



## Escape options

After losing the Brexit vote, the British PM's best option is to postpone the exit date

After the British Parliament's overwhelming rejection of Prime Minister Theresa May's Brexit deal, chances are the government will postpone the March 29 deadline to leave the European Union. An extension of the exit date - hinted at by Britain's Chancellor of the Exchequer and France's President following the vote - seems the least controversial in the spectrum of complex alternatives. For a start, Ms. May is expected to sail through the motion of no-confidence against her government moved by the Opposition leader, Jeremy Corbyn of the Labour Party. Both the Conservative Eurosceptic backbenchers, and Northern Ireland's Democratic Unionist Party, which supports the minority government in London, have promised to oppose the motion. Consequently, the onus of taking the country out of the EU will remain with Ms. May, who struck a conciliatory note after the defeat in the House of Commons with a 230-vote margin (432 to 202) on Tuesday. Ms. May argues that there is no better deal than the one she has painstakingly negotiated with the other 27 members of the EU. Yet, the build-up to the vote, delayed by over a month, laid bare the difficult task of persuading MPs on the merits of the agreement. Ms. May will hope to win the Commons' approval on Monday for a Plan B. At the minimum, it must do better on the contentious Irish backstop that could come into force after the transition period expires, and something that Brexit supporters oppose. It is highly improbable that the EU can offer any big improvements so soon to ensure that the backstop, which allows the flow of goods between Northern Ireland and the Republic of Ireland, will not indefinitely lock Britain into a customs union with the EU. Such an arrangement, which would necessarily limit London's freedom to make trade deals with third states, is regarded as anathema for a country that championed Brexit as a route to regain its sovereignty.

Deep differences persist within the Conservative and Labour parties on the terms of exit they must obtain from Brussels. There is also increasing clamour for a second referendum from remainers in the two parties, who view the uncertainty as symptomatic of a flawed Brexit project. Their case is rooted in concerns that citizens be enabled to make a more informed decision, given the mounting evidence on the economic impact of Brexit. But such enthusiasm would have to be balanced with the consideration that the majority of MPs, despite strong opposition among members, have resolved to respect the June 2016 popular mandate. In any case, a reversal of the 2016 Brexit result is not a guaranteed outcome. There is, meanwhile, support growing within and outside Parliament to avert, at all costs, a crashing out of the EU in late March, with imponderable consequences for the economy and society. Ms. May will gain in stature if she takes Parliament into greater confidence, not just her own party backbenchers.

## Sedition and politics

The charge-sheeting of JNU students is a move to criminalise contrarian opinion

The filing of sedition and conspiracy charges against three former Jawaharlal Nehru University students and seven others nearly three years after a political event on its campus, is a needlessly heavy-handed response to campus sloganeering. That it took so long to ready a charge sheet, which has been filed a few months ahead of the general election, casts a shadow of political motive. It would have been far wiser to dismiss this as an instance of radicalised student politics than proceed against them with a stringent colonial-era law, which should not have been allowed to even remain in the statute book. There is no convincing case that the students, and the others present, disrupted public order or incited violence. Even if all the charges about the shouting of "anti-national" slogans and supporting those who questioned the country's sovereignty were true, these acts do not merit the use of the sedition law. The Delhi Police had arrested JNU student union leader Kanhaiya Kumar in February 2016, but failed to protect him from assault while being produced in court; it did nothing to bring to book his assailants. Now, in filing formal charges of sedition, it continues to ignore the law laid down by the Supreme Court on what constitutes 'sedition'. The essential ingredients of Section 124A of the Indian Penal Code, that there should be a call for violence or a pernicious tendency to foment public disorder, are conspicuously absent in the case.

