."

One hopes that the Modi government will listen at least to this important criticism of close friends.




**Rural India Focus**


**PRESENTING THE NATION WITH A REPLICABLE MODEL OF RURAL DEVELOPMENT**



**ADIVASI GIRLS HOSTEL AT TARA, PANVEL**



**WEEKLY EYE CAMPS AT THE YMC HOSPITAL, TARA, PANVEL**



**RUNS THREE HIGH SCHOOLS**

**YUSUF MEHERALLY CENTRE AND YOU**

There are ways in which you can join the YMC movement in bringing education, healthcare, women empowerment, employment generation, relief and growth to our rural villages. Visit our Centre, volunteer your help, buy our products, become a Life Member. You could also support the cause by donating to our various initiatives.

**SPONSOR AN ADIVASI GIRL'S HOSTEL STAY**


It takes Rs.15,000 per year to meet the expenses for supporting a girl child's stay at the hostel in Tara, Panvel Taluka.

**FINANCE A CATARACT SURGERY**

10 to 15 eye operations are performed at the weekly eye camp held at the Maharashtra State Government funded hospital building. Sponsor a cataract operation for Rs. 15,000/-.

**CONTRIBUTE TO THE SCHOOL CORPUS**

YMC runs 3 high schools - 2 Marathi, 1 Urdu medium. With only 2 of these on government aid, the Centre needs Rs.1 crore as corpus to run the 3rd and maintain, conduct extra-curricular activities in all 3 and finance its building expansion plans. Give generously.



Yusuf Meherally Centre  
D-15, Ganesh Prasad, 1st Floor,  
Naushir Barucha Marg,  
Grant Road (West),  
Mumbai 400 007

Visit [www.yusufmeherally.org](http://www.yusufmeherally.org),  
Call: (022)-2387 0097,  
Fax: (022)-2388 9738 or  
E-mail : [yusufmeherally@gmail.com](mailto:yusufmeherally@gmail.com)

# Kashmiri Leadership & Paths to Resistance

**Ghulam Nabi Fai**

"The history of liberty is a history of resistance." President Woodrow Wilson

Nel Noddings, eminent American educationalist wrote in *Peace Education: How We Come to Love and Hate War* that "Gandhi, convinced of the power of Satyagraha, suggested that it be used by the Jews against the Nazis. In response, Martin Buber - who had earlier (1930) written that much could be learned from Gandhi - said that this method could not be used against the Nazis. It is one thing to use nonviolent methods against those who would deprive you of some material benefit, but if their basic aim is to deprive you of life itself, how can you resist nonviolently?"

Occupiers are not all alike, of course. After all, Britishers were very sensitive to human rights and felt that bloodshed and killing of innocent lives is not an option and they withdrew from British India.

What does this mean in the context of the Kashmir dispute? We have a different problem with India. Constant and consistent non-violent protests in Kashmir obviously has had little visible effect in moving the discussion toward the hope of Kashmiris, which is self-determination. The fundamental issues involved in the conflict remain just as they were 70 years ago. To whom does Kashmir belong? Who has a right to rule Kashmir? Why has India become a colonist just as the British were more than 70 years

ago? And why is the Indian army so brutal with Kashmiris in their repression?

It has become rather clear that India has little regard for the lives of Kashmiris. In Kashmir, India has legalized methods of torture and killing to give total immunity to its occupational forces. When those who protest are simply shot down or maimed for life, this is a clear message that Kashmir is to India a land occupied not by its own, or those for whom it has affection and wishes to include in its family, but rather by a hostile people who perhaps do not or should not belong there. To India, Kashmiris are simply terrorists, the whole lot of them. Kashmir is to India, an integral part of it, it is often stated. Those who do not see themselves as Indians need to go somewhere else or they will be killed. Such is the overall effect that such a policy has. The failure to include "the people" of Kashmir in the meaning of "Kashmir" runs completely counter to the need to achieve peace and sends a very clear message that India's presence is meant to crush, subdue, and tame, if not obliterate any opposition. It is apparent that they are greedy for the land, for the status of possessing this 'Jewel of the Himalayas,' 'Paradise on Earth' 'Switzerland of Asia' and have no concern for its people. To me this is an apparent example of the height of abhorrence of Indian leadership towards the people of Kashmir. When a 26-year old Kashmiri youth, Farooq Ahmed Dar was tied (April 15, 2017) in front of

the army jeep to be used as a human shield, Ram Madhav, Secretary General of BJP (the ruling party of India) did not hesitate to justify it by saying, "In war and love, everything is fair."

"If man were infinitely malleable," Eric Fromm, German Psychologist wrote, "there would have been no revolutions; there would have been no change because a culture would have succeeded in making man submit to its patterns without resistance. But man, being only relatively malleable, has always reacted with protest against conditions which made the disequilibrium between the social order and his human needs too drastic or unbearable. The attempt to reduce this disequilibrium and the need to establish a more acceptable and desirable solution is at the very core of the dynamism of the evolution of man in history. Man's protest arose not only because of material suffering; specifically human needs...are an equally strong motivation for revolution and the dynamics of change."

Obviously, when the people want to seek freedom from an occupation, they have to resist. Resistance takes different forms and shapes according to the circumstances. Some do resist openly while others prefer tacit support of the resistance movement though their ultimate objective is the same.

Certainly peaceful resistance, wherever possible and whenever

viewed as effective, has always been preferred. Other methods of resistance have succeeded in various countries. Gandhi's Satyagraha against the British, civil resistance in Tunisia, non-violent mass street protests in Egypt, the Green revolution of Georgia, etc, have all led to historic and revolutionary changes in the politics of their time and place.

Resistance to conditions viewed as unacceptable by a group or segment of a population is no doubt as old as man himself. Stone pelting (Kani Jang), a practice in Kashmir that might be considered an amalgamation or cross between armed resistance and peaceful protest, can certainly be traced back to the time when David slew Goliath with a stone. Alexander the Great was injured seriously and suffered blindness by a stone while laying siege to Cyropolis in 329 BC. Kashmiris have used stone pelting at various times since Dogra rule. I personally do not subscribe to it, nor do I advocate this phenomenon. The message of stone pelting is clear, however, that those who throw stones are unhappy with present conditions and the rule of an occupying force of armed men. The point of this type of resistance, as with many other forms, is often not to propose specific changes but to simply point out that the current occupation by India is unacceptable. The slogans raised by these stone pelters are shared by majority of the population, "We want freedom" and "Go India. Go back."

Mass street demonstrations have also been very popular in history. The people of Czechoslovakia used political mass demonstration as a

weapon of resistance against Germany in early 1930's. It is reported that there were 25 mass demonstrations in 1931 alone. In France, an agitation began on November 11, 1940 by staging a public protest wherein thousands of people, mostly students, participated. The following year, in May 1940, over 100,000 miners participated in the public protest. Other mass public protests were held in Albania against the Italian army in April 1939. Belgium witnessed tens of thousands of people participating in protests against Germany in May 1940. The recent Women's March on January 21, 2017, protesting the policies of President Donald Trump in which millions participated reportedly involved 673 marches and took place worldwide on all seven continents, including 29 in Canada, 20 in Mexico and one in Antarctica. It was the largest ever in U.S. history.

And during the latest phase of the freedom struggle, virtually all the citizenry of Srinagar (Capital city of Kashmir) - men, women and children - came out multiple times on the streets to lodge a non-violent protest against the continuance of Indian occupation. At times more than a million people poured into the streets to express their anguish and dissatisfaction against occupation authority. Certainly, terrorists cannot compose the entire populations of the major towns of Kashmir. And one million people cannot be instigated and provoked by a remote control. One million people reflect the true nature of the peaceful Kashmiri resistance and not a movement of terrorism.

Hartal, or the practice of stopping

all commercial activity as a means of protest, and similar to a labor strike is a centuries-old form of resistance. It was used during the colonial period as well as during the days of India's fight for independence against Britishers. The practice was institutionalized by the founding father of India - Gandhi. It has perhaps become the preferred and primary form of resistance in Kashmir. During Hartal, every business, be it shops, colleges, schools, transport, or offices, shuts down. It is believed to be one of the best ways to force an occupier to accept the fact that there is a problem. It is also believed that it can help in raising awareness about suffering and force the occupier to negotiate a dispute.

Hartal can shake the conscience of the world powers if done wisely and properly. However, those countries that believe in democratic rights and universal values remain often times silent when the occupier has significant economic strength. India's money and buying power invariably rules and corrupts values that support human rights. These large economies can become an instrument of investments of tens of billions of dollars. The silence of these Western countries effectively crushes the souls of those who are oppressed, voiceless and have no means to sign contracts for billions of dollars.

Hartal and other non-violent techniques will prove instrumental to achieve one's objective only if the oppressive regime is moved by compassion. Stokely Carmichael, American civil rights leader, summed it up well, "In order for nonviolence to work, your opponent must have a

conscience."

The strategy for various paths of resistance has to include long-term and short term planning. It is the responsibility of a leader to plan these tactics and techniques and make decisions which are important for the movement no matter how unpopular. The leader has to define every step of every kind of resistance. Ultimately, it is the support of the people that matters and will ultimately bring one closer to achieve one's goal. President John Quincy Adams once said, "If your actions inspire others to dream more, learn more, do more and become more, you are a leader."

Before announcing a plan (in Kashmir's case, the Calendar for the week), a leader must have a clear vision and understanding of the plan and its possible consequences on the masses. The leader must involve all stakeholders in the planning, be it sit ins, mass demonstrations, Hartals, performing national songs, holding of seminars, meeting with foreign diplomats, including Indian intelligential, press briefings, etc. A leader must gain the confidence of the people and should be perceived by the people to be authentic before announcing a plan. As President Dwight Eisenhower said, "The supreme quality for leadership is unquestionably integrity. Without it, no real success is possible."

A leader has to be always open to fresh ideas and new methodologies. George Washington Carver said, "Where there is no vision, there is no hope." Tactics, techniques and methodologies can change on a weekly or monthly basis. That is not only desirable but

advisable as well. What cannot change is the ultimate objective, which is the right of self-determination of the people in Kashmir.

There is no doubt that the people are willing to make sacrifices when they see in their leader the qualities

of persistence, insightfulness, optimism and accountability. A leader must always lead by his example. In other words, he cannot call people to go to Hartal in LalChowk or to the United Nations office while he himself sits behind to escape the hardships of such an activity.

---

## Love and Loyalty: Voluntary Versus Forced

**Prabhakar Sinha**

Whenever, someone is asked to say Barat Mata ki Jai or sing VandeMataram to prove his patriotism under threat, I am reminded of our own experience in jail during the Emergency. There appeared no sign of Indira Gandhi being dethroned nor an end to Emergency and our incarceration.

We often discussed how far we would go if Indira Gandhi's rule continued indefinitely. We were sure we would not apologise/surrender to secure our personal liberty even if we had to remain in jail for an indefinite period. Then, a question used to crop up. What shall we do if we are asked to say, 'Indira Gandhi ki Jai. Indira Gandhi Zindabad on the point of gun? Our honest answer used to be, 'We think we would refuse, but we can't be sure of what we would do when we are before a firing squad. But suppose we would said Indira Gandhi ki Jai in the face of death while in our hearts hating her and wishing to kill her, what would have been her gain? More hatred and stronger desire to see her dead? When she was assassinated in 1984, we were outraged because an elected leader, the PM of our country, was assassinated (though

we still hated the tyrant). But if she had been assassinated during the emergency, we would have rejoiced at the death of a tyrant, who had spelled the death of innocent citizens and turned the whole country into a prison.

So, whenever one is ordered to say Bharat Mata ki Jai or something else to prove /show his love and loyalty to India under threat, I identify with him and wish he refuses and sympathise with him when he is made to suffer. I know that from that moment on his love for the country has begun to dry up. Love and loyalty to a person or nation grows naturally and cannot be created under threat for threat may destroy it or replace it with hatred.

P.S. This post is addressed to those who believe in an open society where the people are free from fear. It is against oppression regardless of who is the oppressor. So, it should not be seen as party issue. I have never been in any political party. People like me, who are committed to democracy raised their voice against Indira and will do it again against any other person or party.

## The Modification of India - the impact on development and gender\* - II

Nandana Reddy

As for Modi's promise of education and job opportunities for youth, dissent, especially in universities is being repressed, students are intimidated with threats of sedition, the police are used to silence them and free thinking is clamped down. How can true learning take place in an atmosphere of oppression and fear?

As for those young persons who have struggled through formal education, there are no jobs matching their academic qualifications. However, the expanding service sector requires compliant, unskilled workers without strong roots. So our youth, educated or not, are forced to take up low paid, high risk, insecure jobs in the service sector, such as delivery boys for enterprises such as Amazon, Pizza Hut and Big Basket. This accomplishes the mission of 'Skilling India', to provide cheap labour to the multinationals. The dreams of our young people are crushed, but according to the our economic gurus, new aspirations have been created - the need for consumer goods to define ones identity and feel that one has arrived!

The combination of threat to livelihood, insecurity and fear with the promise of lucrative jobs - but only if you comply with the Modi code - has dramatically polarised our society: Muslim versus Hindu; Right versus Left; liberals versus extremists; nationalists versus anti-nationalists; men versus women; them versus us. There is depersonalisation

of neighbourhoods, villages, educational institutions and work environments. People are beginning to feel disengaged, disenchanting, and uninvolved, even when surrounded by family and friends. We have begun to view our jobs as draining and unrewarding, and for many, especially the middle class youth; life seems to have lost its meaning.

### Gender

We also live in times when women's rights are in the line of fire.

On the subject of gender, during the Emergency many were jailed, including my mother and several other women. Now all women are in one large concentration camp! Never since independence has the situation of women been so vulnerable and endangered. Our freedom has been curtailed and we have been reduced to commodities that have to model themselves on a set of Hindutva criteria to fit the label of Sati Savitris. Our immorality is defined by the depth of our neckline, how confident we are and our degree of emancipation. Today, being sociable, assertive and even looking attractive is a sin.

In Udupi the moral policing brigades beat up a girl for visiting her sick Muslim girlfriend. Another was thrashed for using an auto with a Muslim driver. A boy was manhandled and thrown off a bus because he offered to hold the books of a girl. A married couple was

heckled and chased for holding hands on the beach. And this in a Congress ruled State!

In Chhattisgarh, part of the development goals, the state government seems to have set targets that doctors and their staff have to fulfil to help reduce the population and raise the standards of living especially in rural and semi-urban areas. A government doctor, Dr. R. K. Gupta, was arrested and charged with the death of at least 11 women who underwent a tubectomy to limit their families. A reflection of Sanjay Gandhi's nasbandi [sterilization] drives and Turkman Gate.

Contrary to the Prime Minister's women-friendly public rhetoric, his government has failed to allocate any significant portion of the budget to change living and working conditions for women. There is no substantial investment in girls' education in the latest budget. A mere Rs 200 crores has been allocated for two schemes introduced for girls and women - one to increase public safety in big and small cities and the other is the savings scheme for girls: Beti Bachao Beti Padhao program. A closer look at the figures, however, shows that these schemes are grossly inadequate to counter the deep-rooted structural inequality that girls and women face. And on the front of women's rights we are slipping back to the days of 'sati'.

The incidents of rape and murder

\* This article was based on the Annual Endowment Lecture on Gender and Development in Memory of Dr Poornima Vyasulu on May 5, 2017

of women and girls has risen phenomenally. Even if this is due to increased reporting of the subject as some claim, this could only be partly so. Because, it is also true that a signal has gone out from members of the Union Government and several BJP MPs and their right wing outfits, that women are up for grabs, especially those they term 'immoral', because we are asking for it.

BJP politicians accuse Muslim men of 'love jihad'. Yogi Adityanath, now the Chief Minister of UP announced that forced conversion of Hindu girls to Islam can only be prevented by a BJP-led government in the state. Such archaic patriarchal and regressive views of women propagate the notion that women's bodies are understood as the property of men to be used by them for their pleasure and to avenge each other.

The notion of 'love jihad' reinforces the idea that women have no caste or religious identities of their own and positions women as the bearers of their husband's culture and religion, sanctioning the moral policing of women and justifying 'honour killings' and all kinds of violence against women if they violate the code of conduct laid down by men. This reduces women to mere objects and erases their right to agency.

Two faced Modi now talks of giving Muslim women their rights urging reformers from the Muslim community to "not politicise the issue of triple talaq" and "protect women from the effects" of the practice of oral divorce. But when it came to the rape of Bilkis Bano and the murder of her family members including her two year old daughter, one of the most horrifying incidents that took place during the 2002 post-

Godhra riots in Gujarat, Modi was complicit by his silence and inactivity.

Modi is still silent on the number of women who have lost their husbands to the violence and lynching by the Goraksha Sena, or the effect this has had on women managing small dairies with one or two cows. He turns a blind eye to the 'moral policing' of women, including Hindu women and girls, and permits the Hindutva outfits to impose restraints on our behaviour and conduct that takes our struggle for emancipation back a thousand years.

On October 2016, in preparation for the Assembly elections in 2017, Modi said while addressing a rally in the Mahoba district of the Bundelkhand region in Uttar Pradesh, that justice demands that the government works as per the Constitution and provides gender justice for everyone and urged everyone to take proper measures to give equal rights to women. Mr. Modi speaks with a forked tongue!

Homophobia is on the increase with the BJP proclaiming that homosexuality as anti-Hindu!

BJP is the only major party to support the re-criminalization of homosexuality under section 377.

Modi has remained silent on this question and in December 2013, following the Supreme Court decision, BJP chief Rajnath Singh reportedly told journalists: "Gay sex is not natural and we cannot support something which is unnatural." LGBTQ communities are more exposed and vulnerable than ever before and this increased culture of homophobia hurts those who are already affected by systemic and communal injustices.

And to top it all, the Attorney General, Mukul Rohatgi, recently argued that citizens do not have an

absolute right over their body. "The concept of absolute right over one's body was a myth and there were various laws which put restrictions on such a right."

So much for Modi's 'Sab ke Saath, Sab ka Vikas'!

And the assurance of 'Ache din ane wale hai' is certainly not for the poor and underprivileged.

## **Social Justice and Human Rights**

Social Justice and Human Rights have been relegated to the scrap heap and patriarchy and narrow fundamentalist views are pandering to the base sentiments of the conservatives and the disenfranchised.

The intelligentsia has been discredited and replaced with representatives of big businesses. They are the lobbyists and policy makers. The Parliament has been ridiculed and disgraced by the ruling party and opposition alike and the judiciary is gradually being compromised. Civil Society Protests and movements are suppressed violently and fear inhibits any critique.

Rebutting the move to link Aadhaar to the permanent account number and filing of income tax returns, senior advocate Shyam Divan told the Supreme Court that the Constitution was not a charter of servitude. "We are independent citizens who cannot be forced by the State to part with our fingerprints in exchange for being able to file our income tax returns," he said and termed the newly inserted Section 139AA in the Income Tax Act, which mandates the linking of Aadhaar with PAN, a "Faustian bargain".

He said that linking Aadhaar with essential activities of life, such as opening a bank account, filing returns

and buying property or a vehicle, would turn the "entire nation into one large concentration camp where citizens are under State surveillance round-the-clock."

When Tilak and Gandhi were convicted and sentenced to prison for their publication of allegedly seditious material in 1908, Tilak, reportedly told a police officer, "The government has converted the entire nation into a prison and we are all prisoners. Going to prison only means that from a big cell, one is confined to a smaller one." Gandhi, in 1922, pleaded guilty to the charge of sedition, stating that he was proud to oppose a satanic government.

I believe that the insulation against the erosion of democracy is a larger dose of democracy. We should strive for a participatory democracy with the direct participation of every citizen, the vision of Gandhi's Gram Swaraj.

In Karnataka, after a long struggle, we have managed to revise the Panchayat Raj Act of 1993 to be much more in tune with devolution of power, providing autonomy to local governments and recognising the right of every citizen, including children, to determine their present and shape their future.

But even here, in a Congress ruled State, there are insidious and determined moves to undermine this law.

Perpetual vigilance and perseverance on the part of citizens is the only way a democracy can work. Obama warned in his farewell speech that "democracy is threatened whenever we take it for granted". We cannot risk that.

### **The Right to Rebel - The Need to Rebel**

The time for dissent is here and

we have not just the right, but a duty to rebel. We love our country and we believe in and must protect our Constitution and Fundamental Rights. We will be committing moral suicide if we don't.

We cannot be told what not to eat, what not to do and what not to say. This government is forcing life choices on us that undermine any feelings of nationalism and unity we may have and this is an insidious form of cultural nationalism.

Gandhi said, "Affection cannot be manufactured or regulated by the law. One should be free to give full expression to their disaffection unless it incites violence." Because of the treat of being branded anti-national and its consequences, we have imposed on ourselves an unofficial and perhaps unconscious self censorship on our actions and words.

I know we will be targeted and labelled anti-national. Our FCRA could be cancelled unilaterally; we will be watched and can be put on the hit list of the Bagarang Dal goons.

But rebel against an authoritarian regime is our duty as citizens and rebel we must.

### **Conclusion**

Rewriting history and erasing public memory is one way to weaken people's ability and their will to fight oppression. All authoritarian regimes have done this to varying degrees and the Indian experience is no different. The BJP saffronised text books and the Congress wiped out traces of the Emergency - the sea-saw perception of history according to the powers that be. The only way to ensure a vibrant democracy and keep governments accountable is to exercise our right to dissent.

Two years ago, for the 40th anniversary of Indira's Emergency, there was suddenly a clamour to remember and though there were just a few who did so, I am grateful that we are remembering at all; especially now that the silhouette of another dictatorship is eclipsing our fundamental rights and undermining democratic institutions.

The time has come to gather our forces to protect what is ours and save our country from tyranny.

In the words of Martin Luther King; "The saving of our world from pending doom will come, not through the complacent adjustment of the conforming majority, but through the creative maladjustment of a nonconforming minority."

So I believe that 'we the people' still do have the power to overturn dictatorships. We have done it in 1977 and we will do it again. But for this we need to first acknowledge the presence of the beast. We also need to study the 'Emergency' of 1975 and learn our lessons. Then we need to empower ourselves, not just by Constitutional provisions, but to know and feel that we hold the fragile heart of a participatory federal republic in our hands.

I have faith in India and her people - we the people are the insulation against a dictatorship.

As Robert Kennedy said; "It falls to each of us to be those anxious, jealous guardians of our democracy, to embrace the joyous task we've been given to continually try to improve this great nation of ours, because for all our outward differences, we in fact all share the same proud title: the most important office in a democracy, citizen."

So let us act!

**(concluded)**



# GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

## REGD. OFFICE :

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A.K. Nayak Marg, Fort, Mumbai 400001.  
Tel. : 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 20  
June 4, 2017

**Indian Prime Minister  
in Europe**  
D. K. Giri

**Every Year Hundreds of  
Lives Can be Saved  
Just in Marriage-Related  
Accidents**  
Bharat Dogra

**Forge Time-Bound Common  
Minimum Programme**  
Pannalal Surana

**Realising an Equitable and  
Prosperous India  
Needs a Paradigm Shift**  
K. S. Chalam

Editor:  
**G. G. Parikh**

Managing Editor: Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## These are Beefy Issues

**Kuldip Nayar**

THE demolition of the Babri masjid and the ban on cattle sale for slaughter are two sides of the same coin. They reflect the prejudice of the majority community. Both are fouling the air. Prime Minister Narendra Modi's government, which completed three years in office just a week ago, is blessing the different expressions of Hindutva which is slowly but gradually engulfing the entire country.

It looks as if the ruling Bhartiya Janata Party (BJP) has started its preparations for the next Lok Sabha elections in 2019. The governance by chief minister of Uttar Pradesh, Yogi Adityanath, shows that the RSS has taken over in more senses than one as the state government has started appointing trusted men at key positions.

New Delhi is no better. The Nehru Memorial Centre is one example where the director has been removed and, in his place, an RSS ideologue has been installed. He is spoiling the very ethos of the organization and supporting the rightist forces

instead of the liberal atmosphere which is attributed to the Nehru Centre. The ongoing scuffles in the Jawaharlal Nehru University have political parties behind them with the same purpose.

The present concentration of the rightist forces seem to be on the beef. Their imbedded arrogance is exhibited by its students' wings in one campus or the other throughout the country. This time it happened at Chennai's Indian Institute of Technology. What is different from the past is its frequency and ferocity of violence. The thrashing of students who eat beef is to re-emphasize their self-righteousness. The liberal atmosphere of the campus is now dependent on the political party that dominates the state in which the educational institution is situated.

Consequently, the BJP influences the Hindi-speaking states in the north. The writ of the Congress and other regional parties runs in the rest of India. This has divided the country mentally and idea-wise. Prime Minister Modi, when he resumed

office, had given the slogan: *sabka saath, sabka vikas*, meaning thereby that we shall be all together and advance further hand-in-hand. But subsequently he and his party, the BJP, appear to have lost the way.

And today, whether they like it or not, their government has come to represent a particular way of thinking—an intolerant India—which has the overtones of *Hindutva*. Probably, the party's think-tank has come to believe that they can win more votes by dividing the society, thanks to the Bajrang Dal and Akhil Bhartiya Vidyarthi Parishad which have begun vitiating the atmosphere. They are holding more and more exercises in different cities where lathis and other weapons are brandished.

This is something similar to the fear of Islamic domination that is being exploited by right-wing parties in the West. We forget that in the democratic structure that we have, everyone is free to eat whatever he or she likes. Nothing can be enforced. In a vast country like India where food and dress change every 50 kilometres, diversity is inevitable. Indeed, this is India's strength. Respecting diversity keeps our different units together in a federal structure which we follow.

The BJP hardliners, who believe that they have come to power because of a fundamental shift in national values, should think again. There is more than a grain of truth in the argument that voters gave them a chance because they had lost faith in the Congress and were looking for an alternative.

The Congress, on its part, will be failing them if it persists with dynastic politics. The party must realise –if it has not done so far—that Rahul Gandhi does not sell. Sonia Gandhi herself will be a far better bet than the other leaders so far available in the party. The disadvantage of being an Italian has disappeared over the years and she is considered as much an Indian as anyone by birth. But the problem is that she has very little chance to head the country because the Congress has lost its shine. No doubt, the BJP has Hinduised politics but that is the dominant thinking which has caught the public imagination at present, thanks to Modi's leadership.

This thinking may not last long since the Indian nation is basically pluralistic. The BJP itself seems to be conscious of this because there is some evidence that it is moving from the right-of-the-centre to the centre. The predicament that plagues the party is that its cadres come from the RSS. Maybe, that is the reason that there is no scam in the government. However one may dislike the RSS ideology, its emphasis on integrity cannot be doubted. Yet, there should be no misgiving on its interference in the governance. Even top bureaucrats are judged how close they are to the *Hindutva* philosophy.

Former Prime Minister P.V. Narasimha Rao appointed several officers, who were known to be secular, at key places so that the government reflected a pluralistic way of thinking. He felt personally betrayed when the Babri masjid was demolished because he never thought that things would reach

the point of pulling it down. But the fact remains that he connived at the whole operation. Now the thread has been picked up by a CBI court which has charged L.K. Advani, M.M. Joshi and Uma Bharti with criminal conspiracy.

It would be a great let down if what the judiciary is doing is undone by the dominant political parties. Advani and his associates can appeal to the higher court but if the ruling party does anything which favours the accused, it would amount to mocking at the law. The Congress has asked for the resignation of Uma Bharti who is a minister in the Modi cabinet. If she were to be dropped by Modi, it would send the right kind of message. This is the least that Prime Minister can do to assure the people that the government has no side to take except to support the court.

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank in favour of

**JANATA TRUST**

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

## An Open Letter to the Prime Minister From a Farmer from Telangana

Dear Shri Narendra Modiji,

I write to you as a citizen of this country. A country I had chosen to live though I had other options, for I dearly love my motherland. At the outset let me state that I am a vegetarian by choice and a farmer by profession.

I wish to ask you a few questions regarding some of the decisions and some of the laws that your government has passed in recent times. As recently as a few days ago, you had passed a bill that bans the slaughter of cows, camels and buffalos. (I do understand the stand of your party with regard to cows, but I was wondering why you had included camels and buffalos!)

With this Law you have made it extremely difficult for farmers to buy or sell cattle. In a normal village fair, at least in our village, farmers buy new cattle and sell their old cattle. Unless they are in distress no one will sell their healthy workable animals. So the question comes as to whether they should sell the old cattle for slaughter houses or not. In many areas, when there is a drought as it is right now rampant in the country, farmers are forced to “do away” with their animals. They could be cattle, they could be sheep, and they could be goats or even donkeys. I would like to now ask this question, when the farmer’s family is hungry, and they can’t have the right to sell their old and young cattle whom they are unable to feed, cattle which they must have bought paying huge sums of money, is it fair to ask them to stop selling these to slaughter houses and

demand that they be sold only to farmers? Which farmer in that situation of drought will be in a position to buy them?

I can understand your government’s concern for “protecting the cattle”. I have an alternative suggestion—Why doesn’t the Government create a Buy Back arrangement with such farmers who are unable to support their cattle or would like to dispose of the “old and feeble” cattle whom they cannot feed or feeding which doesn’t make any economic sense?

As a person with new age ideas on economics I am sure you understand that Economics is the most important aspect of a Nation. Ethics and human sustenance be damned. As we saw in the pursuit of the GDP, your government has brought in a law that will throw millions of farming families on the streets — the new Land Acquisition Ordinance which is now being brought in by the back door via the State laws, wherein the safe guards ensured in the erstwhile UPA’s LARR Act have been wiped off totally. (One of the few good things done by the UPA was this new Act). You have signed Free Trade Agreements and MOUs with various nations, which are going to put farmers already on the verge of committing suicides, closer to bankruptcy. We just saw an example recently, when the Telangana, Karnataka and Andhra farmers who after seeing the bumper prices of Tur Dal last year, have grown a bumper crop of Tur Dal. But when it was time for them to market their produce,

a huge stock of Red gram was dumped into the country from Africa. A result of the MOUs you had signed in your multiple foreign trips in the past couple of years. Needless to say, the farmers who grew Red gram are in the Red now...wonder how many are on the path to commit suicides.

And we also came to know that your government is about to sign a Free Trade Agreement with Australia to allow the dumping of their milk products. Now in a world’s largest milk producing country like India, where millions of small farmers actually made this possible, as against the large “technologically superior” factory farms of “developed nations”, where millions of small farmers eke out a living because of the two to ten cows or buffaloes, what is the need for such an agreement — is something that is beyond my comprehension. Needless to say, the subsidized milk products from the “developed nations” will only add to the woes of the small farmers of this nation. A situation, I hear many dairy co-operatives — the largest of which is in your own “parent state” of Gujarat — are fighting to get stopped.

I suppose this new Law banning the slaughter of Cattle is a move in the “right” direction, to put an end to the livelihoods of the millions of small dairy farmers in this country. As was done by the erstwhile UPA 1 and UPA 2, your government too is bent upon bending over backwards to bring in high tech, low on jobs industry, and give the precious farm lands by forcing it out of farming families, to big time corporate houses, as is envisioned in the multitude of

industrial corridors your government is proposing across India, like the Delhi Mumbai Industrial Corridor, Chennai — Bengaluru Industrial Corridor, Mumbai — Bangalore Economic Corridor, Amritsar—Delhi — Kokata Industrial Corridor and Vizag-Chennai Industrial Corridor to name a few. And all along these ‘corridors’ farm land to the tune of lakhs of acres is to be acquired.

Just one corridor — DMIC is said to be wiping out entire farm land the size of Gujarat. So, I suppose, bringing in cheap imports, forcing farmers to run from pillar to post to even sell their cattle or just tying them up in knots by this and that...is just one way of making them desperate to get out of farming, so it becomes very easy for the government agencies to take away their land and give it to big industry, so that they can make us very important things like “bombers, air planes, cars etc”, most of which will give more work to machines and robots than to ordinary tenth class pass rural youth, as is evident from the job cuts that are happening now in the erstwhile “sun rise” sectors like software and BPOs due to high technology and automation.

So then, is it okay if from being a self sufficient country, we become dependent on food imports? Is it okay if we give our precious water to set up water intensive and highly polluting industries, in a country that is already reeling under perpetual drought? Is it okay if we give priority to jobless growth that is a continuation of the past 25 years’ policies of LPG, that is increasing unemployment as seen even in your three years rule as a PM? A situation that will further deplete our natural resources, pollute our air, so that like the Chinese, we Indians too can wear gas masks as we walk in our streets?


I wish to ask, if the new age India is a ‘Smart India’ which means a high tech country where technology and automation will be the top priority, what will the millions of displaced, destitute farmers, their children, their elderly and their extended families, all of whom depend on that land, do? What is your plan for them? If they are forced to burn their crops due to the falling prices thanks to your FTAs and if they are running from pillar to post unable to sell the cattle they are unable to feed, and if they are constantly having to fight the government to ‘save the little piece of security: their land’, which was handed down to them from generations, what should they do? Commit suicide?

Is that why, despite the farmers’ agitations to stop the entry of GM seeds, your government is pushing ahead with the Genetically Modified

Seeds, which will further impoverish our farmers, making them beg for seeds from the Multi nationals, unable to store their own seeds due to biological contamination and loss of bio diversity? Finally, what will happen to the dear Cows and Cattle that you are desperately trying to protect when they eat this Genetically Modified crop? We heard reports that goats and sheep that grazed on the Bt Cotton died of diseases. So, now when the cattle graze on GM Mustard, and die of disease, who will be punished for that offense? For that matter, for the past so many years, cows are dying eating plastic on the streets, yet no body banned plastic? Or is it that those manufacturing plastic are holier than the cow?

Yours Sincerely,

**Saraswati Kavula**



**Nature never  
takes a holiday.**

We're open 365 days to offer you the best of nature services.

Landscaping | Farm Management | Garden Consultancy | Garden Maintenance Contract  
Tree Transplantation | Over 1500 Varieties Of Plants | Over 250 Medicinal Plants | Indigenous Plants  
8 - 12 Feet Developed Trees | Tabletop Landscapes | Garden Tools & Equipments

**Go Green Nursery Pvt. Ltd.**  
**Farm :** Tara (Karnala), Post : Barapada, Mumbai - Goa Road, Near Yusuf Meherally Centre, Taluka : Panvel,  
 Dist : Raigad - 410 206. Tel : (952143) 226212. Telefax: (952143) 226369.  
**Regd. Office :** 401/402, Acme Industrial Park, Krishna Metal Compound, Off. I. B. Patel Road, Goregaon (E), Mumbai 400 063.  
 Tel.: 2686 5315/16/17/18. Fax : 2686 4924. Email : info@gogreennursery.com www.gogreennursery.com



# Indian Prime Minister in Europe

D. K. Giri

Prime Minister Modi is on a European tour of four countries — Germany, France, Spain and Russia. His mission is to improve bilateral relations between India and these four countries. It is good thinking and strategy indeed. But, how does he propose to do it is not clear. India has faulted in its foreign policy from the beginning, since the time of Jawaharlal Nehru, the first Prime Minister. The fault lines of India's foreign policy are still not repaired. India focussed on issues, took a commendable moral stand, but not its national interest. India followed for long the same policy with a cliché called 'continuity and change'. Three episodes stand out as big mistakes from which India suffers even now. One was Kashmir, an unfinished business. When Indian army was beating back the Pakistan army—backed tribal invaders, Nehru ordered the Indian army to stop and took the matter to the United Nations. Second, Nehru gave away Tibet, a buffer state, to the Chinese without safeguarding India's or Tibet's interests. India could have had some control over Tibet along with China. Third was the non-alignment; India steered an independent and autonomous course in world politics when the world was divided into two blocs. It was seen to be having the best of both the worlds without transferring any sovereignty. But that was a utopian position, as the world is interdependent in nature. Nehru had to compromise the non-aligned stance of India's foreign policy in supporting Soviet Union in Eastern Europe in exchange of their veto on

Kashmir. Another mistake has been India's understanding of and dealing with Europe, European Union to be precise. When European Union was formed in 1957 as an Economic Community, Nehru dismissed it as a 'capitalist club'. The potential of the community was not grasped by Indians and hence Indian relation with EU has been distant and asymmetric. Given the social and political similarities between the Union of India and the European Union, relations should have been quite close; India would have benefitted from investment and market access. EU turned to China, an authoritarian state and invested heavily there.

India's foreign policy suffered from a big mismatch between economic and political interests. For a long time, since 1947, it centred on security concerns between China and Pakistan, and Russia as an ally. Anyway, the world has changed, now the national interests are defined differently. A senior Indian diplomat in France told us at a private dinner, "earlier our mandate was to look for security and diplomatic support but now it is only trade and investment." Many countries, mainly China did it much before India and invited heavy investment by projecting its demographic dividend — cheaper labour. The European Union and China trade has reached 1 billion USD a day whereas India is far behind accounting for less than 1 per cent of EU's total trade. Let us look at India's relations with each of the countries Modi is visiting.

Germany is the main economic power in Europe today. European Union is largely driven by Germany. India has not benefitted as a trade partner from Germany's robust economy as it did not perceive Germany's role and interest in EU. As a result, trade with Germany is quite low amounting to 17 billion USD whereas China's trade with Germany is 167 billion USD. While Germany is looking for partners — political and security — as Europe's relations with America are on decline, will India reciprocate and become a strong partner. Modi in his speech listed five reasons for a solid partnership between India and Germany. Firstly both countries are geared to innovation and have democratic structures. India is innovating under Modi, so he claimed. Secondly, both India and Germany have global concerns and perspectives. Thirdly, both countries want result-oriented relations. Fourthly, Germany can contribute to skilling Indians. If 800 million youth become skilled, they enormously contribute to the development in the world. Fifthly, India and Germany can collaborate in sports, climate security and economic field. These dimensions of bilateralism listed by Modi sound good. But is India preparing to feed German need and desire for a new international role. Germany so far relied on the Anglo-American axis for the security of Europe. Britain is out of European Union, and America under Trump appears to be less committed to NATO, and worse, is asking for compensation for its commitment to European security so far.

Germany's industries look for transparent and trouble-free working conditions. China ensures a stable and secure industrial atmosphere. Can India with its cacophonous democracy provide a similar work environment? In a democracy, things are slow to change as one has to carry the confidence and convenience of various groups in society. But, surely, democracy and discipline are not antithetical.

During Modi's visit to Spain, his next stop, India and Spain signed as many as seven agreements to improve relations. The MoUs signed related to organ transplantation, cyber security, renewable energy, civil aviation, exchange between Indian Foreign Service Institute and Diplomatic Academy of Spain. Since 1988, no Indian Prime Minister had been to Spain, hence Modi's visit will raise the interest in Spain about India. Spain is the 7<sup>th</sup> largest trading partner of India among EU countries and the trade between India and Spain is of 5 billion USD. There is a small Indian Diaspora in Spain. It is not comprehensible why Modi chose to visit three countries in European Union and Spain was selected as one. There is not much scope of Spain and India raising their bilateral relations to a higher level. Spain has historical links with Latin American countries, and the diplomatic relation with India is very recent. Spain's economy is not in good shape, with a high rate of unemployment, at times touching 50 per cent.

The Russian leg of the visit seems to be quite important for India. For various reasons, Russia of late has developed closer links with China and Pakistan. Russia has been a traditional ally of India. How will Modi cement this tie and reset the shifting alliances of Russia in Asia.

It is true that Russia became weaker after the disintegration of USSR. But it has revived under the strong leadership of Vladimir Putin who chipped Crimea away from Ukraine and had arrested further fragmentation or drift of Russia. Once again, Russia seems to be playing its ex-super power role at least in military terms. Russian tilt towards China and Pakistan is worrisome for India as long as both these countries carry a hostile attitude towards India.

The main item on the agenda with Russia is the pact on Kundankulam nuclear power plant. The last two reactors are being built with Russian support. The line of credit extended by Russia was an issue in the past, which may be ironed out in this visit. In addition, India is expected to sign 12 agreements covering trade, science and technology, railways, cultural exchange etc. The trade with Russia has dropped to about 8 billion USD from 10 billion USD in 2014. From the news reports, both the countries are hoping to raise it to 30 billion USD in the next five years.

The other highlight of the Modi visit will be that Modi will be the guest of honour at the annual St. Petersburg International Economic Forum. It is a business as well as a political summit drawing business leaders, heads of states, Prime Ministers, deputy Prime Ministers, departmental ministers and so on. This is the first time an Indian Prime Minister is attending the summit. That is of some consequence for India. Around 60 Indian business leaders are attending the summit where India has set up a "make in India" pavilion. It is holding roundtable discussions and an India-Eurasia breakfast. However, Modi will do a lot of tight rope working to retrieve the good old

days between India and Russia.

From Russian side, Putin has assured that 'the trust-based ties' between India and Russia will continue despite many changes that have taken place. He promised that India will become a full member of Shanghai Cooperation Organisation. Putin also stressed to the Indian media that Russia has special relations with India on delicate areas such as missiles. It has no such relations with any other country in the world. He also asserted that Russia will always stand by India in its fight against terrorism, no matter where it came from. Such platitudes are exchanged in such bilateral summits, but it will be critical for India to retain the goodwill of Russia. India's tilt towards America is understandable, but when America is being soft towards Russia, why should India not make up with Russia.

The final leg of Modi's visit will be to France where there is a new president who got elected last month. A relatively young and inexperienced president Emmanuel Macron will receive Modi. President Macron is just settling down, so there will not be much on the agenda. From French side there will be their usual concern about the ongoing Rafael deal - India is buying 36 twin-engine fighter jets from France for 7.87 billion euro after a protracted controversial negotiation. Modi is meeting the new French President for the first time and is planning to boost strategic ties with France. That is what he tweeted; France is one of our important strategic partners.

Modi's visit abroad is like Indira Gandhi's in the past arousing a lot of media interest and coverage. How

much it helps India draw investment or builds friends is to be seen. Indians are made to believe, especially by BJP government that it is growing fast to be a big power, even a super power. But, with large

pockets of poverty and backwardness persisting, and India's economy not growing as fast as it is claimed, India does not command that recognition yet. The view of India from abroad is that it is a large

country with democratic politics and huge diversity and is trying to hold together. It is still not in the league of biggies like China has made. Modi has to improve India before he tries to project India as a super power.

## Indigenous Tribal Communities of Andaman & Nicobar Islands— The Shocking Future of North Sentinel

Chandra Bhal Tripathi

Writing in Forbes recently Jim Dobson has drawn attention to the shocking future of the hitherto untouched and unapproachable North Sentinel Island in these words: "In recent months, fears have begun mounting that plans for a tourism boom beyond neighboring Andaman and Nicobar Islands may... pose a threat to all four Andaman tribes. The plans include the introduction of high-end **human safari** companies and resort developments." \*

It is indeed shocking to learn of the stupid action of the Government in trying to open up the North Sentinel Island after the disastrous result of construction of the Grand Trunk Road through the Jarawa territory. Interest in the five indigenous tribal communities of these islands grew after the publication of *The Andaman Islander* by Prof AR Radcliffe-Brown in 1922. The twelve groups inhabiting the island which has the capital town of Port Blair, referred to cumulatively as the Great Andamanese tribe have completely lost their identity—racial features, language, customs, everything—particularly after coming in contact with 'civilization' and the Japanese occupation during World War II when these tribal women were exploited for sex and later they were shifted to the Strait Island. There they are kept as

unauthentic museum specimens in houses built by the administration, depend on Government doles, having lost their zest for life and still having some links with drug smugglers from Myanmar and Thailand. When I visited this island in 1978 their population had dwindled to 29 out of whom only one person was left with Negroid features. As if the experiences with the Great Andamanese tribe were not enough, the administration made foolish attempts to 'develop' the Onge, another small Negrito group living a semi-nomadic life on Little Andaman Island. First, following the Partition of India in 1947 hordes of refugees from East Pakistan were settled on this island creating a constant source of conflict with the indigenous Onge. When I visited this island in April 1978 with Shri Bholu Paswan Shastri, the then Chairman of the newly created Commission for Scheduled Castes and Scheduled Tribes, the Onges numbered only 97 and the evil effects of contact with 'civilization' were already discernible.