Campuses on which radical politics thrives are anathema to the ruling dispensation. However, that cannot be a justification for the sort of fear-mongering about the direction of campus politics that the ruling party and its supporters have been indulging in since the developments of 2016. Campuses ought to nurture political opinions of different shades, but there has been a disquieting tendency to brand as "anti-national" those who do not endorse all actions of the state. That the ABVP, the student wing of the RSS, has not done well in several student union elections may also be a factor in driving antipathy towards some institutions. In every case of sedition, which is filed invariably in connection with a dissenting speech or piece of writing, there is a political element. In this case, the filing of the charge sheet appears to subvert the political and electoral purpose of advancing a populist nationalist agenda. It is also liable to be seen as an attempt to criminalise contrarian views among student activists and also a clampdown on dissent. It will be in the fitness of things if the trial court examines the Delhi Police report in the light of the Supreme Court's restricted interpretation of sedition before it takes cognisance of it.

# Manipur shows the way

Its anti-lynching law breaks important ground in attempting to control hate crimes and ensure police action



HARSH MANDER

Six months have passed since the Supreme Court - anguished by what it described as 'horrific acts of mobocracy' - issued a slew of directions to the Union and State governments to protect India's 'pluralist social fabric' from mob violence. The court felt compelled to act in the shadow of four years of surging hate violence targeting religious and caste minorities. It also urged Parliament to consider passing a law to combat mob hate crime. The Union and most State governments have done little to comply with the directions of India's highest court. But Manipur became the first to pass a remarkable law against lynching, late last year. It did this after a single horrific video-taped lynching of a Muslim youth with an MBA degree stirred the public conscience.

**Comprehensive in definition**  
The Manipur law closely follows the Supreme Court's prescriptions, creating a nodal officer to control such crimes in every State, special courts and enhanced punishments. But its weighty significance lies in that it breaks new ground in some critical matters concerning hate violence in India, and shows the way in which the Union and other governments need to move if they are serious about combating hate crimes.

Its definition of lynching is comprehensive, covering many forms of hate crimes. These are "any act or series of acts of violence or aid-

ing, abetting such act/acts thereof, whether spontaneous or planned, by a mob on the grounds of religion, race, caste, sex, place of birth, language, dietary practices, sexual orientation, political affiliation, ethnicity or any other related grounds...."

The law, however, excludes from its provisions solitary hate crimes. For the law to apply instead it requires that these hate crimes are undertaken by mobs (defined as a group of two or more individuals, assembled with a common intention of lynching), thereby excluding from its provisions solitary hate crimes. When we look back at the last four years, the majority of hate crimes were indeed by mobs of attackers and onlookers, but we also saw solitary hate murders, such as of the Bengali migrant Mohammad Afrazul in Rajasthan. This restriction of numbers is arbitrary, since the essence of what distinguishes these kinds of crimes is not the numbers of attackers but the motivation of hate behind the crimes; therefore, provisions of this law should apply to all hate crimes, not just lynching, regardless of the numbers of persons who participate.

**On the public official**  
The most substantial and worthy contribution of the law is that it is the first in the country dealing with the protection and rights of vulnerable populations which creates a new crime of dereliction of duty of public officials. It lays down that "any police officer directly in charge of maintaining law and order in an area, omits to exercise lawful authority vested in them under the law, without reasonable cause, and thereby fails to prevent lynching shall be guilty of dereliction of duty" and will be liable "to punishment of imprisonment...



GETTY IMAGES

ment of one year, which may extend to three years, and with fine that may extend to fifty thousand rupees".

Equally pathbreaking is that it removes the protection that is otherwise extended to public officials charged with any offence committed while acting in their discharge of official duty. At present, no court can take cognisance of such an offence except with the previous sanction of the State government. The Manipur law means that now no prior sanction is required to register crimes against public officials who fail in their duties to prevent hate crimes such as lynching.

In almost every incident of hate crime that the Karwan e Mohabbat, a campaign of solidarity for victims of such crimes, has investigated, the police acted brazenly in ways that would have been deemed crimes by public officials if a law such as the Manipur law had been in force. They arrived late deliberately, or watched even as the crimes were under way without restraining the mobs; they delayed taking those injured to hospital and on occasion even ill-treated them, ensuring their death; and after the hate crimes, they tended to register criminal cases against the victims and to defend the accused.

If police officers knew that they

could be punished for these crimes (which would also put them at risk of losing their jobs), it is very unlikely that they would have acted in this way. They would have prevented, or stopped in their tracks, these hate crimes, and protected the victims.