The worst was the effort to 'develop' the Jarawa living in a contiguous area spread over two adjoining islands. In the literature this naked tribal community was described as 'ferocious' because when outsiders like the residents of

the penal settlement would poach their limited natural resources the Jarawa would kill them with their poison tipped arrows. In his autobiography VD Savarkar who spent some years in the cellular jail at Port Blair and allegedly apologised to the British in order to get released, has used all kinds of epithets for the Jarawa based only on hearsay. In 1974 a landmark was achieved by the Anthropological Survey of India by establishing the first friendly and limited contact with the Jarawa and the story is narrated in an authentic documentary captioned *Man in Search of Man* and made by the AnSI. The credit for this goes to a non-anthropologist, Sardar Bakhtawar Singh, Deputy Superintendent of Police, originally from Punjab with a sturdy commonsense. Later the administration adopted a policy of friendly contact with the Jarawa once a month on full moon day when a small number of the representatives of the administration would go on a boat and leave cooked rice and bananas on the shore for the Jarawa.

On our return from this tour I drafted a report on the conditions of these three Negrito groups and the Mongoloid Nicobarese containing many practical suggestions which

was approved and sent by the Chairman of the Commission for SC&ST to the then PM and the Home Minister of India. We could not visit the Shompen. The farthest point in their island was just 70 miles from the tip of Sumatra in Indonesia. A visit to the Sentinelese was out of question at that time as the administration had luckily failed to establish any contact with this small Negrito group until then. The babus sitting in air-conditioned rooms in New Delhi had already planned a Grand Trunk Road passing through the Jarawa territory for commercial purposes as well as to cater to tourists wanting to go on a human safari. We in the Commission had opposed the harmful project.

I got two opportunities to revisit A&N Islands in 1982 and 1984 with the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes. On the latter occasion, after the conclusion of the visit of the Parliamentary Committee, I accompanied Prof. LP Vidyarthi of Ranchi University and Dr. TN Pandit, SA of Port Blair Station of AnSI, who were visiting these indigenous communities under a project of the Ministry of Home Affairs, to meet the Jarawa of the Middle Andaman Island. It was a wonderful experience. Until then the 'development experts' had not dared to 'civilise' the Jarawa. The Jarawa males jumped into our boat out of excitement to partake of the gift of cooked rice and banana and allowed us to land on the shore. We had been warned not to wear anything but underwears as the Jarawa would tear off everything unknown to them. Thank God, I could save my spectacles. We were not allowed to go into the interior to see their temporary huts where they stayed during the course of their

wanderings within a limited forested area. We stayed there on the sands for about an hour and left after their initial excitement died down.


I cannot forget the utterly friendly gestures of the Jarawa whom the British and Indian authorities had painted as 'ferocious'. Having lumbosacral spondylysis I got a shock to find that an adult Jarawa had jumped on to my back and wanted me to carry him like a child. Another Jarawa came and sat on my lap. The most unforgettable fact was that a woman brought a small baby, forced it into my arms and wanted me to play with it or love it. In the 'civilised' Indian society women would normally keep an infant away from a complete stranger and apply kaajal on its face to protect it from an evil eye. The male Jarawas tried to pull out hairs from my limbs as they wondered what this unusual growth on our bodies was. They have hairless, muscular and supple bodies which enable them to climb trees and pluck fruits quickly. The modern society at Port Blair was surprised to hear my positive experiences with the Jarawa and ShriPantul, Station Director of All India Radio, Port Blair, requested me to broadcast a talk on my interaction with the Jarawas and other indigenous tribal communities of the area.

I have not followed up the subsequent developments regarding this matter but it seems that these have only been for the worse. There cannot be a greater mockery of the paradigm of development of these indigenous communities, which have attracted anthropologists from the world over, when the rulers treat the Sentinel Islands as a rich potential for tourism. There are so many areas like Uttarakhand and Himachal

Pradesh in the Himalayas and many parts of India which yearn for development as world tourist destinations. Why cannot the uninformed bureaucrats leave these indigenous communities alone and let them develop in accordance with their genius— as envisioned in Nehru's Tribal Panchsheel?

I wish to mention a good missed opportunity for studying the indigenous tribal communities of Andaman & Nicobar Islands that came my way in the form of an offer from the National Geographic in 1997 when I visited their office in Washington DC with my geographer daughter Suprabha based in Denver. The requirements of sustained field work in an unchartered area at the age of 67 and my other commitments back home prevented me from availing of that generous offer that I regret even today. I am glad to know that despite odds some young Indian anthropologists have made good studies of the individual tribal communities of the region.

**Acharya Javadekar  
A Satyagrahi Socialist**



G. P. Pradhan

**Price: Rs. 20/-**

**Janata Trust**  
D-15, Ganesh Prasad, Naushir  
Bharucha Marg,  
Grant Road (W), Mumbai 400 007.



# Every Year Hundreds of Lives Can be Saved Just in Marriage-Related Accidents

**Bharat Dogra**

An analysis of a spate of reported marriage related accidents in India during just about one week of May revealed that in about seven separate accidents over 50 people were killed and around 200 were injured. The reported accidents in media are just a small part of the total number of smaller accidents which go unreported or else are reported at a very local level.

On May 10 a long but hurriedly and precariously constructed wall of a marriage hall in Bharatpur (Rajasthan) collapsed, leading to the death of 26 persons and injuries to a higher number of people. The baraat (marriage group from the groom's side) had not yet arrived, or else the mortality in this accident would have been much higher.

Subsequent inquiries revealed that most of the marriage celebration halls in the state suffer from poor safety conditions but are owned or controlled by influential people.

On May 9 a vehicle carrying a baraat group met with an accident in Khargonedistrict (Madhya Pradesh) leading to the death of 9 persons including the groom while several others were injured.

This turned to be a killer day for baraat as in another accident near Sheopur in the same state a tractor trolley carrying a marriage party had an accident, killing six persons. 20 other persons of the marriage party including 9 children were seriously injured.

Another bus returning from Satna in this state was taking baratis back to their home when it got out of control. Three persons died immediately while six were reported to be struggling for survival. About 33 others were injured in the same accident.

Earlier on May 5 near Ambikapur (Chattisgarh) two vehicles, both carrying baratis collided, leading to two immediate deaths and serious injuries to 22 others.

In another accident in Patraatu valley in Jharkhand an overcrowded bus carrying baratis was involved in an accident in which 9 persons were killed and 'several dozen' were injured. A subsequent meeting in the village imposed a fine of Rs. 3 lakh plus on the groom's family. Villagers who spoke at the meeting said that the driver and khalasi (assistant) of the bus were both drunk.

These reports of accidents involving marriage parties within the time span of just one week or so indicate the very high toll of such accidents. The marriage season in India is often concentrated within a few weeks. Hence there is a big demand for marriage halls and vehicles to transport baratis and others during these days. In this situation compromises are often made regarding safety precautions. Even otherwise safety aspects generally get less attention. .

As regulation on the part of

authorities is also low, this increases chances of accidents.

Marriages in India are elaborate and expensive affairs involving a lot of completely avoidable tensions. So people tend to become very tired either from dancing too much or worrying too much. Hence safety can be compromised particularly at the time of return journeys.

Add to this the increasing flow of alcohol in many marriage celebrations. This greatly increases the chances of accidents (as well as ugly scenes) at the time of return journeys in particular.

There is a very absurd but not so uncommon practice of firing guns at the time of marriage celebrations. This sometimes leads to accidental injury or even death.

Some marriage parties carry firecrackers with them as these are used in marriage processions including on busy roads. The transport of a significant stock of firecrackers with marriage parties increases the chance of fire and explosions accidents in vehicles and trains. The use of firecrackers in marriage processions passing on busy roads also increases the risk of accidents.

Any marriage time accident brings great grief very suddenly at a time of celebration and happiness and so can be additionally disruptive and traumatic for all those affected by such an accident. Hence

counseling is badly needed for those affected by such accidents but this is seldom available in India.

On a longer term basis such accidents, even smaller ones, can be particularly difficult and traumatic for the young brides who are typically accused of bringing bad luck with them. Hence help for them is needed from within the community first but later also from authorities if her harassment is prolonged.

Clearly much can be done to reduce the risk of accidents associated with marriages and other such celebratory occasions. On the one hand better regulation of marriage halls, banquet halls, etc. is needed. Safe community buildings with modest facilities should be provided by public authorities and community organizations at a low cost. Serving of liquor at marriages should be prohibited. Essentials of safety in this context should be well

established, well publicised and implemented strictly.

In addition public campaigns are needed to improve the safety while reducing the expenses and tensions of marriage ceremonies in India. All newly married couples and their families should be encouraged to save unnecessary expenses and donate them instead for some worthy cause which would be the best way of blessing and solemnizing the marriage.

---

## Forceful Eviction Without Proper Rehabilitation

A delegation led by former MP, General Secretary, All India Kisan Sabha, Hannan Mollah and comprising of Annie Raja of NFIW, Vimal Bhai and Himshi Singh of NAPM, met the President of India on May 29, 2017, and submitted a citizens' memorandum on the current situation in the Narmada Valley. The delegation raised the issue of brazen attempts by the Government of Madhya Pradesh citing compliance of the 2<sup>nd</sup> part of the Supreme Court order dated 8 February 2017 and preparing for forceful eviction before 31<sup>st</sup> July. However, the Government is clearly ignoring the 1<sup>st</sup> part of the SC order, that is to provide compensation and complete rehabilitation of the Sardar Sarovar Dam affected villages.

As per the orders of Supreme Court, last date for giving compensation and ensuring complete rehabilitation was 8th May 2017. Till now, the State has not done any survey which can list all the project affected families entitled to compensation and rehabilitation as per the rehabilitation policy, which caused many families to be left out from receiving the compensation.

How can a State even think about evicting people without rehabilitation? This is a clear contempt of spirit of court orders and judgments along with the murder of constitutional rights of project-affected families. This will prove to be a disaster as families are still without alternative land, livelihood and liveable rehabilitation sites.

Shri Mollah informed the President that "we have visited the villages of the Narmada Valley as a fact-finding team, which is full of life and culture and is facing the threats of submergence, and displacement in absence of a single satisfactory R&R sites. Our report brings out the dismal conditions of the project affected families, R&R sites, corruption in the payment of compensations and so on. 192 villages, 1 town, 40,000 families and more than 2 lakh people will be affected. If the Government does not take proper action in rehabilitating the Sardar Sarovar Project affected families than the condition of the oustees of Madhya Pradesh will become as bad as the oustees of Gujarat or Maharashtra.

Annie Raja, General Secretary, National Federation of Indian Women said that "if the Sardar Sarovar Dam gates are closed without proper rehabilitation, it will be remembered as the mass murder in the human history. After the visit of Prime Minister Narendra Modi in the Narmada Valley for Narmada Seva Yatra, the process of intimidation and eviction has taken speed."

Vimal Bhai of Matu Jan Sangathan, explained the environmental impacts in the form of Chlorofluoro Carbon gases due to the submergence of lakhs of trees. He also explained the condition of the rehabilitation sites built years ago, still lacking in basic amenities, cracks on the houses due to black soil and no drinking water availability.

Himshi Singh, National Alliance of Peoples' Movements said that "the Madhya Pradesh Government is manipulating its own statistics of the Action Taken Report- 2008 which gives a count of 31,180 families affected by the Sardar Sarovar Dam

*(Continued on Page 15)*

# Forge Time-Bound Common Minimum Programme

**Pannalal Surana**

These days, a few activists are suggesting that some sort of united front against the BJP combine must be promoted. True, the Gau-sevaks are resorting to violent attacks on Muslims and Dalits. Hate campaigns are being conducted ferociously. If this roller-coaster is not stopped in time, and if BJP returns to power in 2019, minorities would be persecuted mercilessly, dalits would be more and more harassed. That will disfigure the secular and democratic architecture of our Republic and can endanger national unity.

Any sensitive person will certainly share these apprehensions. But forging an electoral front to defeat BJP does not sound an effective proposition. Over-emphasis on winning an election does not provide good solution for the ills from which our republic is suffering. Hotchpotch conglomeration of ideologically differing parties/groups cannot provide meaningful and effective government. Moreover, use of power cannot solve all problems unless the mentality and habits of the people are not properly cleansed and oriented in a positive, constructive mode, the evil tendencies would not be neutralized effectively.

In my humble opinion, active campaigns along with mass-awakening programmes are to be undertaken vigorously to combat the evil tendencies mentioned above. Straightforward steps must be initiated towards annihilation of caste barriers. Promoting safe environment for women

empowerment should be accorded top priority in the day-to-day activities of progressive parties/groups. India has inherited many traits of mutual understanding and spirit of tolerance. Those should be buttressed by running complementary extra —curricular activities for school-going children. Such many-pronged activities will help create amicable atmosphere for forging united front of political parties to combat aggressive and divisive designs of communal forces.

Indian people generally prefer positive slogans than negative ones. Instead of saying Congress-mukt Bharat or BJP Hatav it is better to say “let us join hands to build genuine democratic and egalitarian Bharat”

It would be better to avoid indulging in controversies over communalism and secularism, let us revive Gandhian slogan of Hindu-Muslim unity.

Struggles against repression and exploitation must be conducted vigorously, but only by peaceful means. Violence must be abjured.

Parties and groups who broadly share this kind of approach may enter into a dialogue to formulate a Common Minimum Programme (CMP). These days, economic issues are relegated to back seat. That is not proper. People can lead their lives meaningfully and participate in democratic political processes only if their primary needs are satisfied properly. The proposed front should agree to accord high

priority to change economic policies that are being pursued by the present ruling combine. Full employment must be accepted as the goal of all economic activities. Secondly, hankering after the foreign capital must be given up. Capitalists are interested in maximizing their profits. Foreign capitalists take away all profits to their mother countries. Their preference for high technology is endangering employment generation. India should aspire to be self-reliant and develop maximum decentralization of economic activities. And commanding heights must be controlled by the State. Agriculture, forestry, fisheries, dairy, etc. must be provided with enough public investment. Remunerative prices be assured to farm products. Cooperative movement must be reinvigorated. Common, free and qualitative education should be provided by the State. Adequate health-care arrangements must be made for the needy and the poor.

The proposed front should spell out time schedule for implementing the CMP.

All individuals and groups who are concerned about protecting our Secular, Democratic Republic may take steps in this direction.

**Janata**

is available at

[www.lohiatoday.com](http://www.lohiatoday.com)

# Realising an Equitable and Prosperous India Needs a Paradigm Shift

K. S. Chalam

The ideal of achieving an equitable society is always an exciting dream for those who are experiencing discrimination based on primordial ideas of inequality. The concepts of equity and justice are organically associated with the long struggle for a just society in Europe particularly after the 14<sup>th</sup> century. The realisation of an equitable society however, has been around in the Western philosophical moorings starting from Aristotle who wished to 'treat like cases as like' and considered it as a rational approach in a formal sense. He was also referring to formal and proportional equality, the former where individuals are indistinguishable and the latter in relation to a more problematic idea of distribution on the basis of due worth.

The idea of equity is related to justice while equality is connected with equal treatment of people, are basically qualitative in human relations between groups. Equity is considered intrinsically good and therefore egalitarian. Equity is different from identity or sameness. Most of the ideas were originated in the writings and discourses of Western thinkers attained universal recognition after the Reformation movement and French revolution. We Indians seem to have not been concerned about groups attaining equity, but absorbed in individuals' getting liberation or nirvana. Buddha fought against this

otherworldly ontology and appealed to his disciples to seek refuge in the social aggregate, the society. Jyotirao Phule, Mahadev Govind Ranade and Ambedkar of Maharashtra brought the western ideas of equality and justice to Indian soil. But, the metaphysical discourses for which we Indians are proud of for their abstract expositions are less anxious about our real empirical experiences like discrimination, inequity etc., dismissing them as sense experiences with little relevance to attain liberation (see my book 'Economic Reforms and Social Exclusion', Sage). Western thinkers like Locke, Hobbes, Dworokin and others had reasoned about natural rights, equal rights with human concern and respect, while Indian sages and savants during the corresponding period advocated for equality before god in a metaphysical rhetoric.

## Debate around Equality

The concept 'equality' appears to be an elusive term for scholars who are interested in its measurement and quantification. It is very easy to say that morally each individual is supposed to get his due and as per human dignity. But, how to operationalise it? Equality of What? Economists who are generally associated with quantification of different phenomena particularly those who had a Welfare Economic orientation from the time of

Bentham, Pigou, Pareto, Kaldor, Amartya Sen and others considered Pareto optimum as that 'exists whenever it is not possible to make somebody better off without making somebody worse off' as the starting point for a debate. This has satisfied the libertarians and some Indian thinkers who consider that a social structure is already ordained as to how the system should function and we cannot meddle with it without disturbing the optimum. Let there be status quo. But, Amartya Sen found the flaw in the argument and said that, 'a society in which some people lead lives of great luxury while others live in acute misery can still be Pareto optimal if the agony of the deprived cannot be reduced without cutting in to the ecstasy of the affluent' and added that a state can be Pareto Optimal and still sickeningly iniquitous'. Sen has supported the system of caste-based reservations in India on the basis of this argument and capability approach in his book 'Inequality Re-Examined' in 1995. Sen in his analysis of 'Equality of What?' lecture has come out with a rational and universally accepted idea of 'basic capability equality' as an answer to the question, as distinguished from that of Utilitarians and Rawls primary goods.

The issue of equity as noted above is connected with Justice. Utilitarians like Bentham, John Stuart Mill who had some influence over the civil servants of the British

India where they had seized of the view that, 'a society is just to the extent that its laws and institutions are helped to promote the greatest happiness of the largest number.' It appeared to be rational and practical. But, problems arise when it comes to the measurement of happiness as utility (ordinal and cardinal) and its application to administer economic, social and political freedoms. It is further accentuated when groups are involved in a capitalist society where gains and losses are disproportional and the same individual may not experience the gains all the time in a group. In order to address this problem and to substantiate the questions of Equality in the USA after Jencks 'Inequality' project study based on educational background of different racial groups in America, John Rawls, the Harvard philosopher published "A Theory of Justice". John Rawls has addressed the issues of justice as fairness in a libertarian society where undue burdens to get greater average utility will be avoided. Each person, Rawls says is to have the maximum liberties compatible with the same liberty for all, under what is called 'the Difference Principle'. It is said that inequalities are permissible only if, 1. They can be expected to work to everyone's advantage, especially to the advantage of the least well off and, 2. The positions, offices, roles, to which the inequalities are open to all under conditions of fair equality of opportunity. By assuming an original position with a veil of ignorance, people often choose the maximum rule of choice. It means that one should choose that alternative whose worst possible outcome will be no worse than the worst possible outcome of another alternative. Here the question of discrimination does not arise as the treatment is fair. However the

libertarians did not agree with it and argued that they should not be allowed to be discriminated or taxed simply because they have property and wanted that their right to property be respected irrespective of what may happen to the poor and disadvantaged in a social organisation.

### Measure of Wellbeing

Amartya Sen who has published extensively on 'Common Good' and Welfare Economics has developed ideas relating to Human Development Index to indicate the status of a society in improving the wellbeing of people through three indicators, income, longevity and education. Though it is an aggregate term, the UNDP has been updating its data sets by incorporating inequality adjusted HDI, GEM etc over a period of time that gives sufficient insight into inequalities. One of the important contributions of Sen is his capability approach to argue for entitlements for those who are deprived of the capabilities. Martha Nussbaum has listed 10 capabilities as central to human beings: 1. life, 2. bodily health, 3. senses, 4. imagination and thought, 5. emotions, 6. practical reason, 7. affiliation with groups and society, 8. relations with other species, 9. play, laughter, and leisure and, 10. control over environment, political and material. (The functioning of each capability is given in appendix)

The capability metric has been proposed by capability philosophers as an alternative for, and improvement on, the Rawlsian social primary goods metric, which focuses on general purpose goods, such as income and wealth, opportunities and liberties, and the social basis of self-respect. Sen argued that "the

primary goods approach seems to take little note of the diversity of human beings.... If people were basically very similar, then an index of primary goods might be quite a good way of judging advantage. But, in fact, people seem to have very different needs varying with health, longevity, climatic conditions, location, work conditions, temperament, and even body size.... So, what is being involved is not merely ignoring a few hard cases, but overlooking very widespread and real differences". A person with a disability, however severe, would not have a claim to additional resources grounded in his impairment under Rawls's two principles of justice. Sen argues that Rawls's difference principle would not justify any redistribution to the disabled on grounds of disability. Sen noted that it is possible to argue with capability approach for special treatment of handicapped persons like a pregnant woman where we have institutional support in providing additional inputs to meet the nutritional deficiency. Thus, capability is able to express real deficiencies among people in society with different groups including socially disadvantaged and to overcome the deficiencies, collective action or state policy is needed. However, capability approach has the limitation of measuring certain functionings as noted below.

- What goods and burdens are to be justly distributed (or should be distributed)? Which social goods comprise the object of distributive justice?
- What are the spheres (of justice) into which these resources have to be grouped?
- Who are the recipients of

distribution? Who has a prima facie claim to a fair share?

- What are the commonly cited yet in reality unjustified exceptions to equal distribution?
- Which inequalities are justified?
- Which approach, conception or theory of egalitarian distributive justice is therefore the best?

Social economists are able to address some of the questions noted above in justifying human dignity through capability support. Sen in his latest book on 'The Idea of Justice' brought in the Indian concepts of Niti, Nyaya, the former as just rules and institutions and the latter as its realisation or instrumental justice. However, he has conceded that the idea of justice depends upon the philosophy of justice with which you evaluate transactions. Giving an example of how one flute is distributed among three girls looking at from utilitarian, egalitarian and libertarian orientations.

### **Are Equity and Prosperity Compatible?**

We have in India scholars and activists passing opinions and judgements that unless you have sufficient wealth created with incentives for merit and efficiency, there cannot be equity. It is possible to get the wealth thus accumulated to trickle down to the lower classes once it is full. The arguments and counter arguments made us to realise, of late that the inequity in India is widening (see Appendix Tables). Economics or Political Economy in the classical period starting from Adam Smith, Ricardo, Marx and others to Kuznets, Piketty etc are concerned not only with the wealth of nations, but also its

distribution. Adam Smith has indicated how the self-interest of individuals would lead to division of labour and increase in productivity to make a nation wealthy. Ricardo had contested how during his time the share of national dividend among the three factors of production was inequitable as wages remained stagnant and profits falling. In other words, economists have been concerned with not only the creation of wealth but also its distribution from the beginning. But, there seems to be no ambiguous argument that let wealth be created and it would be distributed later. In fact Marx's thesis of surplus value considers how inequity is built in to the capitalist system in the process of production itself. Therefore, there is no tangible argument that equitable distribution would diminish wealth. But, the neo-classical models of growth through free trade advocated by scholars like Jgadesh Bhagwati and others landed us in liberalisation of the economy in 1991 with an expectation that it would enhance our capabilities and reduce inequalities. The Kuznets thesis that 'as an economy develops, inequity will rise and then at a later stage naturally fall back again' has not been proved in many cases as noted by Piketty. This is also true in the case of the socially excluded in India who are now double marginalised after liberalisation.

### **Indian Economy after 1991**

Theories of economic growth and development, the former explaining quantitative expansion of economic variables and the latter elucidating nonquantitative factors such as institutions, culture, and status along with the former idea became popular discourse after 1945. Countries have been categorised as developed,

undeveloped, developing etc., on the basis of certain parameters. Several scholars have made theoretical contributions as to how to break the vicious circle of poverty, break inertia in agriculture, introduce advanced technology in manufacturing etc and reap the returns in terms of increase in GDP. The strategy of export led growth, import substitution, free trade and the so called Washington consensus have been advocated. The IMF, World Bank and other funding agencies persuaded India to abandon the planned growth models and adopt liberalisation and globalisation. India under the leadership of P V Narasimharao was forced to accept the Washington Consensus consisting of 10 commandments to privatise and globalise Indian economy. As noted by the Japanese economists Yujiro Hayami and Yoshisa Godo, in less than ten years the so called Washington consensus under market fundamentalism got replaced with post Washington consensus, advocating greater role to institutions and state sector. However, the damage done to the fundamentals of constitutionally arranged models of development seem to have not been evaluated. It is widely reported now that after more than two decades of liberalisation policies in India, inequalities particularly among the different social groups are widened and social tensions became order of the day.

Against this background, the UNCTAD 2102 report on trade has implications for India. It is reported that the merchandise trade of the world has declined from 5.5 per cent in 2011 to 3.5 percent in 2012. The growth rate has declined sharply from 4.1 per cent in 2010 to 2.7 per cent in 2012, mostly due to

the growth rates of developing countries and China (developed countries confined to less than 2.5 per cent). Financial frauds and weak demand in developed countries have lowered exports from developing countries, including India. Except gold, all mineral

exports have declined during the period. The report has analysed the so-called Kuznets curve indicating that in the beginning inequalities increase and after some time, with increase in productivity, disparities decline; it seems to have failed. On the contrary, Dani Rodrik and

Alesina have proved that inequalities in primary income would hamper growth. It is supported by historical data that the share of wages in the national income of the UK, the USA and Japan was around 60 per cent for a long period to sustain growth.

(Continued from Page 10)

and now drastically reducing the number in the recently issued Gazette, 2017 by 18,346”.

After listening to the delegation, the President of India, Pranab Mukherjee said that he will look into the matter and initiate necessary actions.

Chief Minister Shivraj Singh Chauhan has made an announcement that all the project affected families who have to spend all the money given to them to build their houses will again be given a package of Rs 1,32,000 under Pradhan Mantri Awas Yojana. However, the eligibility guidelines issued by the government are as such that very few PAFs will get the benefits of PMAY.

Adding to the concerns of the delegation, Dr. Sunilam, National Convener, NAPM, added that, “even though the District authorities and Collector understand that the R&R sites are not yet complete but still they are insistent on vacating the valley and there is preparation for a forceful eviction. The Madhya Pradesh government is an anti-farmer and anti-people government, which has the least regard for rule of law and is mired in the corruption on all fronts.”

—Uma

**Swati Chaturvedi:** *You fought the Emergency. I was not even born then. Is this anything at all like that era?*

**Arun Shourie:** It's a decentralised emergency. What we are going towards is a pyramidal decentralised mafia state, where local goons will belabour anyone whom they think is doing something wrong. The central people will look the other way. The central people will provide a rationale for the goondas at the local level. Like “gau rakshaks”, like “love jihad” — this becomes the rationale for me to beat up anybody. It's not love for the cow but just an instrument for domination.

The one big difference is at that time Mrs [Indira] Gandhi still used the law. Now it is not the law. These people are acting outside the law. This is true fascism because you say what is the law? I am the law. All this action is being done outside the government, worse, things are being done inside the government to choke the existing laws — for instance the Right to Information (RTI) is being choked, the Public Interest Litigation (PIL) is being denigrated unless it's in your favour. The judiciary is being denigrated, therefore you keep the vacancies going the same way, probably about a hundred vacancies. The judiciary keeps saying, and these people keep denying on one ground or another. And, to hell with the people who suffer because of want of courts.

—The Wire

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

by

**Rohini Gawankar**  
Published by

**Kamalakar Subhedar,**

Secretary, Samata Shikshan Sanstha, Pareira Wadi, Mohili Village, Sakinaka,  
Ghatkopar(W), Mumbai 400072.

Mobile: 9820092255 / Contribution: Rs.300+

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, June 4, 2017 & Posted on Wednesday June 7, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# jananta

Vol. 72 No. 21  
June 11, 2017

**Fast to Free Education From  
the Clutches of Private Schools**  
Sandeep Pandey

**Universal Basic Income  
Antidote to Poverty, Inequality**  
Mrinal K. Biswas

**Promoting Rural Livelihoods**  
D. K. Giri

**Realising an Equitable and  
Prosperous India needs a  
Paradigm Shift - II**  
K. S. Chalam

Editor:  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## A Trumped up Charge

**Kuldip Nayar**

THE Central Bureau of Investigation's raid on the owners of NDTV for an alleged concealment of share transaction from the SEBI that has caused a loss of Rs. 48 crore to a private bank has been termed by the channel as a witch-hunt based on "same old" false accusation. I tend to agree with the channel. Radhika Roy, the co-owner, and I have worked together at *The Indian Express* and I cannot imagine that she could have indulged in such activities attributed to her.

I think it is a trumped up charge. Radhika and her husband, Pronoy Roy, are not that type because they are self-made people. They may have committed some technical errors. But the CBI has registered a case against RRPR Holding Private Limited, Pranoy Roy, his wife Radhika and unidentified officials of ICICI Bank of criminal conspiracy, cheating and corruption.

According to charges, the RRPR Holdings had allegedly taken a loan of Rs 500 crore from India Bulls Private Limited to purchase 20 per cent shares of NDTV from the public. The CBI has alleged that

RRPR Holdings took a loan of Rs 375 crore at the rate of 19 per cent per annum from ICICI Bank to repay the borrowing from India Bulls. The promoters of NDTV pledged their entire shareholding in NDTV as collateral to ICICI for this loan, it is alleged.

According to the investigating agency, this pledging of shares was not reported to the SEBI, stock exchanges and the Ministry of Information and Broadcasting. Such concealment was allegedly done as a creation of more than 61 per cent voting capital which was in violation of section 19 (2) of the Banking Regulation Act. It should not be more than 30 per cent, the agency said. An interest waiver of 10 per cent was also given by ICICI.

The network has said that the loans have been repaid and it produced a document that appeared to confirm its claim. "NDTV and its promoters have never defaulted on any loan to ICICI or any other bank." read a statement posted on NDTV's website. "We adhere to the highest levels of integrity and independence. It is clearly the independence and fearlessness of

NDTV's team that the ruling party's politicians cannot stomach and the CBI raid is merely another attempt at silencing the media."

The Narendra Modi government has been after the NDTV for quite some time because this is one of the very few channels which have not surrendered to the whims of the government. And this is not the first time that it has been targeted by the Modi government. Last year, NDTV had to challenge the government's one-day ban of its Hindi channel in the Supreme Court when it was ordered off the air for broadcasting sensitive details of terror attack on the air force base in Pathankot in January 2016.

In November 2016, the Ministry of Information and Broadcasting had ordered an unprecedented 24 hour blackout against the network, saying its coverage on terrorist attacks at Pathankot had revealed "strategically-sensitive information." NDTV argued that its coverage was based on official news briefings and that other broadcasters that had made the same revelations were not being penalized.

Subsequently, the representatives of NDTV met with the Information and Broadcasting Minister and pleaded that the channel had not been given a fair chance to offer evidence that it did not share any information that was different from what other channels and newspapers presented at the same time. Understandably, the ban was widely condemned by journalists and editors with all press councils drawing parallels to the Emergency of the 1970s when basic constitutional rights including the freedom of the press were blatantly

violated. At the last minute, the government lifted the ban.

The Editors' Guild of India then said that the one-day ban by the government was unprecedented and that the centre appeared to have given itself the power "to intervene in the functioning of the media and take arbitrary punitive action as and when it does not agree with the coverage." Defending the ban, Information and Broadcasting Minister Venkaiah Naidu said that it was "in the interest of the country's security" and that the barrage of criticism confronted by the government appeared to be "politically inspired."

Even on the recent raids by CBI, Naidu's reaction is, more or less, the same. Denying that there was no political interference on the raids, Naidu has said: "If somebody does something wrong, simply because they belong to media, you cannot expect the government to keep quiet." He said that the law was taking its course.

I am not against the law taking its own course. But I, like other journalists, would want to know what the channel has done to invite the wrath of the government or, for that matter, Prime Minister Modi. It is obvious that this action could not have been taken without the consent from the top. The Information and Broadcasting Minister is only the hatchet person. After all, he would have to carry out the orders coming from above.

The government has been using sedition laws to silence dissenting voices. And there are over 51 freedom of information activists have been found murdered since the law came to force in 2005.

NDTV's news coverage has riled up members of Modi's Hindu nationalist BJP, many of whom accuse the network of being anti-BJP. Days before the raid, an NDTV news anchor had sparred with the BJP's national spokesman Sambit Patra on air and asked him to leave her show for his accusation that NDTV had an "agenda."

On one hand, Modi talks of strengthening democracy. But on the other hand, he is doing everything to weaken it. In his favourite 'Mann Ki Baat,' Modi said the other day that for a lively democracy, healthy criticisms are immensely important. However, every action emanating from his government, particularly the attacks on the media, smacks of authoritarianism. The magic he casts on the people is gradually vanishing. The sooner he realizes the better it would be for him and his supporters.

## Janata Subscription

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank in favour of

**JANATA TRUST**

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

# Fast to Free Education From the Clutches of Private Schools

**Sandeep Pandey**

Section 12(1)(c) of the Right of Children to Free and Compulsory Education Act 2009 of Government of India offers free education to children belonging to disadvantaged groups, based on weaker caste and health status of parents, and weaker sections, based on poor economic criterion, from classes I to VIII. Admission of 31 children was ordered by the District Magistrate of Lucknow in the academic year 2015-16 to Indira Nagar branch of City Montessori School, which figures in the Guinness book of world record for being the biggest school in the world. The founder-manager of this school, Jagdish Gandhi, and his educationist daughter Geeta Gandhi Kingdon refused to admit the children. It was after a long drawn battle in High Court that CMS was forced to admit 13 of the 31 children who lived within a kilometre of the school, which was described as the definition of 'neighbourhood', a criterion students needed to fulfill for seeking admission. The school knocked the doors of Supreme Court but it refused to entertain Jagdish Gandhi the way High Court had done him, indicating his influence on the judges in Lucknow. Jagdish Gandhi is known to oblige all influential people in the government set up by offering concession in fees to their children. The higher up the official is placed the more the concession, following an inverted system of offering concession in fees to a need based system.

Then came academic year 2016-17. The obstinacy of CMS sent a

message that private schools could afford to take the admission orders lightly and make the parents run. CMS refused admission to 55 children, Navyug Radiance School, run by Bhartiya Janata Party leader and businessman Sudhir Halwasiya, to 25 children, City International School, run by Jagdish Gandhi's another daughter Sunita Gandhi, to 12 children, two branches of St. Mary's Intermediate College to 11 children and Dr. Virendra Swaroop Public School to two children. Navyug Radiance and Virendra Swaroop schools expelled two children each after admitting them. In all 105 children were denied admission in 2016-17 and it is a shame that the administration and court didn't intervene.

In the academic year 2017-18 these schools continue to refuse to admit children under the RTE Act. Dr. Virendra Swaroop Public School has number of branches in Kanpur. They are refusing admissions in Kanpur as well. In addition Chintal Public School and Stepping Stone Public School are also refusing to admit children there.

Thus the number of schools which feel emboldened to defy the order of DM so far as RTE admissions are concerned is going up every year. These influential private schools are making a mockery of the RTE Act and the administration and court are in no position to ensure compliance of the DM's order by these schools. It goes to show how much power these private schools wield.

Jagdish Gandhi, the main culprit in the above process, has perfected a method of obliging influential people, including from the media, by giving significant concession or waiving the fees altogether for their children. He knows the art of becoming close to politicians in power, irrespective of the political parties. He was close to the previous Chief Minister Akhilesh Yadav in U.P. and has already invited the central Minister for Human Resources Development Prakash Javdekar to an event in his school. 72 children from his school will be participating in the International Yoga Day event in Delhi with the Prime Minister.

There is only one way in which the parents can be freed from the clutches of private schools. If the 2015 Allahabad High Court judgement of Justice Sudhir Agarwal that children of people receiving salaries from government salaries must necessarily study in government schools is implemented then the quality of government schools will improve and common people will have an option of sending their children to government schools for education. According to the Right of Children to Free and Compulsory Education Act 2009 it is the right of every child in India to receive free education and this is possible only in government school system. It is not possible for private schools to cater to all the children even if admissions are secured under section 12(1)(c) for free for

*(Continued on Page 6)*

# Universal Basic Income Antidote to Poverty, Inequality

Mrinal K. Biswas

The idea of universal basic income (UBI) has dawned on the country's horizon. An opportunity has opened up to apply a measure of UBI solely for the adult women to cast aside the gender curse in addition to bestowing upon them a sense of dignity, a real feeling of equality, an autonomy all together prodding the society towards poverty alleviation. With this singular social security measure a female child will no longer remain a liability to the family but may be considered as an asset like that of her brother baby

The age-old idea of uniform basic income is a form of social security in which *all* citizens or residents of a country regularly receive an unconditional sum of money (cash) either from a government or some other public institution, in addition to any other income if received from elsewhere.

In the Indian context the UBI is considered the best option to fight poverty menace, but cost prohibitive. Even then it has found elaborate mentions in the 2016-17 *Economic Survey*. Arvind Subramanian, chief economic adviser to the finance ministry, this time courageously observed "It (UBI) is an idea whose time is ripe for further deliberation, and not necessarily for immediate implementation."

Columbia University Professor Pranab Bardhan agrees. He has most prominently brought to the

fore UBI's anti-poverty potential, particularly for adult women three-quarters of whom do not earn income at all. A holistic UBI being a fiscal upheaval task Pranab Bardhan wanted to begin it with only for women as an experiment without sacrificing for them other safety nets like ICDS, MGNREGA, mid-day meal.

Viewed from broader perspective the Socialists want to see UBI as an effective initiative towards equality as well. The right to political equality, in its crudest form, can be measured in terms of one vote for every citizen of the country. The same citizen is similarly entitled to a form of economic equality by way of receiving an amount of money as his or her minimum basic income to meet his or her basic needs. These may constitute the irreducible minimum requirements of a citizen or a resident to be fulfilled in a democratic polity with a tinge of egalitarian concept. This economic right consequential to citizenship had been mentioned by utopian socialists and other historical figures but never given a serious trial after the advent of overriding labour theory of value.

In primitive times human beings were not under governments or landlords and hence the nature earth provided the basic needs for the unfettered population. Resources increasingly becoming scarce their availability to people through distribution and exchange came under some forms of administration,

which is economics. Nature giving equality then was gone. The economic right consequential to citizenship conceptualized by some early thinkers and utopian socialists remained in the history books. Thomas Paine's *Agrarian Justice* of 1795 proposal of capital grants for residents reaching the age of majority (21 years of age) paired with asset-based egalitarianism and other thinkers' contributions on the subject have begun to stir the people of the recent time preoccupied with matters of social concerns.

Many countries in the meantime had introduced some forms of social security measures withstanding the capitalist *dirigiste's* pressure of *no pay for no work*. India with its immense poor population has got plethora of social security programmes - 950 central sector and centrally sponsored schemes - emancipation is still a very long way off, though. According to Economic Survey these schemes account for about 5 per cent of the GDP (gross domestic product) budget allocation. A large majority of these are small in terms of allocation with top 11 schemes accounting for about 50 per cent of total budgetary provision. Further, the survey has proposed offering UBI as a choice to beneficiaries of existing social security programmes, because it could consequently not only improve living standards, UBI could also improve administrative costs and cut the leakage costs of existing programmes.

Architect of India's MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act) Jean Dreze disagrees. He says as the scheme ensuring *100 days of work and pay* to anyone in rural areas emerges as a "well functioning" programme the choice factor (such as UBI in place of this and such other schemes) should not be entertained. Cost-benefit ratio comes up in this context. Economist Martin Ravallion of US Georgetown University working in Bihar with World Bank researchers decided UBI still offers more. Referring to the current government estimates he says that a modest UBI - costing 2 per cent of GDP - would put Rs 12, 480 (\$193) in the hands of a rural four-person household. This amount is larger than the average annual earnings of a rural household under MGNREGA. This is despite a steady increase in the minimum daily wages for all States in India because the States lack the capacity to create millions of jobs in local areas.

It is found that 85 per cent of India's working population while belonging to the widest possible unorganized sector (as homemakers, housemaids, house servants, hawkers, temporary pavement stall-owners, cooks, cobblers, coolies, scavengers, menial jobseekers, rickshawpullars, autorickshaw operators and so on) together contribute 40 per cent of the national income in a very unsteady, irregular job market. They can never complete their innings of work as they go on without any pension benefit and they do not enjoy an iota of governmental benefit, materially or otherwise. On some occasions they are looked down upon in the social strata. UBI will be a real boon for them as with

this "fallback option" they will be endowed with a kind of bargaining power to cope with the hazards of earnings keeping in reserve their dignity in labour. Bardhan's important observation on the weakness of the country's labour movement hinges on the ostensible absence of vast labourers of the unorganized industrial and agricultural workers whose collective bargaining power is as good as zero. UBI will prove to be somewhat of a corrective measure, enable them to integrate with a broad-based labour movement and winning the power of collective bargaining because of this new association.

The survey mentions that UBI can replace several subsidy-based social welfare schemes which idea is not to the liking of social scientists like Jean Dreze. Most of all the current large number of beneficiaries unjustly pass the eligibility marks because of bureaucratic inefficiency and corrupt practices. The gigantic Public Distribution System (PDS), which subsidises food for poor households, is just an example. The government estimates that 36 per cent of subsidies never make it to any household and another 36 per cent finds way to non-poor households. The remaining 28 per cent reaches its intended target - to India's poorest 40 per cent.

To come back to Bardhan, the most recent estimates made at the National Institute of Public Finance & Policy suggest that central plus State subsidies that mainly go to better-off people (non-merit subsidies) amount to some 5 per cent of GDP. In addition, the central budget alone shows 'revenues foregone' (primarily tax

concessions to companies) coming to about 6 per cent of GDP. Pranab Bardhan says even if one-third of these revenues foregone are made available for the purpose, added to non-merit subsidies, it comes to 7 per cent of GDP potentially available for UBI. This forms a substantial amount, more than twice the total sum currently spent on all anti-poverty programmes.

"Tax the able and the affluent" has hardly got nodding approvals from central governments, past and present. UK's Nicholas Kaldor studied India's public finance in the 1960s and recommended a slew of tax proposals unheard of in the country then. There was great consternation when the then finance minister T T K Krishnamachari widened the tax net by including some of Kaldor's proposals. But revenue foregone idea has gained grounds subsequently because of the supposed incentives being offered largely to the able and affluent sections of people opening the scope for them to save and invest.

Because of this our tax-GDP ratio is quite low. The real estate and property tax assessments do not match the market value at all. There are no agricultural income tax, no long-term capital gains tax in equities, no wealth and no inheritance tax. Wealth accumulation by a few is staggering indeed. Only 1 per cent people in India has grabbed 58.4 per cent of the country's total wealth, second position holder globally in this respect (the first being Russia with 1 per cent owning 74.5 per of that country's total wealth though erstwhile Socialist Soviet Union was under 75 years of a severe totalitarian, egalitarian regime).

Abject poverty and abysmal inequality are the dual bane for India. UBI can extinguish absolute poverty, UBI can establish irreducible minimum requirement of equality in terms of basic income for all citizens. Gini co-efficient assumes importance in this respect. Italian economist Corrado Gini devised a variability measure to calculate a nation's consumption or income inequality. Gini co-efficient has value 0 (zero) to 1(one), with lower co-efficient indicating more equal distribution of consumption or income. *Zero (0) is perfect equality and One (1) is perfect inequality.*

National Council of Allied Economic Research (NCAER) along with Max New York Life Insurance made an India Financial Protection Survey (FIPS) and results were made available in 2004-05. It was found that income inequality had gone up and feared that it would go up further. At an all-India level, Gini co-efficient moved up from 0.43 (in 1995-96) to 0.45 in 2005-05. Pranab Bardhan quoting NSS household survey data (which, he says, underestimates the wealth of the rich) pointed out that Gini co-efficient measure of asset inequality rose from 0.66 in 1991-92 to 0.75 in 2011-12 (which is now the Latin American norm). The diminishing income inequality measure should then start with UBI.

One needs to restate UBI principle that every citizen gets a basic income whether he/she is employed or not, that citizen may also choose to work in order to raise standard of living and get rich subjected to stiff tax measures though. Why the government should give preference to giving a citizen

a basic income to any form of dole or unemployment benefit? Because a dole like thing is humiliating and engendering in them anger against others and the State. An assured basic income will bring their sentiments at par with others. Indeed, incomeless pent-up feelings of humiliation and deprivation for centuries together are now at regular intervals finding expressions in explosive forms and other ways in our country. Sectoral welfare schemes will not stem the downhill.

India has hardly gone through a period of full employment in the recent past. The developed countries are presently hard pressed with jobs disappearing allegedly because of availability of cheap immigrant labour or through business process outsourcing (BPO). The xenophobic ghost is now looming large over their horizon as a consequence. The real cause is widespread use of automation which is making fast inroads pushing manpower redundant in industries and moreover, by the West's failure to create new jobs for millions of non-specialists, non-knowledge workers. US economist Josef Stiglitz has mentioned this fact. It is estimated that automation impact over the next 20 years will lead to the loss of 47 per cent of all existing jobs in the US, 57 per cent in Europe, and a stunning 77 per cent in China (because of which China is pushing hard with the most ambitious international One Belt, One Road-OBOR-project including in it China-Pakistan Economic Corridor-CPEC-defying India's objection).