I would also include in the crimes of dereliction of duty deliberately protecting criminals during investigation after the hate crime. I would also, most importantly, incorporate command responsibility, so that officials and also those who have directed them to betray their constitutional duties are criminally liable.

The second momentous contribution of the Manipur law is that it does away with the requirement of prior state sanction before acting on a hate crime. All hate crimes today should attract Section 153A of the Indian Penal Code, which is related to fostering enmity between people on the basis of religion, race, language and so on. But registering this crime requires prior permission of the State government, and most governments use this power to shield perpetrators of hate crimes who are politically and ideologically aligned to the ruling establishment. The Manipur law does away with this requirement, which would make acting against hate crimes far more effective and non-partisan.

The third substantial feature is that it clearly lays down the duty and responsibility of the State government to make arrangements for the protection of victims and witnesses against any kind of intimidation, coercion, inducement, violence or threats of violence. It also prescribes the duty of State officials to prevent a hostile environment against people of the community who have been lynched, which includes econom-

ic and social boycott, and humiliation through excluding them from public services such as education, health and transport, threats and evictions.

### Rehabilitation

The last substantial contribution of the law is requiring the state to formulate a scheme for relief camps and rehabilitation in case of displacement of victims, and death compensation. Again, in most cases of lynching, we have found that States have only criminalised the victims, never supported the survivors who live not just in loss and fear, but also in penury. But the law needs to prescribe a much more expansive framework of mandatory gender-sensitive reparation on an atonement model, requiring the state to ensure that the victim of hate violence is assisted to achieve material conditions that are better than what they were before the violence, and that women, the elderly and children are supported regularly with monthly pensions over time.

Even with these caveats, the Manipur government has broken new ground, being the first government in the country to hold public officials criminally accountable if they fail to prevent hate crimes. If emulated by the Union and other State governments, such a sterling law could substantially prevent hate attacks, ensure public officials are faithful to their constitutional responsibilities and victims, and that their families and communities are assured of protection and justice.

This is the India we must claim - of safety, fairness and fraternity.

Harsh Mander, a human rights worker, writer and teacher, convenes the Karwan e Mohabbat

# Muslim, Islamic, Indian, or all of the above

Pakistan's identity crisis, going back to the debates since its creation, remains unresolved



MOHAMMED AYOOB

At the base of all of Pakistan's current problems, both domestic and foreign, lies its inability to define its identity. The issue whether it is a Muslim state, an Islamic state, or merely a Muslim offshoot of India remains unresolved to this day.

**A tension**  
As Princeton scholar Muhammad Qasim Zaman's recently published book *Islam in Pakistan: A History* clearly demonstrates, the tension between the modernist concept of a Muslim state and the traditionalist and Islamist concepts of an Islamic state continues to hound Pakistan. As far as the leading lights of the Muslim League, above all Muhammad Ali Jinnah (picture), were concerned, Islam was strictly of instrumental value to them. It was used to mobilise Muslim opinion in British India to serve the political goals of the League leadership, first parity with the Congress, and when that failed, partition of the country. After the creation of a Muslim majority state, Islam became useful to them as a unifying myth that could hold the country together and act as the principal antidote to ethnic nationalism, especially in East Bengal and the North-West Frontier

Province.

The leading traditional ulama, especially those associated with the Deoband seminary with its strong Indian nationalist tradition, had opposed Partition. However, a breakaway faction led by Maulana Shabbir Ahmed Usmani had from the mid-1940s supported the League's demand for Partition. The creation of Pakistan provided the traditionalist ulama led by Usmani with the opportunity to demand that the state should be turned into an Islamic one. In such a state, the ulama, although not necessarily in direct control of day-to-day affairs of governance, would have a supervisory role in order to ensure that its laws conformed to the Sharia as interpreted by leading jurists of the Hanafi school predominant among Muslims of the Indian subcontinent.