Global corporate sector is worried that joblessness in the developed world and jobless growth in developing countries like India would

make their goods and services non-saleable. They now are seen campaigning for UBI to keep good their market. By a queer pitch of history capitalism for the first time is coming up in support of an essentially Left discourse which is UBI, propagated two centuries back.

*(Continued from Page 3)*

children from disadvantaged category and weaker sections because the number of private schools is inadequate and there is lack of good private schools in rural areas.

When Justice Sudhir Agarwal's decision is implemented it will be a move in the direction of implementing common school system, which has been a recommendation of the Kothari Commission since 1968. However, no central government has cared to implement it so far.

It is only when common school system is implemented that the child of poor will get an opportunity to get good education without which it'll be impossible for him/her to break the vicious cycle of labour. For India's development it is necessary that every child gets an equal opportunity for good education which is now his/her fundamental right.

The Uttar Pradesh government is ignoring the High Court judgement. It has so far not filed any reply to the judgement. A ten-day fast was organised in June 2016 in Lucknow but the CM Akhilesh Yadav was in no mood to annoy his bureaucracy in the election year. Another indefinite fast is being contemplated from 19 June, 2017 to get Justice Sudhir Agarwal's judgement implemented.

# Promoting Rural Livelihoods

D. K. Giri

Having been born and brought up in a rural village which is the confluence of three states of India — Odisha, Jharkhand and Bengal, my predominant mission in life was to promote rural livelihoods. My village was, and still is, deprived of livelihoods of any kind for the villagers; healthcare, education, communication, participation, risk management are distant for many in that area. Why is it so, is a question that should engage planners, administrators and development experts. I will share my perspectives and experiences of promoting rural development. There are three agencies that are engaged in rural development — government, businesses and civil society organizations. One thought of being a part of the government as a civil servant or so to work for rural development. But the stories and experiences from the elders caution us about official glitches and bureaucratic red tapism, rigidities of the government system, let alone pilferage and corruption. Business is not everybody's cup of tea, it is driven by profit and any development that is done by businesses is again at the behest of the government. The new business ethic called CSR (Corporate Social Responsibility) is shrouded in controversy. The third agency, civil society organizations popularly known as NGO is bit easier to engage with. It is flexible in operation, innovative in strategy, and proximate with people. Schumacher Centre, British-origin, Indian registered NGO, became our vehicle for rural development.

The Centre is part of a network of 30 organisations set up across the world inspired by E. F. Schumacher's thinking on livelihood promotion. The legendary development economist, Schumacher's prescription consisted of three steps: first, to identify whatever people are doing to eke out a living; second, build on the existing practice by providing them with appropriate technology (AT). The AT will enhance production, reduce drudgery and facilitate better market access. Third, help them move from survival economy to disposable income. The extra income will help them access health care, secure education, increase mobility and participation, and increase risk reduction. This in fact is a fair definition of a decent livelihood.

At Schumacher Centre, armed with this simple and unique livelihood approach, we started implementing projects in rural areas. But we came up against the globalizing tendencies of the market where Schumacherian 'small is beautiful' was endangered as big is better became the new norm, the global (big) companies were tapping the rural market following G. K. Prahalad's 'bottom of the pyramid' approach. This trend had to be reversed. Rural economy was being squeezed out of the market and was being replaced by global companies, penetrating with various consumer products by manipulating the taste and choice through aggressive advertisement. Schumacher Centre developed a model which will reverse this trend when rural producers sell in the

global market. A model called 'Social Business' was created where individual producers come together in a company, which aggregate their produce to a industrial volume. They engage social mobilisers like NGOs to keep the flock of large number of producers, ideally up to 500, in a single cohesive company; they appoint marketing and quality experts to negotiate competitive price, and manage the value chain. The other speciality of social business is a 'tri-sector partnership' in which the government, businesses and civil society support and sustain the social business. Since the primary stakeholders in this business are poor villagers, this model has both a social purpose and a business enterprise.

In order to implement the social business model, we approached the Government of India, namely Department of Science and Technology (DST) to support us under their transfer of technology scheme. Since the business was of incense stick making, we approached the Odisha government bamboo agency, OBDA, and companies dealing with incense sticks. With the tri-sector partnership in place, we looked for the field in Odisha as Schumacher Centre had been involved in Odisha bamboo sector for quite some time. The DST advised us to choose a place in the district of Jajpur, which had been identified as one of the poorest districts by the then Planning Commission. With the support of Odisha State Progressive Women's Forum, it was not difficult to locate women's groups with the potential

of being a social business. We located a village, Alipur, some 80 km from Cuttack.

The project has been in operation for about a year. It is not working as efficiently as it was envisaged and is hobbling along with all the financial and technical support, a sound strategy, and a powerful brand like Schumacher, why is the project slow and sluggish? We made a visit to find out and give it a renewed push. As I write this, I am in the field and want to share the bottlenecks we face in terms of work culture of the state, laid back attitude of the technocrats, cynicism of the bureaucrats, and frog-in-the-well intellectuals. Odisha, a resource rich state remains poor. A Minister in the government told me once; Odisha is rich underground and poor over ground. Before we come to some conclusion, let me reflect on some encounters I had with top people from the sectors I just mentioned including one common man.

The first person I met was a businessman from Odisha, youngish, ambitious and enterprising. He has lots of ideas on how to expand any business in a big country like India. He feels that anybody with big numbers, whether it is employee, offices, franchisee, etc is the successful one. TATA Company seems to have maximum employees and a more diversified business and so is on the top. He is contemplating digital marketing, secure human resource supply, multiple legal services, building malls for renting out to big outlets, and so on. I was impressed with his ideas and ambition but was wondering, with my limited business sense, how he would execute them all. I was reminded of an English friend's cryptic remark, "Indians are big in thinking and short

in execution". However, not to dampen the spirit of my business friend, I invited him to give me a hand on the social business.

The next person I met was a top economist of Odisha. He has been in important state committees like planning board, state finance commission, state farmers commission, and now a vice-chancellor. He has written extensively on Odisha economy. I was discussing with him the continuing poverty in Odisha and possible measures to alleviate it. He was lamenting the lack of work culture in Odisha. He himself was finding it difficult to recruit a personal assistant, in spite of a campus accommodation and a decent salary by Odisha standards. Not many were coming forward to work the hours required in the University. It was incredible to me as dearth of jobs is the usual complaint. Here it was shortage of human resource. I suggested to him and his officials that a university should do development projects in order to connect with the communities. University education tends to be abstract without validating the ideas on the ground. He is also considering his university's involvement in our social business project.

My third stop was with the government officials. Two senior government officers of the Odisha forest department who have been one way or the other connected with the project. They are well meaning, keen and conscientious officers. They were frustrated for not being able to do much within the constraints of the government machinery. They reveal every time I met then including this time that very few people want to work. And in government set up they do

meetings after meetings but little work follows such meetings. They were well disposed to the project but not very optimistic. I wasn't surprised.

My encounter with the taxi driver was instructive of the things as they are. As per my habit, I pick conversations with common men and women on the street. In the development sector they are the prime targets and primary stakeholders. The taxi driver ferrying me around in Bhubaneswar asked me if I was supportive of the government of India's economic policies including the controversial note ban. Instead of me giving a so-called scholarly analysis, I preferred to hear his views. He needed no cajoling and was forthright in his views. He strongly felt from wherever he had gathered the impression that Modi was doing all this to benefit only a few business houses. He said that the prime beneficiary of note ban was Reliance Company. Honestly, I could not pay so much attention to listen to his explanation but the general feeling throughout the country is that the big business is indeed benefitting from Modi's policies and India's so-called fast economic growth. The small and medium sector is left high and dry. Another feature that caught our attention was that Bhubaneswar was expanding in to the thick of the farm lands. We had to cross a big stretch of farm land just outside the city to reach the university. The taxi driver explained that if the black money and the builders were not stopped in their tracks all the green fields we were seeing would have disappeared. I asked him if checking the builders was good or not, he was ambivalent on the farmers issue. He said whether they have the land or not, in the ultimate analysis they are the



losers. This speaks of Odisha economy as the state is sparsely populated with lot of land yet it is poor because agriculture is traditional, even primitive, unmechanised and non-commercialized. Small land holders outside the land reforms are

impoverished.

I came to the conclusion that throughout India people are always waiting for leaders and messiahs. India is a populous country: masses of people but not many leaders. In Odisha, leaders or role models do

not exist in many fields including rural development. We hope that the social business model initiated by Schumacher Centre for livelihood promotion becomes a replicable success story. It has the ingredients to be so, if only we can overcome the work inertia.

---

## Realising an Equitable and Prosperous India needs a Paradigm Shift - II

**K. S. Chalam**

### **Impact of globalisation and trade on equity**

The ideology of neo-classical economists that liberalization of labour laws to reduce wage rigidities in the Third World would affect development seems to have gone against it. The UNCTAD report noted above after a review of the theories, has come to the conclusion that, “these alternative views, by challenging the conventional wisdom that rising inequality is the normal result of development within market economies, may contribute to a new understanding of the functioning of a market economy, and can lead to a paradigm shift towards a pattern of economic development that is both more equitable and more efficient”. The report has noted that the trade between advanced and the developing countries has caused inequalities in the latter. The estimates of proportion of top quintile share of income to the bottom quintile show that inequalities are higher in developing countries than in developed countries like the UK. It is supported by the Gini ratios (measure of inequality) ranging from 35 per cent in the USA to 50 per cent in Malaysia, and

India coming in between with 32.5 per cent.

The report notes that inequality of personal income distribution is generally more pronounced in developing countries than in developed or transition economies. As in developed countries, the income gap narrowed during the first three decades after the Second World War, but between 1980 and 2000 there was a general increase in inequality in all developing regions. The observations of the report on FDI are mixed. The prescriptions proposed by UNCTAD are radical and go against the fundamentalist ideas of the neoliberals: “Since the turn of the millennium, trends in income distribution have diverged among developing regions. Greater taxation of wealth and inheritance is a potential source of public revenue that can be tapped in many developed and developing countries to reduce inequality of both income and wealth distribution and enlarge the government’s fiscal space. “For example, taxes on real estate, large landholdings, luxury durable goods and financial assets are normally easier to collect than taxes on personal income, and can represent

an important source of revenue in countries that have high inequality of income and wealth distribution. In resource-rich developing countries, incomes from exploitation of natural resources and gains resulting from rising international commodity prices are another important source of public revenue. “By appropriating their fair share of commodity rents, especially in the oil and mining sectors, governments in such developing countries can ensure that their natural resource wealth benefits the entire population and not just a few domestic and foreign actors”. It is hoped that the prospective governments of the future should take this advice in right earnest.

Along with the report, one needs to look at the two most important influential books on economics that appeared during 2012-14. The MIT and Harvard economists Daron Acemoglu and James A Robinson book on “Why Nations Fail”, and Thomas Piketty book on “Capital in the Twenty-First Century” are worth mentioning here. Acemoglu and Robinson have established in their work how inclusive institutions are responsible for prosperity and development as against

authoritarian states. Some critics say that India being a democratic state lagged behind China and others appear to be the lack of reflection of experts on the socially exclusive and undemocratic institutions of India that have driven as a causal factor for underdevelopment and not the spirit of democracy.

Thomas Piketty's book on Capital according to Paul Krugman is a powerful case of how patrimonial capitalism is re-emerging through inherited wealth. Piketty has made a simple calculation as to how the difference between the growth rate of profit and growth rate of GDP lead to inequality in many countries. By definition Piketty noted that "in all societies income inequality is the result of adding up of income from labour and income from capital, statistically the greater the correlation, the greater total inequality." Providing data from Scandinavia, US and Europe on the three variables, he inferred that in the egalitarian societies like Scandinavia, inequality is less and in US and Europe it is high and medium. He noted that, "to judge the inequality of a society, it is not enough to observe that some individuals earn very high incomes. For example, to say that the income scale goes from 1 to 10' or even '1 to 100' does not actually tell us very much. We also need to know how many people earn the incomes at each level. The scale of income (wealth) going to the top decile is a useful index for judging how unequal society is, because it reflects not just the existence of extremely high incomes or extremely large fortunes but also the number of individuals who enjoy such rewards. He has introduced the concept of patrimonial capitalism as a result of inherited income that

is due to the property rights and the highly paid super managers from Anglo-Saxon countries. He compares the Forbes millionaire's wealth at \$5.4 trillion with Sovereign Wealth fund of \$ 5.3 trillion (\$3.2 Tr of OPEC) as the two entities that may ultimately own the world. Speaking the language of human rights and social state, Piketty mentioned that modern redistribution does not consist in transferring income from the rich to the poor, at least not in so explicit way. It should, therefore, consist of rather financing public services and replacement of incomes that are more or less equal for everyone, especially in the areas of health, education and pensions. The right solution in reducing inequity is progressive annual tax on capital. He sounds like a social democrat. We have in India Nehru, Ambedkar, Lohia and several other indigenous thinkers who provided solutions to our iniquitous society through constitutional morality. It seems the political class and their cronies in judiciary and executive consisting of the Dvija community had conspired against the Constitution and allowed fraud. They were supported by the paid intellectuals of the same category who theorised and formulated the present paradigm of development. The total agreement on the contours of development model by the political class irrespective of political party is a critical moment in the history of India. There is a need to change this model or paradigm to help the common man and the poor to get relief from the vulnerability of further inequities and social tensions.

### **Need for a paradigm shift**

The neo-classical economic

rhetoric with the influence of World Bank and IMF, policies for the benefit of MNCs led the world to get back to protectionism once again. But, we in India had a different paradigm or framework of growth through the process of planning commission. Though the model did not bring rapid growth, it had not widened inequalities as we observe in recent times particularly after 1991. As noted in the Tables one per cent of the top richer section control 58.4 per cent of wealth and top 10 percent 81 per cent of the country's wealth. This has happened after the implementation of the New Economic Policy that benefitted largely the upper social class. Therefore there is a need to relook at our present growth models.

The founding fathers of our nation and leaders of the Constituent Assembly have deliberated upon the issues of social and economic inequalities in our society and provided solutions without affecting our prosperity. In addition to the preamble where socialism, secularism and democracy are enshrined as goals of our nation, the Directive Principles of State Policy in Art 38, 39, 41, 42, 43, 46 are considered as instruments of instruction in making laws to achieve the constitutional goals. These goals are aimed to bring equality, fraternity and prosperity.

### **Conclusion**

India has experienced modern democratic life through parliamentary process with a written Constitution to guide our efforts. The history of the country being pluralistic and diverse in geography and in societal features

has been experiencing wide disparities both in our economic and social life. Economists who have been deliberating on the issues of growth and justice have realised that institutions that were not inclusive and relied on the accumulation and distribution of wealth through market mechanisms have further accentuated inequities. The data on poverty, income, social oppression and related issues in India have not supported the thesis that a rapid economic growth would reduce inequalities and oppression automatically. It can safely be vouched that as deviation from our constitutional and inherited legacy of planning for growth with justice takes place due to external and internal pressure, the disparities and despairs are widening. Social democracy and adhering to constitutional morality might help us not to get into the trap of Patrimonial Capitalism or crony capitalism that does not fit in to our ethos.

## Appendix I

Martha Nussbaum's the Central Human Capabilities

1. Life. Being able to live to the end of a human life of normal length; not dying prematurely, or before one's life is so reduced as to be not worth living.

2. Bodily Health. Being able to have good health, including reproductive health; to be adequately nourished; to have adequate shelter.

3. Bodily Integrity. Being able to move freely from place to place; to be secure against violent assault,

including sexual assault and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction.

4. Senses, Imagination, and Thought. Being able to use the senses, to imagine, think, and reason — and to do these things in 'truly human' a way, informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training.

Being able to use imagination and thought in connection with experiencing and producing works and events of one's own choice, religious, literary, musical, and so forth. Being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic, speech, and freedom of religious exercise. Being able to have pleasurable experiences and to avoid non-beneficial pain.

5. Emotions. Being able to have attachments to things and people outside ourselves; to love those who love and care for us, to grieve at their absence; in general, to love, to grieve, to experience longing, gratitude, and justified anger. Not having one's emotional development blighted by fear and anxiety. (Supporting this capability means supporting forms of human association that can be shown to be crucial in their development.)

6. Practical Reason. Being able to form a conception of the good and to engage in critical reflection about the planning of one's life. (This entails protection for the liberty of conscience and religious observance.)

7. Affiliation. A. Being able to live with and toward others, to recognize and show concern for other human beings, to engage in various forms of social interaction; to be able to imagine the situation of another. (Protecting these capabilities as fundamental entitlements capability means protecting institutions that constitute and nourish such forms of affiliation, and also protecting the freedom of assembly and political speech.) B. Having the social bases of self-respect and non-humiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails provisions of non-discrimination on the basis of race, sex, sexual orientation, ethnicity, caste, religion, national origin.

8. Other Species. Being able to live with concern for and in relation to animals, plants, and the world of nature.

9. Play. Being able to laugh, to play, to enjoy recreational activities.

10. Control Over One's Environment. A. Political. Being able to participate effectively in political choices that govern one's life; having the right of political participation, protections of free speech and association. B. Material. Being able to hold property (both land and movable goods), and having property rights on an equal basis with others; having the right to seek employment on an equal basis with others; having the freedom from unwarranted search and seizure. In work, being able to work as a human being, exercising practical reason, and entering into meaningful relationships of mutual recognition with other workers.

**Table - 1**  
**Poverty by Social Groups, 1993-94 to 2011-12**

Social Groups	Share in Population	Percent Population Below Tendulkar Committee Poverty Line			Percentage Point Poverty Reduction	
		1993-94	2004-05	2011-12	1993-94 to 2004-05	2004-05 to 2011-12
Rural						
ST	11.1	65.9	62.3	45.3	3.7	16.9
SC	20.8	62.4	53.5	31.5	8.9	22.0
OBC	45.0	44.0	39.8	22.7	9.0	17.1
FC	23.0		27.1	15.5		11.6
All	100.0	50.3	41.8	25.4	8.5	16.4
Urban						
ST	3.5	41.1	35.5	24.1	5.6	11.4
SC	14.6	51.7	40.6	21.7	11.1	18.8
OBC	41.6	28.2	30.6	15.4	5.8	15.2
FC	40.3		16.1	8.1		8.0
All	100.0	31.9	25.7	13.7	6.2	12.0
Rural+Urban						
ST	8.9	63.7	60.0	43.0	3.7	17.0
SC	19.0	60.5	50.9	29.4	9.6	21.5
OBC	44.1	39.5	37.8	20.7	8.1	17.1
FC	28.0		23.0	12.5		10.5
All	100.0	45.7	37.7	22.0	8.0	15.7

Source: Panagariya and More (2013)

**Table - 3**  
**Gender Inequality Index and other components for Selected Countries : 2013**

Countries	Gender Inequality Index		MMR2010 (death per 11 akhlifebirth)	25+female population With atleast Some Secondary	15+femal elabourfo rcepartici pationrate Education %
Argentina	0.381	74	77	57.0	47.3
RussianFed.	0.314	52	34	89.6	57.0
Brazil	0.441	85	56	51.9	59.5
China	0.202	37	37	58.7	63.8
Indonesia	0.500	103	220	39.9	51.3
SouthAfrica	0.461	94	300	72.7	44.2
India	0.563	127	200	26.6	28.8

Source: HDR2014 quoted in Economic Survey 2014-15, GOI

**Table - 2**  
**Human Development Index(HDI)and Inequality Adjusted Human Development Index(IHDI) and Loss**

States	HDI	IHDI	Loss (%)	RankHDI	Rank IHDI
A.P.	0.485	0.332	31.6	19	20
Bihar	0.447	0.303	32.1	26	24
Chattisgarh	0.458	0.297	35.1	24	25
Gujarat	0.514	0.363	29.5	15	13
Jharkhand	0.470	0.312	33.7	21	21
Karnataka	0.508	0.353	30.5	18	18
Kerala	0.625	0.520	16.8	1	1
M.P.	0.451	0.290	35.7	25	27
Maharashtra	0.549	0.397	27.8	7	8
Odisha	0.442	0.296	33.1	27	26
Punjab	0.569	0.410	28.0	4	4
Rajasthan	0.468	0.308	34.0	23	22
TamilNadu	0.544	0.396	27.3	9	9
U.P.	0.468	0.307	34.5	22	23
WestBeng.	0.509	0.360	29.3	17	14
All India	0.504	0.343	32.0	–	–

Source: Suryanarayana(2013)

**Table 4**  
**Main Offences and Atrocities Committed Against the Scheduled Castes (1979—2013)**

Crime Category	1979	1983	1993	1997	1999	2013
Murder	388	525	510	513	506	676
Grievous Hurt	1,441	1,362	NA	3,860	3,241	4,901
Rape	430	641	798	1,037	1,000	2,073
Arson	10,313	982	369	389	337	189
Other Offences, & PCR ACT	10,703	11,324	23,296	22,145	20,009	31,569*
<b>Total</b>	<b>13,975</b>	<b>14,834</b>	<b>24,973</b>	<b>27,944</b>	<b>25,093</b>	<b>39,408</b>

Source: Ministry of Social Welfare, Government of India, 2014.

The Source of record of crime against Dalits–National Crime Records Bureau, Ministry of Home Affairs, New Delhi.

\*Includes SC, ST Prevention of Atrocities Act.

**Table -5SES Survey GoI-Deprivation Indices**

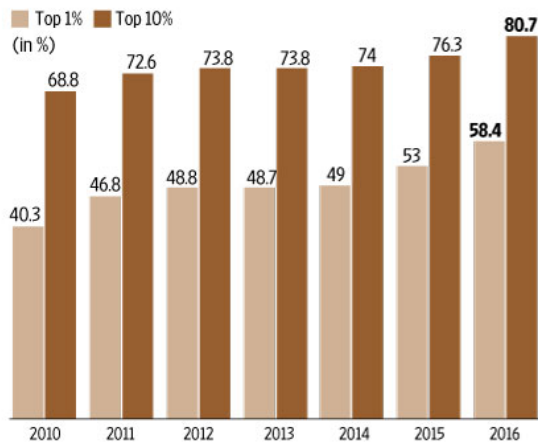
Total Households in the Country = 24.39 Crore  
 Total Rural Households = 17.91 Crore  
 Households Excluded = 7.05 Crore (39.49%)  
 Automatically Included = 16.50 lakh (0.92 %)  
 Considered for Deprivation = 10.69 Crore  
 Not reporting Deprivation = 2.00 Crore  
 Household With Deprivations = 8.69 Crore

Households with at least 1 Deprivation = 8.69 crore (48.49%)  
 Households with at least 2 Deprivation = 5.33 Crore (29.78 %)  
 Households with at least 3 Deprivation = 2.34 Crore (13.09 %)  
 Households with at least 4 Deprivation = 0.69 Crore (3.87%)  
 Households with at least 5 Deprivation = 0.14 Crore (0.80%)  
 Households with at least 6 Deprivation = 0.02 Crore (0.14 %)  
 Households with all the 7 Deprivations = 12,909 (0.01%)

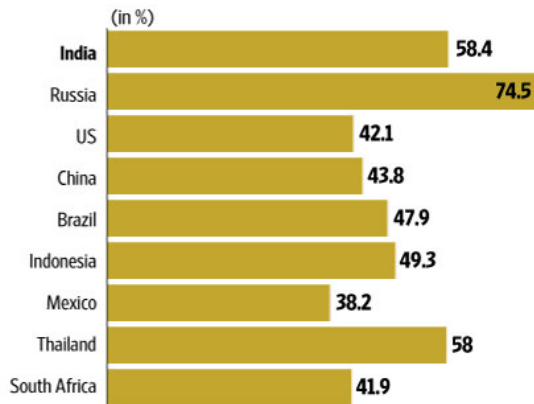
D1. Households with only one room, kaccha walls and kacha roof; D2. No adult members between ages of 16 and 59  
 D3. Female headed households with no adult male member between 16 and 59; D4. Households with disabled member and no able bodied member D5. SC/ST Households D6. Households with no literate adult above 25 years D7. Landless households deriving a major part of their income from manual casual labour.

**CHART 1: THE RICH ARE GETTING RICHER AT A FASTER PACE**

Share of total wealth in India:

**CHART 2: INDIA IS ONE OF THE MOST UNEQUAL COUNTRIES**

Share of richest 1% in total wealth:



Source: Credit Suisse Global Wealth Databooks

*(concluded)*

## Era Sezhiyan No More

Veteran politician and former Parliamentary Era Sezhiyan passed away on 6<sup>th</sup> June 2017 at Vellore near Chennai after a brief illness. He was living for some years in the Vellore Institute of Technology (VIT) run by G. Viswanathan, his close associate since his DMK days. He was 94.

Era Sezhiyan was born on 28 April 1923, at Thirukkannapuram, Thanjavur District of Madras Province (now Tamil Nadu state). Born as R. Srinivasan, he changed his name to Sezhiyan on the lines of Dravidian leaders who opted for Tamil names instead of Sanskritised names. After graduation from Annamalai University, Sezhiyan and

his elder brother Nedunzhiyan both were attracted towards the leader C. N. Annadurai (fondly called "Anna") who founded, in 1949, the political party - DMK. He was very close to DMK founder C.N. Annadurai and DMK leader M. Karunanidhi. In his autobiography *NenjukkuNeethi*, Karunanidhi has recalled that both Nedunchezhiyan

and Sezhiyan walked all the way from their village Vadakandam to attend his marriage.

Both of them were the founding members of the DMK. He jointly edited the Anna's Dravida Nadu magazine *Manramin* 1937 itself with his brother. Though Nedunchezian later joined the AIADMK launched by MGR, Sezhiyan chose to involve himself in the Janata Party as he was attracted by Jayaprakash Narayan's political ideals. He also functioned as the president of the Janata party's Tamil Nadu unit."Era Sezhiyan did not share his brother's views and stayed away from the MDMK founded by the latter at one point. He also did not take the AIADMK seriously. When I requested him to become the presidium chairman of the MDMK launched by Mr. Vaiko, he politely turned down the offer," said K. Thirunavukkarasu, historian of the Dravidian movement. Thirunavukkarasu further said that "Anna used to say when everyone seeks his advice on family and political matters, he would look up to Sezhiyan's counsel."

C. N. Annadurai made Era Sezhiyan as a candidate of its DMK party in the 1962 general election in the Perambalur Constituency of Trichy District and got him elected to the House of the People (Lok Sabha). He represented the DMK in the Lok Sabha between 1962 and 1977 and the Janata Party in the Rajya Sabha between 1978 and 1984.

Jayaprakash Narayan regarded Sezhiyan as a finest if not, the best Parliamentarian of the times and included him in the National Coordination Committee which formed the base of *Janata Morcha* along with senior leaders in the opposition against the undemocratic

1975-77 Emergency. Evading the arrest warrant of the Delhi Police, Sezhiyan became the focal point of the Opposition. In 1978, at the request of then Prime Minister Moraji Desai, Tamil Nadu Chief Minister M G Ramachandran supported with the strength of AIADMK in the Assembly to send Sezhiyan to the Council of the States (Rajya Sabha) as Janata Party candidate.

A man of integrity and outstanding intellect, he shunned publicity and positions. He refused the offer made by the then Union Finance Minister H.M. Patel to become the chairman of the Life Insurance Corporation of India (LIC) in 1978. He also turned down the offers of Governor's post offered during the National Front government led by V.P. Singh.

Era Sezhiyan contested his last parliamentary election during 1984 Lok Sabha polls but lost to Congress candidate, actress Vijayanthimala Bali in South Madras constituency. His last association with a political party was Lok Shakthi founded by Ramakrishna Hegde. In 2001, Sezhiyan retired from active party politics but continued to write articles in leading English and Tamil dailies and journals on the matter of public importance.

Era Sezhiyan was an outstanding parliamentarian. He was at his best whenever the official language question comes up before the House. His 20-minute speech on this subject was punctuated by as many as 25 interruptions, apart from steady hecklings by protagonists of Hindi. With patience and perseverance, he hunts for government circulars and instructions to support his questions aimed at proving that there is a subtle imposition of Hindi on non-Hindi

speaking states. His speeches in Parliament were published as a book, *Parliament for the People*.

He once said in the Lok Sabha that "Delhi is known to be the graveyard of many empires. Let not... one more graveyard be dug here by this measure," he said during a debate on the anti-secession Bill. When a Congress member said, "Many empires in the South also have gone to the grave," Sezhiyan retorted, "Any empire not representing the people is bound to go that way."

As Chairman of Public Accounts Committee (1971-73), he presented a record number of 96 Reports to Parliament. On a constitutional issue, he won his case in 1974 in Madras High Court against the Union Government.

Era Sezhiyan republished the report of the Shah Commission constituted to go into various kinds of excesses committed during the Emergency under the title 'Shah Commission Report Lost and Regained' in 2010. His recent book "Parliament for The People" received wide welcome from the leaders of all parties and public. It was Sezhiyan and Murasoli Maran who prepared a report on the recommendations of Justice Rajamannar on Centre-State relationships.

Era Sezhiyan was a brilliant student. Parliament Gallery published by The *Hindu* in 1964 described him as a brilliant student of mathematics with statistics as special subject who topped the list in the University examinations. He also held a diploma in French.

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, June 11, 2017 & Posted on Wednesday June 14, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 22  
June 18, 2017

**BJP Strategy for 2019**  
Rajindar Sachar

**The Danger of being**  
**Urjit Patel**  
Mrinal K. Biswas

**Research in India on Finland**  
B. Vivekanandan

**Samajwadi Shikshak**  
**Training Camp - A Report**  
Raushal Heena Anand

Editor :  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## Criterion for Presidents'

**Kuldip Nayar**

THE BharatiyaJanata Party (BJP) cannot hide its anti-Muslim fangs. Instead of building consensus behind the candidature of Hamid Ansari for presidentship, the party has appointed its top three leaders to find a candidate who commands the consent of most political parties.

I cannot understand what is wrong with vice-president Ansari. He has handled the RajyaSabha extremely well and before that he made the Aligarh Muslim University a really thriving academic institution during his tenure as the vice-chancellor. His erudition is beyond doubt and his commitment to secularism is without any blemish.

The non-BJP parties have come together to adopt vice-president Ansari who is acceptable to all parties. It would be embarrassing for him to be the opposition candidate when he is the country's vice-president. Dr Abdul Kalam, former President, was the popular choice of several opposition parties for a second term but had to face a similar predicament before pulling out. So, all that he got was the re-naming of the Aurangzeb Road as Dr Abdul Kalam Road.

The BJP is ultimately going to tick the choice of the RSS. It has indicated that it would keep in mind the secular ethos of the county. But it is neither here nor there because when it comes to selecting a person for the top constitutional post, a Muslim candidate would be far from the thought of the RSS.

It would ultimately depend on Prime Minister NarndraModi to nudge the party to choose a person of his choice. And from the speeches made by the BJP president, Amit Shah, quite clearly indicated that the person thus chosen would be anybody but a Muslim. He has been touring the different parts of the country, including the southern states, and exhorting that the choice of a presidential candidate should be someone who is acceptable to the ruling party.

The two houses of parliament and the state legislatures which comprise the Electoral College suggest that the BJP will have its way. The BJP's appointment of a three-member committee—Rajnath Singh, ArunJaitley and Venkaiah Naidu—who are part of Prime Minister Modi's cabinet, makes it clear that

the party's top leadership will ultimately decide who should go to RashtrapatiBhavan.

Speaker SumitraMahajan, who was initially, supported by the ruling party has been dropped. She is not being considered by either the DMK or the AIADMK. Understandably, the person has to be acceptable to the southern states like Andhra, Telangana, Karnataka, Tamil Nadu and Kerala.

Even L.K. Advani looked like the candidate of the BJP. Probably, the court verdict on Babri masjid demolition may have forced the party to look elsewhere as he has been charged as being a part of a conspiracy to destroy the masjid. Over the years, the rough ends in Advani had been rounded off and he is more like a person who went to Karachi and laid a wreath at the mausoleum of Qaid-e-Azam Mohammad Ali Jinnah.

If one were to look back, controversies between the President and Prime Ministers have not been rare. Of the seven previous presidents, only Dr. Zakir Hussain and Fakhruddin Ali Ahmed left office without any public confrontation. Zakir Hussain, who died in harness, confined himself to scholarly pursuits while Ahmed was one of the most pliable heads of state India has ever had. It was during his tenure that the Emergency was declared and he signed the proclamation without verifying whether it had the Cabinet approval or not.

Prime Minister Jawaharlal Nehru and DrRajendra Prasad had many constitutional run-ins. Dr S. Radhakrishnan had even succeeded in getting defence minister Krishna Menon sacked after India's debacle

at the hands of the Chinese in 1962. In 1967, Radhakrishnan embarrassed the ruling Congress by allowing the Swatantra Party to parade its MLAs in RashtrapatiBhavan to prove their majority in the Rajasthan assembly.

Even V.V. Giri, a prominent trade unionist who was elected with the help of Indira Gandhi, then Congress President, to the presidency, often expressed his reservations over anti-labour legislations. Thus he objected when the Centre wanted to dismiss striking Railway employees. He also registered his protest over the supersession of Supreme Court judges.

Then acting president B.D. Jatti, who succeeded Giri temporarily, proved more assertive. When requested by the Janata government to sign the ordinance dissolving nine assemblies in states ruled by the Congress, Jatti prevaricated, pleading that the Centre had no powers to prematurely dissolve duly-elected assemblies without proper reason. Then Prime Minister Morarji Desai was forced to hold out the threat of his resignation if Jatti delayed the ordinance and the Janata Party even organised angry demonstrations against the President.

Matters hardly improved even after the Janata Party installed Sanjiva Reddy. Reddy and Desai could not get along and the latter prevented the President from going abroad even on ceremonial visits. Reddy, nursing a grouse against the Janata government, made constitutional history when he invited Charan Singh to form a government after Morarji Desai lost his majority in the Lok Sabha. Reddy set yet another precedent when he

dissolved the Lok Sabha on the advice of a prime minister who could not prove his majority. Even Zail Singh installed Rajiv Gandhi soon after Mrs Gandhi's assassination even before he was elected to the parliamentary party. It is another matter that both -Zail Singh and Rajiv Gandhi - were at loggerheads more often than not.

I wish Pranab Mukherjee had utilized his term to erase the decision which he took during the Emergency. He was the right-hand man of Sanjay Gandhi, an extra-constitutional authority. Hence, his name will not go down well in the history. Like his predecessors, he too was mired in controversies particularly when he published a book while in office. He could have waited for his retirement to pen down experience at RashtrapatiBhavan.

Meanwhile, the present government at the centre must explain how secularism can survive when softHindutva is spreading in the country. By elevating Ansari as President the BJP would have assured the people that the country's ethos cannot go astray and do things which do not fit into the idea of India: democratic and secular.

### **Janata Subscription**

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank in favour of

**JANATA TRUST**

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

## BJP Strategy for 2019

**Rajindar Sachar**

Raj Nath, the Union Home Minister, speaking proudly of the achievements of three years of the Modi Government proclaimed, “We have by and large, provided security to the country. India is the second largest country as far as Muslim population in the world is concerned and can say with full responsibility that despite such a large population (of Muslims), the IS has not been able to set foot”.

Frankly it is not clear whether he meant it to be a compliment for patriotism and nationalism of Indian Muslims or was he only praising his security agencies that not with standing such a large population of Muslim his intelligence agencies have been able to control it. I hope it is not the latter because it would be uncalled for and unjustly maligning the Muslim community.

Raj Nath should openly say that the patriotism, nationalism of Indian Muslims is no less than that of any other community including Hindus. And that any one even remotely suggesting otherwise is talking treason, as some of the sickening communal Hindu bodies are doing.

Muslims do not have to show their patriotism on their sleeves — to suggest this would be calumny. In fact, not with standing the provocation from the RSS fanatics, the equanimity shown by Muslims is praiseworthy. If Raj Nath is really keen to keep peace in the country, he needs to persuade Narendra Modi to immediately withdraw the deliberately provocative recent

Animal Slaughter legislation which is being opposed by many states apart from being challenged in the High Courts. The legislation, purporting to be for prevention of cruelty to animals, is a ploy to snatch jurisdiction by the Centre, on a subject of cattle market which, squarely falls within the jurisdiction of State legislation. Even the BJP accepts this, as is clear from BJP State President of Arunachal Pradesh openly announcing that the Centre’s ban on the role of cattle for slaughter could not be binding on those states. The whole of North East is on a boil with this legislation.

Minister of Environment Harsh Vardhan says diplomatically that the government is open to suggestions. This sounds hollow considering that half the States are opposed to this legislation which in reality is a camouflage to appease the Gau Rakshaks and to allow them to spread terror. This legislation has been deliberately brought up by the BJP for further communalizing the situation and also ensuring ruination for poor Muslims who earn their living through these sales.

The atmosphere has been further violated by the installation by RSS Nagpur bosses of Yogi Adityanath as Chief Minister of Uttar Pradesh who already has spread deep fear amongst Muslims in the state, by openly praying at the make-shift Ram Temple near Babri Masjid demolition site — this is deliberately communalising the situation in India which is the election strategy of the BJP for 2019 Elections.

The Prime Minister needs to be reminded of how he described these Gau lovers in August 2016 thus; *“It makes me angry that people are running shops in the name of cow protection....Some people indulge in anti-social activities at night, and in the day masquerade as cow protectors.”*

Modi government is not even making a sham excuse to counter suggestions that its actions are weakening the morale of minorities. In that connection the way Modi has handled the formation of National Minority Commission shows that he only wants to keep a shell. The present Commission has been constituted after remaining vacant for months and that too of five persons comprising one Muslim as Chairperson and others from one each from other minorities. And this also has been done only after the High Court asked the government for response to a writ petition filed before it.

According to Census dated 2011, Hindu are 79.8%, Muslim 14.2%. Thus the rest 6% are other minorities like — Christians 2.3%, Sikhs 1.7%, Buddhists 0.7%, Jains 0.4%, and Parsees. It can’t be denied that the object of National Minority Commission is to create a mechanism which would give confidence to the minorities in India to feel that they have equal stakes in the running of the state and are equal beneficiaries of state programmes. It is hoped that the other two members to be appointed will be Muslims either from amongst

well known academicians or public figures from the community to give some reassurance to the Muslims.

The report of UN Human Right council, Forum on Minority issued on December 14<sup>th</sup>, 15<sup>th</sup>, 2010 has also made some significant recommendations on minorities and their effective participation in economic life, which each country is mandated to follow;

“The Council emphasizes, Consequently, the right of minorities to participate effectively in economic life must be fully taken into account by governments seeking to promote equality at every level. From implementing non-discrimination in employment and enforcing protection laws in the private sector to developing national economic development and international development assistance schemes.”

It is unfortunate that the opposition has not come up with any concrete or specific programme which it intends to fight the 2019 elections. In fact the opposition has become a debating / TV phenomena. It has no specific programme for action. I feel that in the way Congress and other political parties withered away an opportunity which arose from the rising of Dalit forces in Saharanpur speaks ill of their commitment.

There already seems to be a competition between Chief Minister of UP and Modias to who will be greater favourite of SanghParivar after 2019 Parliamentary elections assuming BJP wins the majority. Yogi Adityanath has given a boost to the mischief mobsters posing as GauRakshaks as indicated by UP Director General of Police issuing instructions to all police officers that all involved in cow slaughter should

be booked under National Security Act — a legislation meant to deal with

Jehadi / terrorists. Has BJP lost all sense of balance and proportion?

## The Danger of being Urjit Patel

**Mrinal K. Biswas**

Urjit Patel was declared Governor of Reserve Bank of India on 20 August 2016 and assumed charge as the chief regulator of the country's monetary affairs on 4 September to succeed maverick Raghuram Rajan in the midst of highly secretive discussions followed soon by Prime Minister Narendra Modi's 8 November stunning disclosure of demonetization of 500 and 1000 rupee notes with immediate effect. The new RBI chief kept himself off the scene as far as possible when central government's finance ministry high-ups apparently took charge to alleviate the agonized people's discomforts with a trudging RBI process of remonetization by supply of new 500 and 2000 rupee notes as legal tenders carrying signatures of Urjit Patel.

He carried on as a good ploughman: Faced a parliamentary committee on the demonetization issue, warded off RBI employee union's concerns about the central bank's autonomy and lowered the repo rate even when the note ban was in the offing. The government was happy as erstwhile governor Raghuram Rajan's intransigence on relaxation of banking interest rate persisted too long. Urjit Patel seemed to be pliable in the new scheme of things by cutting down repo rate to 6.25 per cent at the first meeting of monetary policy committee (MPC) on 4 October last year, a month before demonetization. But Urjit Patel's unexpected turn-about on 7 June this year was too emphatically

demonstrated when he chaired the MPC and decided against any further tinkering with repo rate, with one dissenting note.

MPC was the central government's ploy to influence repo rate which is the rate at which RBI lends short term funds to commercial banks when they have a sudden shortfall. The repo rate is actually the benchmark rate for the banking system as lenders to determine, revise their lending rates for trade, industry and business. They prefer low interest rates to access cheap money and reversely resent higher rates as money becomes dearer to avail themselves of it from financial institutions.

MPC was constituted last year for the first time in 82 years of RBI history before which the Governor was the sole authority to fix repo rate. MPC now comprises six members including three nominated by the finance ministry. Governor being the MPC chairman RBI deputy governor Vishal Acharya and executive director Michel Patra have been in the committee from the central bank. It was external member Rabindra Dholakia who demurred on continuing with 6.25 per cent repo rate and wanted revision downwards.

There were some twists and turns before Urjit Patel stuck to present rate even by ignoring clear signals from finance minister Arun Jetley to lower this benchmark. Governor

asserted his authority by seeing to it that MPC members at his behest declined to attend a meeting with finance ministry officials ahead of the RBI decisions on rates. He was reported to have tersely said, "the meeting did not take place. All the MPC members declined the request of the finance ministry for that meeting." RBI autonomy secured? Let us wait and see.

It was perhaps not the first time RBI Governor waded a different path than following a track indicated by the government at centre. Raghuram Rajan preferred to unseat himself from the chair than succumbing to government pressures. Ex-governor Duvvuri Subbarao wrote down in his book *Who Moved My Interest Rate* narrating how the then exasperated finance minister P Chidambaram pushed hard against RBI and how his ministry officials outflanked RBI in various ways. Because Subbarao would not bend and cut interest rate.

This time the finance ministry was not ready for a pugnacious Urjit Patel, soon after his signature samples in English and Hindi were added to the newly designed 500 and 2000 currency plates in dramatic circumstances followed by his cutting down interest rate a month before demonetization.

The government smarting under GDP growth falling to poor 6.1 per cent in January-March quarter wanted desperately to trigger the economy with lower than 6.25 per cent repo rate and encouraging the business go in for credit off takes freely. Urjit Patel remembered what his predecessor Raghuram Rajan said before departing, "the central bank serves the economy and the

cause of growth by keeping inflation low and stable." He repudiated the notion of a trade-off between growth and inflation. According to him, growth vs. inflation debate is not relevant. Earlier Duvvuri Subbarao had said while the business of growth with low interest rate was aired too loudly the consequent effect of inflation was conveniently forgotten. This was bound to give push to upward price-spiraling causing sufferings to overwhelming silent majority.

In the current situation the wide

spreading farm loan waivers and increasing number of non-paying up bank loans has created a big pent up inflation situation. This is a big debt bomb indeed. Urjit Patel is seemingly not impressed by retail inflation falling to 2.99 per cent in April from 5.47 per cent a year back. So he stays put with 6.25 per cent repo till August. He poses a danger as evident from government chief economic adviser Arvind Subramanian's statement saying inflation forecast errors by RBI has been large and systematically one-sided in overstating inflation.

## Privatization of Railway Stations

Whether traveling or transporting goods, Indian Railways is the lifeline of the whole country. This is one of the largest railway services in the world. The British used railway for the economic exploitation of India and the strengthening of its empire.

The creation and extension of rail service in independent India was aimed at strengthening the country's contact system, economy and military system. In the construction of Indian Railway Service, the country's most valuable resources and labour are spent.

For the last few years the ruling class has been trying to privatize the railway. But railway unions have raised their voices against it. The present BJP government has cleared the intention to privatize the railway by initiating the sale of railway stations in private hands.

The Socialist Party of India has decided to launch an awareness campaign against this anti-constitutional and anti-people

decision of the government. Under this campaign, the workers of the party will explain the reality of the arguments given to the citizens in favour of the privatization of the railway by the ruling class.