The lay Islamists, exemplified by Maulana Maududi and his Jamaat-i-Islami, were cut from a very different cloth. They were not religious scholars trained in Islamic jurisprudence - Maududi, despite the honorific title of Maulana, began his career as a journalist - and held the ulama in disdain as fossilised relics of a bygone age. They were both a product of modernism and a powerful reaction to it.

Maududi had opposed Partition for two reasons. One, he believed that nationalism was the very antithesis of Islam which enjoined a universal community of all true believers. Two, he intensely distrusted the modernist leaders of the Pakistan movement, who he compared to Ataturk, as the har-



THE HINDU PHOTO ARCHIVES

bingers of a secular, not Islamic, state.

However, after Pakistan came into existence, Maududi moved to the new country and changed his tune. He began agitating for a purely Islamic state that combined the most intrusive aspects of the modern Westphalian state in terms of social control with a government run by a vanguard Leninist party like the Jamaat-i-Islami committed to the implementation of Islamic law. In his conception of the ideal Islamic state, the legislature's power would be circumscribed by the dictates of the Sharia, but the executive under persons of exceptional probity and commitment to Islam would possess near-dictatorial powers.

Although the traditionalist ulama and the Islamists were often at daggers drawn with one another, they combined forces against the modernists to introduce "Islamic" provisions in Pakistan's first and subsequent Constitutions. Under their joint pressure, the modernists have been steadily losing ground, especially since the 1980s when the fallout of the Afghan "jihad" began to radicalise the Pakistani polity.

However, the modernists, represented by mainstream Pakistani parties, even if weakened, have retained enough residual authority, often with the military's support, to remain in control of most of the levers of state. This situation has had two consequences. One, the religious parties and the Islamists feeling they have been politically marginalised have often taken recourse to extra-constitutional means, such as mammoth demonstrations, to assert their clout. Two, it has led to an emergence of extremist and terrorist manifestations of political Islam, several of them Frankenstein's monsters created by the Pakistani military over whom it now has little control.

### Indian past

The continued tussle between the three trends of modernist Islam, traditional Islam, and Islamism has contributed to the perennial instability in the country that threatens to turn it into a failed state. But, this is not the end of the story. A major factor adversely affecting Pakistan's search for a national identity is its love-hate relationship with its Indian past. The close affinity in terms of language, cuisine, music and other attributes that are subsumed under the term "culture" make it impossible for Pakistan to break away from its Indian roots. Although Pakistan was created in the name of Islam, it is a progeny of Indian Islam and not of Islam in an abstract sense. In fact all the major strands of Pakistani Islam - Deobandi, Ba-

relvi and Ahle-Hadees - have their roots in Indian Islam and mirror the divisions witnessed among Muslims in India, both before and after Partition.

Furthermore, Pakistan's boundaries conform to the boundaries of British Indian provinces and its territorial identity is defined by the geographic contours of the subcontinent. In sum, Pakistan's inability to shed its Indian geopolitical, cultural and Islamic identity has forced it to adopt anti-Indian postures in order to differentiate itself from the mother country. It is its inability to define itself without reference to India that lies at the base of Pakistan's hostility toward India.

Pakistan is, therefore, caught in a double bind. On the one hand, it is unable to resolve the contradictions among the three forms of political Islam battling to impose their own definition of Islam on the country. On the other, its inability to define its identity in non-Indian terms has forced it into an anti-Indian mould that is almost impossible to break. Both these factors contribute hugely to Pakistan's current predicament. For, failure to successfully define a country's national identity is a sure recipe for domestic instability as well as unpredictable, even aggressive, behaviour abroad.

Mohammed Ayoob is University Distinguished Professor Emeritus of International Relations, Michigan State University and Non-Resident Senior Fellow, Center for Global Policy, Washington DC

## LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

### Karnataka politics

The political drama in Karnataka only speaks volumes of the greed of MLAs for power, irrespective of the party they belong to. Voters should realise that split verdicts will only induce these sorts of ugly political games being played by political parties. It is high time voters vote decisively and get themselves a stable and good government they all deserve (Page 1, "BJP sequesters Karnataka MLAs in hotel near Delhi", January 15).

V.S. GANESHAN, Bengaluru

■ Karnataka is in the news again for all the wrong reasons. There are claims and counter-claims on the number of MLAs being enticed to quit.

Such is the level of politics in the State that a toppling game is going on, in turn subverting the people's mandate. The unfortunate part is that people are watching this sorry spectacle, unable to do anything in this dirty game of politics.  
D.B.N. MURTHY, Bengaluru

### Sedition charge

I wonder what sedition is. If you express anger in words in a sudden outburst, out of deep frustration after seeing widespread corruption, poverty, unemployment, communalism, casteism, I feel that it should be viewed differently. We have politicians who plot and use cunning to divide people based on religion, caste and language, sell national wealth openly and crush

national integration, all in the name of politics. I wonder who and what are really dangerous to the nation (Page 1, "Chargesheet filed in sedition case against Kanhaiya, 2 others", January 15).

T. ANAND RAJ, Chennai

### Eliminated

The report on encounter deaths in Uttar Pradesh and the observation of the Supreme Court is an indicator that the law of the jungle prevails in the State ("Encounter deaths in U.P.: a serious issue, observes SC, January 15). A leader who preaches peace and prosperity cannot shoot 'unwanted people' mercilessly like birds while being unmindful of the constitutional rights every citizen has in this

democracy. Over 1,100 encounters ever since the Yogi Adityanath government has been in place is no small a figure nor a trivial issue to be ignored.  
J. EDEN ALEXANDER, Thanjavur, Tamil Nadu

### Tackling plastic waste

It is heartening that India has pledged to eliminate single-use plastic by 2022; but that is still half done (Editorial, "Half done", January 15). India must focus enough on plastic management and ensure a robust recycling infrastructure and effective implementation of dry waste segregation. Plastic is a monster that we humans have created and it is imperative that we leave no stone unturned to take plastic out of our lives.  
SNEHA THAKUR, New Delhi

■ The per capita consumption of plastic by Indians may be low when compared to other countries but that does not mitigate the seriousness of the problem. Consumers can only play a limited role and it is for industry to introduce changes to save the environment and our health. An area where industry can make an impact is to do something about the way in which modern merchandise comes packed in many layers of excessive packaging, almost all of which is non-biodegradable. The food industry should switch to bio-degradable alternatives. Consumers have limited choice, where, at best they can carry a cloth bag or decline the use of plastic bags and straws. The authorities can consider

imposing an environment tax.  
H.N. RAMAKRISHNA, Bengaluru

■ A ban on single-use plastic is not enough to curb the growing plastic tsunami. No plan can succeed if human beings continue to be negligent and lethargic, especially as it often takes decades for plastic to degrade. There are reports of plastic being present even in packaged water bottles. Plastic in our oceans is a huge threat to marine life and even more difficult to tackle once it breaks down into micro-plastics. We are sitting on a ticking time bomb. Let us reduce, reuse and recycle plastic.  
JASPREET SINGH, Patiala, Punjab

MORE LETTERS ONLINE: www.hindu.com/opinion/letters/



# Learning to compete

Skill India needs a sharp realignment if it is to meaningfully transform people's life chances



SANTOSH MEHROTRA  
& ASHUTOSH PRATAP



GETTY IMAGES/STOCK PHOTO

In 2013, India's skill agenda got a push when the government introduced the National Skills Qualification Framework (NSQF). This organises all qualifications according to a series of levels of knowledge, skills and aptitude, just like classes in general academic education. For instance, level 1 corresponds to Class 9 (because vocational education is only supposed to begin in secondary school in many countries, including India). Levels 1, 2, 3 and 4 correspond to Classes 9, 10, 11 and 12, respectively. Levels 5-7 correspond to undergraduate education, and so on. For each trade/occupation or professional qualification, course content should be prepared that corresponds to higher and higher level of professional knowledge and practical experience.

The framework was to be implemented by December 27, 2018. The Ministry mandated that all training/educational programmes/courses be NSQF-compliant, and all training and educational institutions define eligibility criteria for admission to various courses in terms of NSQF levels, by that time.