The campaign will start from Delhi on June 22. On that day the Socialist Party, Delhi Pradesh will conduct 'Save Indian Railways' march from Mandi House to Jantar-Mantar. After that, all state units will organize programmes in their respective states. The party will hold a national convention on this issue with Hind Mazdoor Sabha.

**Dr. Abhijit Vaidya**  
Spokesperson, SPI

**Janata**

is available at

[www.lohiatoday.com](http://www.lohiatoday.com)

## Research in India on Finland\*

B. Vivekanandan

Finland has bewitched me ever since I met its outstanding Social Democratic Prime Minister, and world statesman, Kalevi Sorsa, in July 1985, at his residence 'Kesaranta' in Helsinki. Mr. Sorsa was a symbol of goodness in Finland. For the first time in my life, I saw a Prime Minister residing in a house, with its entry gate wide open, with no security guard around, even to keep an eye on a foreign visitor, who was going in, with a brief case in hand, to meet the Prime Minister. That openness, his warm reception, and his thoughtful responses to my questions, marked the beginning of a long-lasting warm relationship between us. As a result, on my invitation, Mr. Kalevi Sorsa graciously visited India, in November 1995, and inaugurated an International Seminar on Social Democracy, at Jawaharlal Nehru University, in New Delhi. In 1997, he wrote a scintillating 'Foreword' to my book, *International Concerns of European Social Democrats*. As a mark of my deep respect for him, in 2000, I dedicated my book, *Building on Solidarity: Social Democracy and the New Millennium*, to Mr. Kalevi Sorsa. Indeed, Mr. Sorsa cemented my close relationship with Finland, which, after his death, is being continued by my other dear Finnish friend, Prof. J. P. Roos, of the Helsinki University.

At the outset, I may mention that, Finland was not a focal point of study and research in India, until I joined

the faculty of the West European Studies Division of the Jawaharlal Nehru University, and decided to widen my academic interest to the Nordic region. I took the initiative in that direction in mid-1980s, offered a post-graduate-level course, on "Social Democrats of Western Europe", in Jawaharlal Nehru University, and made "Social Democrats of Finland", as a part of that. It was in that context that I came to Finland in 1985, and researched various facets of Finland's Social Democratic Party.

The canvas of my study at that time was very wide. It encompassed the ascendancy of the SDP in Finland's political arena, the evolution of its principles and programmes, its organisational set-up, its relationship with trade union confederations like the SAK, and TVK its relationship with its affiliates like the Social Democratic Youth (SNK) and the Social Democratic Women. It also encompassed the SDP's role in building up the Consumer Cooperative Movement in Finland, in the activities of the Workers' Educational Association, and in the International Solidarity Foundation. In addition, my study included the SDP's role in the permeation of the idea of equality at all levels of the Finnish society, and in the restructuring of the Finnish society on egalitarian lines, by building up coalitions with other parties around significant reforms, like the establishment of the Welfare State System in Finland. The study

enveloped also the SDP's electoral performance during the 20th Century, and the impact of Collective Agreements between Employers' and Employees' organisations, which has reduced the possibility of strikes in Finland. Another facet of SDP which I deliberated was the Party's foreign policy perspectives, based on the Paasikivi-Kekkonen line of neutrality, and the role it played in the Socialist International.

Indeed, my study and research on the SDP, enabled me to understand the texture of politics in Finland. For the completion of this study, I made another visit to Finland in 1989. My book, *Pathfinder: Social Democrats of Scandinavia*, published in 1991, contains the outcome of my research on the Finnish SDP.

## II

In subsequent years, I have widened my research and also studied its Welfare State System. Fundamentally, this study was about people's day-to-day life, vis-a-vis the government's responsibility in it.

Finland's advanced Welfare State System, which gives social protection for everyone in the country, always fascinated me - its pillars like the full-employment policy, steeply progressive taxation system, a strong, benevolent and resourceful, democratic state, endowed with the authority to regulate the economic and social life of people, and a dominant public sector.

\* Keynote speech at Indo-Finnish joint seminar, May 2017

I examined the Finnish Welfare State System in the context also of various challenges it faced, like Finland's economic crisis in 1990s, the Globalisation-Liberalisation-Privatisation drive, and Finland's drive for obtaining eligibility to become a member of the European Union and the Euro-Zone.

The study also included the ethical urge of the Finnish Welfare State to reduce income disparity and elevate the quality of life of the underprivileged, and its visionary strategy, aimed to minimise the adverse impact of unemployment, sickness, homelessness, and other unpredictable developments, which would impede people's quality of life.

The economic crisis in Finland in early 1990s, had a debilitating effect on the welfare state system in the country. And, I found that this avoidable economic crisis was put on course partly by thoughtless piecemeal steps taken by some Finnish administrators to strengthen Finland's eligibility to become a member of the European Union, and partly by the structural changes made in Finland's economy to integrate itself with the global economy through liberalisation and privatisation, which were inimical to the functioning of Finland's Welfare State System. The financial deregulation policy was the last straw that broke the camel's back. Cumulatively all those unwise moves had weakened Government's control over the State's economy and finance, and its ability to administer the Welfare state. I have dealt with the issue in depth in my article, published in 2012, in India's journal, *International Studies*.

This crisis caused a sudden rise in unemployment in Finland - from

3.5 per cent in 1990, to 20 per cent in 1995. It caused the widening of inequality in the country, and a change in the pattern of State funding of the Municipalities. The earmarked matching grant system to Municipalities, was replaced by a Block Grant system, which was considered retrograde. There was a horizontal squeeze on all welfare state provisions. But, notably, there was no total withdrawal of any welfare or social security provisions, in Finland despite the economic crisis.

Though the Welfare State System in Finland has survived the economic crisis of 1990s with limited damages, there are still other potential challenges to it. The potential challenge, from an intrusive European Union bureaucracy in Brussels, to the Finnish welfare state system is still a strong one, because, basically, the EU is not a pro-welfare institution. It is essentially, pro-market and pro-profit. It may be noted that, during the EU referendum in Finland, the focus was mainly on agriculture and foreign policy, and not on social policy. It was assumed, at that time, that social policy would remain exclusively in the national domain, under EU's Subsidiarity principle. But, that assumption is eroding. If European Union's tax policy gets attuned to reduction of tax-base of member states, it would deplete Finland's Welfare State System's resource base. Finland's joining the Euro-Zone has weakened the position of the Bank of Finland vis-a-vis the European Central Bank, in Frankfurt, in the management of Finland's financial sector. Moreover, Globalisation has caused a general erosion of fiscal policy autonomy of the State of Finland, which is important for successful functioning

of the Welfare State System.

In the social map of the world, Finland occupies an exalted position, because of the advanced welfare state system in the country. It provides an impressive model for human development in the world, which radiates inspiration for other countries to emulate. It is imperative to preserve that position of Finland in World's social map.

There are several other Indians too, doing research on Finland. One of them is my former student at JNU, Sanal Edamaruku, President of the Rationalist International, who is doing research on Finland's Educational System and the Status of Religion in Finland. His book on the History of Religion, Conscience and Tolerance in Finland, is expected to be published later this year. Another on-going research is on the Health Care sector of Finland's Welfare State System, by Dr. Ritu Priya, Professor of Social Medicine and Community Health in Jawaharlal Nehru University. At the same time, I am aware that well-known Finnish scholars like Professor Anna Rotkireh, Professor Minna Saavala and Dr. Kaari Mattila have done notable research on Indian families. The list of paper presenters at this Seminar, from Finland, shows that many other Finnish scholars are also engaged in research on India.

### III

And, finally, the question is: How do such studies and researches matter in the relationship between India and Finland? It is my conviction that long-lasting and healthy relationship between countries can be built up only on the basis of informed mutual understanding. Academics in Universities have a

key role to play in building up this understanding through their studies and research on society, politics and cultural ethos and habits of potential friends. I am very proud to have played a pivotal role in ensuring Finland has highervisibility in academic discussions in India today.

In India, discussion on the Welfare State System is catching up in a

significant way. When I convened an International Seminar on the Welfare State System in the World, at Jawaharlal Nehru University, New Delhi, in April 2001, Finland was represented by two outstanding Finnish scholars — Prof JP Roos and Dr. Jukka Pekkarinen. The Finnish and Swedish models are reference points in these discussions. I have seen some Indian newspapers

writing editorials in support of the establishment of a welfare state system in India, citing the Scandinavian example, including the Finnish example. People take note of the Finnish model, when they find Finland among the top ten in the Human Development Index. I will always endeavour to bring India and Finland closer, by promoting understanding of each other.

---

## Ken-Betwa River Link to Cut 2 Million Trees

**Bharat Dogra**

Trees are our precious resource, each and every tree needs to be nurtured and protected. Not a single tree should be cut unless it can be clearly shown that there is some overwhelming need for it. This was always true, but in times of climate change this is even more important than before. It is equally true that the destruction of trees in natural forests can never be fully made up by plantations that are raised in the name of compensatory afforestation.

So clearly there is a need to protest if one sees that there are plans to cut nearly 18 lakh trees for implementing the Ken-Betwa River Link Project, a project which has been publicized as India's first river-link project and whose rationality has been widely questioned for a host of different reasons. Some other estimates mention a higher number of affected trees.

The viability and desirability of the proposed aim of transferring water from Ken to Betwa river with the help of a dam and 250 km. canal has been questioned from day one, as also the unnecessary displacement of people of several villages and the

endangering of the habitats of several threatened animals and birds including tiger, gharial and vultures.

What is more this is the first in a series of several river-link projects which taken together as a whole have been criticized as being disastrous for our rivers, environment and people by many independent experts.

On May 2 a letter signed by 30 experts and activists was sent to the Union Minister of Environment and Forests, registering a strong protest against this project and the arbitrariness involved in its implementation. This letter says, "The project has been plagued by sloppy, intentionally misleading and inadequate impact assessments, procedural violations and misinformation at every step of the way."

The signatories to this letter include Dr. Bhartendu Prakash, the author of two extensive studies on the water-resources of Bundelkhand region and Himanshu Thakkar, Coordinator of South Asia Network of Dams, Rivers and People who has written innumerable reports and

letters on the issue of river-links. The signatories also include Amita Bavaskar, former member of Forest Advisory Committee and EAS Sarma, former Secretary, Govt of India.

This letter says that basic information about the water availability in the two rivers has not been made available and other basic information has been held back from project affected people. The project has been pushed in the name of helping people of Bundelkhand but on the one hand it involves transferring water from Bundelkhand to Upper Betwa region and on the other hand its adverse impact on groundwater recharge in the downstream areas of Bundelkhand region is being ignored.

This letter whose signatories include wild life experts also expresses serious concern about the very adverse impacts of this project on Panna Tiger Reserve and Ken Gharial Wildlife Sanctuary. It is indeed a cruel irony that on the one hand tribals are being evicted for such wild life

*(Continued on Page 15)*



# How the ‘ChaturBaniya’ May Yet Save Us All

Sarim Naved

Grappling with the possibility that your life’s work has been a failure must be a terrible state to be in. Imagine that you’re Mohandas Karamchand Gandhi and you have devoted your life to ahimsa, to questioning the hegemony of the modern industrial world, to communal peace and to the end of untouchability. Now imagine that you’re in 1947, when ahimsa and communal amity are being rejected so savagely that you’re forced to question whether the freedom struggle had really been non-violent as you had thought? Your chosen successor does not see eye to eye with your idea of an India based on a model of empowered self-governing villages, and caste-based discrimination, despite all your efforts, is as entrenched as ever.

This was the reality faced by Gandhi from 1945-1948, the period covered in Sudhir Chandra’s *Gandhi: An Impossible Possibility* (translated into English by Chitra Padmanabhan). Concentrating on what was the most trying time of his life, the book presents Gandhi in a light which our hagiographies often ignore.

In popular imagination Gandhi is seen as a cocksure idealist — a man who is so cocooned by his belief in his ideals that he is beyond the pale of any self-doubt. Historians may know better but it is fascinating, as a lay reader, to come face to face with a Gandhi who realises that the freedom movement led by him had never actually adhered to ahimsa, but only to passive resistance masquerading as ahimsa. As Gandhi

himself noted, “There was a time when everyone believed in Gandhi because Gandhi showed them the way to combat the British.... At that time the purpose seemed more achievable through ahimsa, so Gandhi was much in demand. No one had taught us how to make the atom bomb then. If we had possessed that knowledge then we would have seriously considered obliterating the British with it. But since no such option was available, I was accepted and my authority prevailed.”

This is a Gandhi who travels to Noakhali in 1946 to give strength to the Hindus against whom violence has been unleashed by Muslims. He goes in the midst of people to “reason with them and create such circumstances that would prompt Hindus and Muslims to begin living on good terms with each other again”. He tries to control the riots in Bihar that follow soon, where violence has been unleashed by Hindus on Muslims. As independence approaches, the people whom he has led during the freedom struggle no longer seem to have much use for his leadership or message. He is perceived as a dreamer, unaware of the ‘real’ world. He finds his connection with the people is weaker. They no longer listen to him.

It is at this point that the strength of Gandhi, the leader, asserts itself in a wholly unexpected manner. On the eve of independence he decides to go to Noakhali. It is a symbolic statement that unless mutual hostility ceases, freedom would never be secure. When he reaches Calcutta,

he is begged by the city’s Muslim leadership, which till recently had derided him as only a Hindu leader, to stay and ensure calm in the city. Gandhi extracts a promise from them that he would stay in Calcutta if they ensured that no harm would come to the Hindus of Noakhali where he was bound.

It is an extraordinary moment. In Calcutta, Gandhi faces irate mobs, reaches out to Huseyn Shaheed Suhrawardy — the man who had been responsible for the ‘great Calcutta killings’ of 1946, who now finds the courage, in Gandhi’s company, to admit to a crowd of angry Hindus that it was he who had been responsible for the Calcutta killings. The tension breaks. People of both communities come together on August 15, 1947. But this calm is broken violently two weeks later and Gandhi goes on a fast unto death. Young volunteers go out and try to stop the violence. Some even lose their lives while doing so. In the end, the ‘miracle of Calcutta’ is achieved and Gandhi breaks his fast. The dark moment when a bloodbath seemed imminent has passed.

Interestingly, this narration is not intended to make Gandhi seem like a great leader who was always sure of his method and achieved his objective. Rather, a study of his actions and his concerns in those days convey a deep sense of helplessness. Yet, he perseveres. Chandra dwells on moments when Gandhi “was surrounded by an impenetrable darkness”. In 1946 he tells noted anthropologist N.K. Bose,

his interpreter and Bangla tutor in Noakhali, that his “body just gives way”, admitting that his mind had never before been so hazy. Gandhi, Chandra writes, was “overcome with a weariness of body and spirit”.

What is of note is the fact that Gandhi, in the final years of his life, while fighting the same battles that he has fought all his life, seems to be doing so only out of conviction, with no great hope that people would listen to him. The fact that he succeeds in Calcutta and in his final Delhi fast surprises him more than anybody else. This is a man who acts despite grave risks to his safety and his health, not because his idealism makes him feel secure but because it leaves him so vulnerable that he has no option but to follow his convictions.

It is the vulnerability of this frail old man that is so moving. If it moves you as a reader separated in time from the man by about seven decades, then one can imagine the effect on those living at that time and subject to this emotional onslaught from a man who bewilderingly and repeatedly asked them to rise above themselves.

Gandhi, the tallest leader that this country has had, presents a very interesting quandary regarding the role of a leader and his relationship with his people. If the role of a leader is to lead, the question of trust does not arise. They are to be told what is good for them and are to be persuaded to act accordingly. If, however, a leader chooses to listen, to observe and to engage with his people, does he cease to lead? Does he become less of a leader because he feels “each one must look at oneself, without worrying whether others are looking at themselves”, thereby asking them to recognise the

possibilities in themselves?

Gandhi chose to inspire, not lead. This fragile republic, which rests and struggles to survive on the ideas of Gandhi and Jawaharlal Nehru, would do well to remember that. If India, which was not given a great chance for survival after its tumultuous experience of independence and partition, still stands, it is not because of force of arms or feat of diplomacy but because there was a sense of a moral consensus that this country chose to abide by. Regardless of the passions that led people to commit unspeakable crimes in those days, they came around to Gandhi’s way of thinking, moved by the sheer force of his will. This, then was a moral consensus presented by Gandhi who never, despite all his weariness and doubts about being able to convince people to see reason, let go of his convictions.

It is, perhaps, the intuitive understanding of this politics of morality that has kept this country together, despite many travails. It is also this very politics of morality that promises a way out of the state that India finds itself in today.

By morality one does not mean the present-day conception of moral judgements passed on individuals to define acceptable and unacceptable modes of behaviour. This kind of morality is limiting. It tries to fit a person into a box. There is a larger political morality, however, which seeks to liberate. The beauty of this political morality is that it need not promise riches or power, it only needs a message that everyone will be safe and will be cared for. It is the most basic message a democracy can convey to its citizens.

Political morality is a function of

deep-rooted personal convictions. It defines the parameters of acceptable and unacceptable behaviour in public life. Derision of this kind of morality leads us to the situation we are in, when lies become ‘post-truth’ and leaders are as likely to be celebrated for their powers of manipulation as their governance.

It is not surprising that people, not only in India but all over the world, seem to be flocking to leaders who intend to challenge this lack of political morality. Seen widely across Europe, it became even more apparent in the US, where the people chose to trust a person totally untested in politics just because he represented a break from the vacuous politics that had so become the norm. India is clearly no stranger to this phenomenon.

Often, it is not what the leader believes that moves people, but it is the strength of that belief. This is not what democracy is, or should be about. Democracy needs to be a dialogue between the leader and the ‘led’, neither of them perhaps fully understanding the other but also without having any contempt for each other. Contempt by the government for the governed, or vice versa, can be fatal to democracy.

In times of fear and insecurity, much of it manufactured, it is only a politics of morality that can come up with an appropriate response. A politics of morality that even if it is not pegged to high ideals such as ahimsa, speaks of enabling people to have an orderly civic existence, go about their lives normally. In his last days, Gandhi, known as Mahatma to many and as a ‘chaturbaniya’ to some, saw this as his message and contrary to his own fears, may yet save us all. —*The Wire*

# Samajwadi Shikshak Training Camp - A Report

We the Socialist Institutions organized a unique four days national level camp for teachers working in socialist educational institutions. The camp was conducted from May 31' 17 to June 3' 17 at Yusuf Meherally Center, Tara (Panvel) in Maharashtra. A total of 50 teachers from various states attended the camp.

## Background

*We the Socialist Institutions* was formed with the blessings of Bhai Vaidya at the National Conference of socialist institutions at Tara in September 2015. It is committed to bringing together on a common platform socialists of all hues to face the current challenges in our country.

At one of its meetings in Pune, it was decided to organize a meeting of socialist educational institutions on March 18, 2017 at Yusuf Meherally Center, Tara. A detailed agenda was worked out in a meeting during the All India Socialist Youth Conference in January 2017. The meeting was presided over by G G Parikh and attended by Manju Mohan, Dr. Sunilam, Shahid Kamaal, Neeraj Jain, Sadashiv Magdum, Sushila Morale, Dr. Sukan Baranth, Rajabhau Avasak, J S Walia and others.

The March 18 meeting was attended by prominent socialist educationists from all over the country. The following questions were raised and discussed:

- How are the Socialist run institutions different from other educational institutions?
- To what extent are these

institutions inculcating socialist values among the students studying in their schools and colleges?

- How committed are the teachers in these institutions to spread the socialist culture?
- If socialist institutions are not very different from the conventional institutions, what should be done to transform their character?

After much discussion, it was decided to conduct a training workshop for teachers teaching in various socialist institutions throughout the country. Yusuf Meherally Center, Janata Trust, Rashtra Seva Dal and Lokayat took active part in organizing the camp.

## Why this Training Camp?

Socialists have done a lot of work in the field of education in the past several decades. This training camp was conducted to address the teachers associated with socialist institutions. It comprised high quality sessions by experts on the need for socialism in today's context, its various facets and techniques to impart socialist values in classrooms. Another aim of the camp was to demonstrate to participating teachers how we can use constructivism (*gyan-rachnawad*) in classrooms.

This training camp should also be seen as the first step of our endeavour towards building a strong network of teachers who are willing to walk together on the path of

socialism and transforming their students and parents community.

## Participation

The camp drew a fantastic response with about 50 teachers participating from various samajwadi schools in Gujarat, Maharashtra, MP and Karnataka.

The inaugural session was attended by socialist leaders like Allauddin Shaikhji, Sadashiv Magdumji, Matin Diwanji, Subhash Ware, Neeraj Jain and others.

## Sessions & Activities at the Camp

### Day 1

The camp started with a well delivered orientation speech by **Subhash Ware**. He presented a brief outline of the various challenges that face our country and the significance of socialist thought. He also spoke about how teachers should think about social issues and contribute in spreading socialist values by their thought and actions. He argued that the teacher has a higher responsibility than any other professional because the teacher is responsible for shaping the mindset of the entire generation. He talked about the provisions of social equality, justice and education in the Constitution. He also briefly touched upon the provisions about education which were not sanctioned by the parliament while passing adopting the constitution.

**Anjali Chipalkatti**, a science popularizer associated with the organization ThinQ (Pune), facilitated the first session on

scientific thinking, rational thought and critical questioning. She provoked the participants into questioning basic science textbook facts that we all take for granted. For instance, she asked the participants to come up with a few models of how we could arrange the sun and earth in order to keep the pattern of days and nights unchanged. Next she asked them to prove why they thought their model would work. The emerging discussion made everyone realize how easily we believe facts from our textbooks without giving them much thought. Later in her session, she made the participants make simple helicopters from strips of paper and observe the change in its flight by changing the design. The session made teachers think about science in a different way.

## Day 2

On the second day of the camp, **Prof. Apoorvanand Jha**, a professor of Hindi from Delhi University, spoke about the meaning and purpose of education. He went on to discuss the concept of nation and nationalism, and emphasized on the need to understand the difference between education to make a good human being and education to make a good citizen. He also talked about the need to promote secular values in schools and classrooms.