In this article, we look at NSQF implementation through the prism of national skill competitions, or India Skills, a commendable initiative of the Ministry of Skill Development and Entrepreneurship (MSDE). Twenty-seven States participated in India Skills 2018, held in Delhi. Maharashtra led the medals tally, followed by Odisha and Delhi. Now, teams will be selected to represent India at the 45th World Skills Competition, scheduled in Russia this year. It was also heartening that the Abilitylympics was included in India Skills 2018, for Persons with Disabilities.

## Course curriculum not clear

However, there are two priorities requiring action before the next round of India Skills is held. There are five pillars of the skills ecosystem: the secondary schools/polytechnics; in-

dustrial training institutes; National Skill Development Corporation (NSDC)-funded private training providers offering short-term training; 16 Ministries providing mostly short-term training; and employers offering enterprise-based training. From which training programmes and NSQF courses did participants come to the competition? The answers to this would hold the key to improve Skill India government programmes dramatically.

Meanwhile, the India Skills competition has provided evidence that many reforms are critical and urgent. We have advocated these reforms in the Sharda Prasad Expert Group report, submitted to the MSDE in 2016.

India Skills was open to government industrial training institutes, engineering colleges, Skill India schemes, corporates, government colleges, and school dropouts. Skill India is understood to mean courses that are compliant with the NSQF. A majority of the participants were from corporates (offering enterprise-based training) and industrial training institutes; only less than 20% were from the short-term courses of the NSDC. Neither industrial training institutes nor corporates' courses are aligned with the NSQF.

This points to the need for more holistic training and the need to re-examine the narrow, short-term NSQF-based NSDC courses to include skills in broader occupation groups, so that trainees are skilled enough to compete at the international level. If India Skills 2018 was only open for the NSQF-aligned institutions, it would have been a big failure. This

indicates that the NSQF has not been well accepted or adopted across India. One reason for this is that unlike for general academic education, which requires the completion of certain levels of certification before further progression is permitted, there is no clear definition of the course curriculum within the NSQF that enables upward mobility. There is no connection of the tertiary level vocational courses to prior real knowledge of theory or practical experience in a vocational field, making alignment with the NSQF meaningless. Efforts to introduce new Bachelor of Vocation and Bachelor of Skills courses were made, but the alignment of these UGC-approved Bachelor of Vocation courses was half-hearted. There is no real alignment between the Human Resource Development Ministry (responsible for the school level and Bachelor of Vocation courses) and the Ministry of Skill Development (responsible for non-school/non-university-related vocational courses).

## Too many councils

We must also reduce complications caused by too many Sector Skill Councils (SSCs) anchoring skill courses. World Skills holds competitions in construction and building technology, transportation and logistics, manufacturing and engineering technology, information and communication technology, creative arts and fashion, and social and personal services. To cater to these sectors, 19 SSCs participated in India Skills 2018 as knowledge partners with the help of industry or academic institutions.

But India has 38 SSCs (earlier it had 40). Why did the others not participate? The first reason is that the representation of their core work was done by the other SSCs. For example, we have four SSCs for manufacturing: iron and steel, strategic manufacturing, capital goods, and, infrastructure equipment. In effect these are treated as one in World Skills courses. As we had proposed, there should be just one SSC called the Machinery and Equipment Manufacturing Council, in line with the National Industrial Classification of India. Similarly, there is no reason to have four SSCs (instead of one) each of textile, apparel made-ups and home furnishing, leather and handicrafts.

It was a mistake to create 40 SSCs. Outcomes have shown that they have been ineffective. If we want Skill India trainees to win international competitions and if we want competitors to come from schemes of the Ministry, we must find a way to provide broader skills in broader occupational groups.

The second, and related, reason is that the other SSC courses were not comprehensive enough for students to compete. Most of their NSDC-SSC-approved training does not produce students who can showcase "holistic" skills for broad occupational groups in such competitions. This takes us back to the point made in our report: sectors should be consolidated in line with the National Industrial Classification of India. This will improve quality, ensure better outcomes, strengthen the ecosystem, and help in directly assessing the trainee's competence. It might also bring some coherence to our skills data collection system.