There were many activities interspersed between the various talk sessions delivered by Prof Jha. One of the activities was to expose the true face of the Skill India & Make-in-India programmes. This was an exciting activity in which all the participants were arranged as groups of *labourers* working at several floors in a mobile handset manufacturing unit. They were to

pass a brick to the adjacent person as if working on an assembly line. The *labourers* had to match the speed of passing the bricks with the beating of a drum. It was a simulation of work in a factory which made the participants realize the plight of workers. After the work was over, the workers had to make several price tags to be put on the mobile handsets. Once this was over, the workers were given their wage. This was done in such a way that exposed the true nature of transfer of wealth from the poor workers to the rich owners!

Another activity was to introduce the NaiTalim thought process among the teachers. The participants were again split into groups and given an object each, for instance a cup of tea or a waist belt. Their task was to enlist as many topics and subjects that could be taught using the objects and to come up with as many questions as possible regarding their object.

Apart from these activities, several *cooperative games* were introduced to the teachers, which promote collaborative spirit rather than competition among students. The games were well received by teachers and many went on playing them even after dinner.

## Day 3

The third day started with an awe-inspiring session by **Rupesh Gesota**, who is an engineer-turned-teacher in Mumbai. He works with students of a municipal corporation school on building mathematical reasoning and logical thinking. His session, *Let's Play Maths*, was appreciated by all teachers as he introduced the technique of exploring and learning maths through games.

He emphasized on challenging students and making them think about various concepts rather than giving simple explanations. He showed several tricks which could be worked out using mathematical equations and made the teachers arrive at the correct reasoning for each trick. Many teachers were engrossed in the tricks and their solution in their free time before and after dinner as well.

The afternoon session was conducted by **Simantini Dhuru**, who is activist and cinematographer from Mumbai. She is also associated with the Aveshi Abacus Project, which works with municipal schools across Mumbai on promoting a spirit of social justice among students, teachers and parents. In her session, she discussed about the use of storytelling as a powerful medium to interact with students and make them analyze the world around them. Later in her session, she also exposed government policies on education like the RTE Act of 2009 and the recent National Policy on Education.

## Day 4

The last day of camp had only one session, the morning session. It started with the screening of and discussion on two short animation films on the destruction of environment and the impact of modern school system on children.

After discussion on films, the teachers worked in groups to work out ideas and strategies to inculcate socialist values like scientific temperament, gender equality, secularism and environment consciousness among students and other teachers. The suggestions

prepared by teachers are as follows:

- Economic Disparity
- Secularism
- Gender Equality
- Environment Awareness
- Suggestions to inculcate Scientific Temperament

### **Outcome of the Camp**

The camp proved to be quite successful as was evident from the feedback from teachers as well the kind of bonding and sense of comradeship developed among teachers. Many teachers expressed their willingness to form a platform of teachers in their own network to work on common goals.

### **The Road Ahead**

This teacher training camp was a good beginning. Unfortunately, there was little participation from outside Maharashtra and Yusuf Meherally groups, and in that sense there was not much success. It is now time that we realise the need to take this initiative ahead in our own regions. As a follow-up of this camp, we are in the process of planning some activities and programs in schools from Bhandup, Panvel and Pune.

This project requires repeated interactions with teachers, monitoring their progress, giving them more ideas, working with them to solve problems and so on. For this we will require activists who can be trained to participate in this initiative. We must put in efforts and our resources to form a dynamic network of socialist activists and teachers across various states.

—*Raushal Heena Anand*

## **Growing Authoritarianism, Majoritarianism**

We are a group of retired officers of All India and Central services of different batches, who have worked with the Central and state governments in the course of our careers. We should make it clear that as a group, we have no affiliation with any political party but believe in the credo of impartiality, neutrality and commitment to the Indian constitution. A sense of deep disquiet at what has been happening in India has prompted us to write this open letter to chronicle our reservations and misgivings about recent developments in the body politic. What has gone wrong?

It appears as if there is a growing climate of religious intolerance that is aimed primarily at Muslims. In Uttar Pradesh, in the run-up to the elections, an odious and frankly communal comparison was made between the relative number of burial grounds and cremation grounds. The question was also asked as to whether electricity was being supplied equally to different communities during their religious festivals. All this, without any basis in fact or evidence. The banning of slaughter-houses targets the minorities and affects their livelihoods as well. Such intolerance breeds violence in a communally charged atmosphere — even to the extent of a local leader in UP provoking an attack upon the residence of a superintendent of police, whose family was terrorised.

Vigilantism has become widespread. An Akhlaq is killed on the basis of a suspicion that the meat he has is beef and a Pehlu Khan is lynched while transporting to his

place two cows he had bought and for which he had the necessary papers. Nomadic shepherds are attacked in Jammu and Kashmir on some suspicion as they practice their age-old occupation of moving from one place to another along with their cattle and belongings.

Gau-rakshaks function with impunity and seem to be doing so with the tacit complicity or active encouragement of state machinery. Punitive action against the perpetrators of violence does not take place promptly but cruelly, the victims have FIRs registered against them. The behaviour of vigilantes — who act as if they are prosecutor, judge and executioner rolled into one — flies in the face of law and jurisprudence. These actions undermine the rule of law and the Indian constitution since only the state — through its various organs and institutions — has the power to enforce the law.

Vigilantism has become popular as ‘anti-Romeo’ squads threaten young couples who go out together, hold hands and are perhaps in love with each other. A thinly-veiled effort to prevent a Hindu-Muslim relationship or marriage, there is no justification in law to harass these couples, particularly when there is no complaint from the woman of being ill-treated.

Student groups and faculty members on campuses like Hyderabad and JNU, who raise troubling questions about equality, social justice and freedom, are subject to attack by the

administration, with a supportive government to back them. In Jodhpur, a planned lecture by a renowned academic was cancelled under pressure and the faculty that organised the event subjected to disciplinary action. What happened in Jodhpur has happened at other institutions as well. Argumentation and discussion about different perspectives — the life-blood not only of institutions of learning but of democracy itself — are being throttled. Disagreement and dissent are considered seditious and anti-national. Such attitudes have a chilling impact on free speech and thought.

Several reputed NGOs and civil society organisations are being charged with violating the provisions of the Foreign Contribution (Regulation) Act and the Income Tax Act. While we agree that genuine violators should be identified and penalised, we note with dismay that several of the targeted groups are those who have taken stands against government policies, expressed dissent or supported communities in cases against the state.

We are also seeing an ugly trend of trolling, threats and online intimidation of activists, journalists, writers and intellectuals who disagree with the dominant ideology. How does this square with free speech?

There is a growing hyper-nationalism that reduces any critique to a binary: if you are not with the government, you are anti-national. Those in authority should not be questioned — that is the clear message.

In the face of a rising authoritarianism and majoritarianism,

which do not allow for reasoned debate, discussion and dissent, we appeal to all public authorities, public institutions and constitutional bodies to take heed of these disturbing trends and take corrective action. We have to reclaim and defend the spirit of the Constitution of India, as envisaged by the founding fathers.

-Vivek Agnihotri, IAS (Retd.), former Secretary General, Rajya Sabha; S. Ailawadi, IAS (Retd.), former Chairman, Electricity Regulatory Commission; P. Ambrose, IAS (Retd.), Additional Secretary, Ministry of Shipping and Transport, GoI.; Ishrat Aziz, IFS (Retd.), former Ambassador to Brazil; Balachandran, IAS (Retd.), former Additional Chief Secretary, Govt. of West Bengal; Balachandran, IPS (Retd.), former Director General of Police and Chairman, Tamil Nadu Police Housing Corporation, Govt. of Tamil Nadu; Balagopal, IAS (Retd.), former Resident Representative, UNICEF, North Korea; SundarBurra, IAS (Retd.), former Secretary, Govt. of Maharashtra; Chandramohan, IAS (Retd.), former Principal Secretary, Urban Development and Transport, Govt. of NCT of Delhi; Kalyani Chaudhuri, IAS (Retd.), former Additional Chief Secretary, Govt. of West Bengal; Anna Dani, IAS (Retd.), former Additional Chief Secretary, Govt. of Maharashtra; Vibha Puri Das, IAS (Retd.), former Secretary, Ministry of Tribal Affairs, GoI; Surjit K. Das, IAS (Retd.), former Chief Secretary, Govt. of Uttarakhand; Keshav Desiraju, IAS (Retd.), former Health Secretary, GoI; G. Devasahayam, IAS (Retd.), former Secretary to Govt. of Haryana; P. Fabian, IFS (Retd.), former Ambassador; Bhaskar Ghose, IAS (Retd.), former Secretary, Ministry of Information and Broadcasting, GoI;

Hirak Ghosh, IAS (Retd.), former Principal Secretary, Govt. of West Bengal; Meena Gupta, IAS (Retd.), former Secretary, Ministry of Environment and Forests, GoI; Ravi Vira Gupta, IAS (Retd.), former Deputy Governor, Reserve Bank of India; Wajahat Habibullah, IAS (Retd.), former Secretary, GoI, and Chief Information Commissioner; Deepa Hari, IRS (Resigned); Vivek Harinarain, IAS (Retd.); Sajjad Hassan, IAS (Retd.), former Commissioner (Planning), Govt. of Manipur; K. Jaswal, IAS (Retd.), former Secretary, Department of Information Technology, GoI; N. Kakar, IAS (Retd.), former Additional Secretary, Ministry of Surface Transport, GoI; John Koshy, IAS (Retd.), former State Chief Information Commissioner, West Bengal; Dharendra Krishna, IA&AS (Retd.), former Financial Controller, Irrigation Department, Govt. of Uttar Pradesh; Ajai Kumar, Indian Forest Service (Resigned), former Director, Ministry of Agriculture, GoI; Arun Kumar, IAS (Retd.), former Chairman, National Pharmaceutical Pricing Authority; Brijesh Kumar, IAS (Retd.), former Secretary, Department of Information Technology, GoI; Harsh Mander, IAS (Retd.), Govt. of Madhya Pradesh; Lalit Mathur, IAS (Retd.), former Director General, National Institute of Rural Development, GoI; Sonalini Mirchandani, IFS (Resigned); Sunil Mitra, IAS (Retd.), former Secretary, Ministry of Finance, GoI; Deb Mukharji, IFS (Retd.), former Ambassador to Nepal; Ruchira Mukerjee, P&T Finance Accounts Service (Retd.), former Adviser, Telecom Commission, GoI; Anup Mukerji, IAS (Retd.), former Chief Secretary, Govt. of Bihar; Pranab Mukhopadhyay, IAS (Retd.), former Director, Institute of Port Management, GoI; Nagalsamy,

*IA&AS (Retd.), former Principal Accountant General, Tamil Nadu and Kerala; Hari Narayan, IAS (Retd.), former Chairman, Insurance Regulatory Authority, GoI; AmitabhaPande, IAS (Retd.), former Secretary, Inter-State Council, GoI; Niranjan Pant, IA&AS (Retd.), former Deputy Comptroller and Accountant General of India; AlokPerti, IAS (Retd.), former Secretary, Ministry of Coal, GoI; K.R.Punia, IAS (Retd.), former Principal Secretary, Govt. of Haryana; R. Raghunandan, IAS (Retd.), former Joint Secretary, Ministry of Panchayati Raj, GoI; K. Raghupathy, IAS (Retd.), former Chairman, Staff Selection Commission, GoI; Babu Rajeev, IAS (Retd.), former Secretary, GoI;*

*Ramani, IAS (Retd.), former Director General, YASHADA, Govt. of Maharashtra; Julio Rebeiro, IPS (Retd.), former Adviser to Governor of Punjab and Ambassador to Romania; SayeedRizvi, IAS (Retd.), former Joint Secretary, Ministry of Environment and Forests, GoI; Aruna Roy, IAS (Resigned); Manab Roy, IAS (Retd.), former Additional Chief Secretary, Govt. of West Bengal; UmraoSalodia, IAS (Retd.), former Chairman, Rajasthan State Roadways Transport Corporation, Govt. of Rajasthan; Deepak Sanan, IAS (Retd.), former Principal Adviser (AR) to the Chief Minister of the Govt. of Himachal Pradesh; A.S. Sarma, IAS, (Retd.), former Secretary, Department of Economic Affairs, Ministry of Finance, GoI; ; C.Saxena,*

*IAS (Retd.), former Secretary, Planning Commission, GoI; Selvaraj, IRS, former Chief Commissioner, Income Tax, Chennai, GoI; ArdhenduSen, IAS (Retd.), former Chief Secretary, Govt. of West Bengal; Rahul Sharma, IPS (Retd.), Govt. of Gujarat; Raju Sharma, IAS (Retd.), former Member, Board of Revenue, Govt. of Uttar Pradesh; HarMander Singh, IAS (Retd.), former Director General, ESI Corporation, GoI; JawharSircar, IAS (Retd.), former Secretary, Ministry of Culture, GoI, and CEO, Prasar Bharati; P. Sudershan K. Sudhakar, IAS (Retd.), former Secretary, Govt. of Punjab; GeethaThoopal, IRAS (Retd.), former General Manager, Metro Railway, Kolkata.*

*(Continued from Page 8)*

protection areas and on the other hand the existing protection areas are allowed to be devastated by highly dubious projects.

I also spoke to some of these experts separately. Dr. BhartenduPrakash showed me his well-documented studies in which several low-cost methods of solving the water-scarcity problems of Bundelkhand region have been described which do not also have any adverse side-effects. The benefits of such small-scale works are limited but certain. On the other hand the benefits of the Rs. 18000 crore Ken-Betwalink are highly uncertain and questionable while its adverse impacts such as cutting of about 18 lakh trees and displacing people of 10 villages are certain.

Dr. BhartenduPrakash also told me that basic questions about this project were raised at a very early stage and several well-informed persons and activists of

Bundelkhand had organized a JalSansad or a Water Parliament in which the reasons for opposing this project were provided very clearly. Senior experts from outside the region like Dr. Vandana Shiva were also involved in these efforts, he said.

His own detailed reports on water resources of Bundelkhand region detailing low-cost alternatives were written first in collaboration with the IIT, Delhi and later in collaboration with the Madhya Pradesh Government. So all along the government was well-informed about these low-cost alternatives but opted instead for a highly expensive, highly dubious project like the Ken-Betwa link.

One of the low-cost alternatives recommended by Dr. Prakash related to the famous yet neglected Mangal turbine innovated by farmer scientist Mangal Singh. Dr. Prakash recommended its widespread use in suitable locations in Bundelkhand

region but this has not been done yet while Mangal Singh has been badly victimized.

Several low cost efforts to find decentralized, local solutions to water scarcity have worked well in several villages. These efforts were successful because villagers were closely involved in these efforts with the help of social organizations and activists who have the trust of villagers. Some of these efforts have involved the creation of panipanchayats in some villages and the selection of some women as jalsahelis among them who have carried forward the work of finding low cost solutions and mobilizing people for this purpose.

People are asking—why waste Rs. 18000 crore and why cut 18 lakh trees for a project of highly uncertain and suspect benefits when low-cost alternatives of certain benefits and no adverse side-effects are available.

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, June 18, 2017 & Posted on Wednesday June 21, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi



# janata

Vol. 72 No. 23  
June 25, 2017

**The Agony and Ecstasy of  
Infosys**  
J. L. Jawahar

**The Repressive Measures of  
BJP Governments**  
Sandeep Pandey

Musings from Mongolia  
D. K. Giri

**Patna Declaration**  
**82 years of Congress Socialist  
Party (CSP), 17 May 2017**

Editor :  
**G. G. Parikh**

Managing Editor : Guddi

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

Email : [janataweekly@gmail.com](mailto:janataweekly@gmail.com)  
Website: [www.janataweekly.org](http://www.janataweekly.org)

## Emergency should never be Forgotten

**Kuldip Nayar**

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

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

What disappoints me is that the

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

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

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

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

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

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

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

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

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

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

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

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

In fact, it was at his instance

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

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

### **Janata Subscription**

Annual Rs. : 260/-

Three Years : 750/-

Demand Draft / Cheque

on

Mumbai Bank in favour of

**JANATA TRUST**

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

# The Agony and Ecstasy of Infosys

**J. L. Jawahar**

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

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

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

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

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

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

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

Usually, the enhancement of

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

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

bombastic style makes it good corporate governance?

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

**Janata**

is available at

[www.lohiatoday.com](http://www.lohiatoday.com)

# The Repressive Measures of BJP Governments

**Sandeep Pandey**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Wanted an RMO for a Rural Hospital**

An MBBS or BAMS need apply. Even a retired, but healthy doctor, would do. What is needed most is a commitment to take care of rural patients and the willingness to rough it out.

The country needs rural doctors.

The Yusuf Meherally Centre, a premier rural hospital again, runs a hospital at Tara, a village on Mumbai-Goa highway in Panvel taluka, Raigad district 60 kilometers from Mumbai, and at Anjanvel, a village in Guhaghar taluka, Ratnagiri district, 60 kilometers from Chiplun both in Maharashtra. It also has a dispensary at Bhadreshwar, Kutch, Gujarat.

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

### **Yusuf Meherally Centre**

D-15, Ganesh Prasad,,  
Naushir Bharucha Marg, (Sleater Road),

Mumbai-400007

Email: [yusufmeherally@gmail.com](mailto:yusufmeherally@gmail.com)

## Musings from Mongolia

D. K. Giri

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Madhu Dandavate**

**By**

**B. Vivekanandan**

**Price: Rs. 20/-**

**Janata Trust**

**D-15, Ganesh Prasad,  
Naushir Bharucha Marg,  
Grant Road (W),  
Mumbai 400 007.**



## Not Worth the Tax

Arun Kumar

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

—*Indian Express*

---

## Patna Declaration

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

An organizing committee was formed to organize 'Congress

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

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

## Abolition of Cesses

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

workers' welfare in building and beedi industries."

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

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

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

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

—**Bharat Dogra**

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

by

**Rohini Gawankar**  
Published by

**Kamalakar Subhedar,**

Secretary, Samata Shikshan Sanstha, Pareira Wadi, Mohili Village, Sakinaka, Ghatkopar(W), Mumbai 400072.  
Mobile: 9820092255 / Contribution: Rs.300+

## March Against Privatization of Railway Stations

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

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

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

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

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

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

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

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

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

—Yogesh Paswan

Acharya Javadekar  
A Satyagrahi Socialist



G. P. Pradhan

Price: Rs. 20/-

Janata Trust

D-15, Ganesh Prasad, Naushir  
Bharucha Marg,

Grant Road (W), Mumbai 400 007.

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

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

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

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

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

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

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

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

NAPM endorses the key demands of the local people including

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

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

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

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

**Medha Patkar**, Narmada Bachao Andolan (NBA) and National Alliance of People's Movements (NAPM)

**Aruna Roy, Nikhil Dey and Shankar Singh** Mazdoor Kisan Shakti Sangathan (MKSS) and National Campaign for People's Right to Information and NAPM

**Prafulla Samantara**, - Lok Shakti Abhiyan & NAPM, Odisha;

**Lingraj Azad** — Samajwadi Jan Parishad - Niyamgiri Suraksha Samiti, NAPM, Odisha;

**Binayak Sen and Kavita Srivastava**, People's Union for Civil Liberties (PUCL)

**Sandeep Pandey**, Socialist Party and NAPM, Uttar Pradesh

**Sudhir Vombatkere**, Senior Activist, NAPM, Karnataka

**Gabriele Dietrich**, Penn Urimay Iyakkam, Madurai and NAPM, TN;

**Geetha Ramakrishnan**, Unorganised Sector Workers Federation, NAPM, TN;

**Arul Doss**, NAPM Tamil Nadu

**Arundhati Dhuru, Nandlal Master, Manesh Gupta** - NAPM, UP;

**Richa Singh, Sangatin Kisan Mazdoor Sangathan**, NAPM-UP

**Vilayodi Venugopal, CR Neelakandan and Prof. Kusumam**, NAPM, Kerala

**Vimal Bhai** - Matu Jan Sangathan,

NAPM-Uttarakhand & **Jabar Singh**, NAPM, Uttarakhand;

**Sister Celia** - Domestic Workers Union & NAPM, Karnataka;

**Rukmini V P, Garment Labour Union**, NAPM, Karnataka;

**Anand Mazgaonkar, Krishnakant** - Paryavaran Suraksh Samiti, NAPM Gujarat;

**Kamayani Swami, Ashish Ranjan** — Jan Jagran Shakti Sangathan & NAPM Bihar;

**Mahendra Yadav—Kosi Navnirman Manch**, NAPM Bihar;

**Sister Dorothy**, NAPM Bihar

**Dayamani Barla, Adivasi-Moolnivasi Astivtva Raksha Samiti**, NAPM Jharkhand

**Dr. Sunilam and Adv. Aradhna Bhargava** - Kisan Sangharsh Samiti NAPM Madhya Pradesh

**Bhupender Singh Rawat** — Jan Sangharsh Vahini, NAPM, Delhi

**Rajendra Ravi, Nanu Prasad, Madhuresh Kumar, Amit Kumar, Himshi Singh, Uma Kapari, Zaved Mazumder**, NAPM, Delhi

**Faisal Khan, Khudai Khidmatgar**, NAPM Haryana

**J S Walia**, NAPM Haryana;

**Kailash Meena**, NAPM Rajasthan;

**Amitava Mitra & Avik Saha**, NAPM West Bengal;

**P. Chennaiah**, Andhra Prdaesh Vyavasaya Vruttidarulua Union (APVVU) and NAPM-AP

**Ramakrishnam Raju**, United Forum for RTI and NAPM, AP

**Suniti SR, Suhas Kolhekar, Prasad Bagwe** - NAPM, Maharashtra;

**Gautam Bandopadhyay**, NAPM, Chhatisgarh

**Anjali Bharadwaj**, National Campaign for People's Right to Information and NAPM

**Kaladas Dahariya**, RELAA, Chhatisgarh

**Bilal Khan**, Ghar Bachao Ghar Banao Andolan, Mumbai,

**Meera Sanghamitra**, NAPM Telangana-AP

Postal Registration No. MCW/275/2015-2017.

License to Post without prepayment WPP License No. MR/Tech/WPP-210/West/2017

Published on Sunday, June 25, 2017 & Posted on Wednesday June 28, 2017 at Mumbai Patrika Channel, Mumbai GPO-1



## GANNON DUNKERLEY & CO., LTD.

*An infrastructure company established since 1924*

### *REGD. OFFICE :*

*New Excelsior Building, (3<sup>rd</sup> Floor),  
A. K. Nayak Marg, Fort, Mumbai 400 001.  
Tel.: 022 2205 1231 Fax : 022-2205 1232*

Office : Ahmedabad, Hyderabad, Kolkata, Mumbai & New Delhi