India could learn a lesson from Germany, which imparts skills in just 340 occupation groups. Vocational education must be imparted in broadly defined occupational skills, so that if job descriptions change over a youth's career, she is able to adapt to changing technologies and changing job roles. Skill India needs a sharp realignment, if India is to perform well in the World Skills competition later this year.

Santosh Mehrotra is Professor of Economics, Centre for Labour, JNU, and a lead author of the NSQF. Ashutosh Pratap works on Skills and Jobs Policy

# The coast is unclear

The Coastal Regulation Zone notification of 2018 increases the vulnerability of coastal people to climate disasters



MANJU MENON & KANCHI KOHLI

The National Democratic Alliance government has unleashed several extremely unimaginative developmental policies that target areas that have retained some degree of ecological value to turn them into sites for industrial production. This is despite evidence of the damaging effects of such policies. The latest instance of this is the Coastal Regulation Zone (CRZ) notification of 2018. The government has announced "amendments" to the CRZ law which, in the words of the fisher leader from Goa, Olencio Simoes, spell the death of the coasts. These changes negate the coastal space entirely of its special socio-ecological uniqueness and open up this niche space that joins land and sea to mindless real estate development, mass scale tourism, and industry.

## Devalued fisheries economy

Successive governments have created the impression that India's coastline is a vast, empty space that economic actors can take over. Industrialists and real estate developers share this view because coastal lands are for the most part outside the regime of individual property rights. Land grabbing by private and government actors has been the norm. These actors forget that this space is the common property of coastal villages, towns and cities, and public beaches. Over 3,000 fishing hamlets reside along India's coast, park and repair their nets and boats and organise their economic and social activities here. The fisheries sector employs 4-9 million people. The self-reliant fisher communities generate ₹48,000-₹75,000 crore for the economy, with almost no support from governments in the form of subsidies.

A government that has performed dismally on its promise of employment generation should avoid taking away the jobs of people engaged in this sector. Yet, that is exactly what this notification seeks to do. The misfortune of the fisher communities is their lack of effective political representation. Even though at least 75 MPs are elected from coastal constituencies, as stated by V. Vivekanandan of South Indian Federation of Fishermen Societies, fisher people are not a vote bank as they are spread across the coast. This may be why they are the targets of hostile government policies.

With rapid urbanisation and industrialisa-

tion, coasts have become convenient dumping grounds. Sewage, garbage and sludge from industrial processes land up on the coastline and makes life for coastal dwellers a living hell. The new amendments legalise the setting up of common effluent treatment plants (CETPs), an impractical technology for cleaning up waste, on the most fragile parts of the coast. These projects have made the coastal people of Saurashtra and south Gujarat more vulnerable to toxicity in their food, water and air. Since India's systems to reduce waste generation and comply with pollution standards are so poor, the law now makes the coasts legitimate receptacles for all waste.

India's coasts are already facing climate change events such as intensive, frequent and unpredictable cyclones and erosion. In 2017, cyclone Ockhi killed over 300 people on the west coast, a region not familiar with such events. The combined effects of harmful coastal development and climate change are apparent in the form of mass migrations from coastal areas like Odisha and the Sundarbans in West Bengal. These lessons have already sparked decentralised action: mangroves are being planted, sand dunes and coastal wetlands are being protected, and coastal communities and local governments are collaborating on disaster preparedness. But the top-down policy of the Central government to encroach what's left of the coasts and increase activities that involve dredging, sand removal, and large-scale constructions contradict grass-roots and scientific wisdom.

## Risking lives

It is untrue that this notification has been introduced after consultations with "other stakeholders". The National Fishworkers Forum (NFF), for instance, has vociferously opposed these amendments since the review was announced in June 2014 by the Shailesh Nayak Committee. It has carried out protests demanding fisher rights to the coastal commons and legal action against corporate and government violators of coastal laws. The indifference of the government to coastal and marine regions has even led the forum to demand a separate Fisheries Ministry. Instead of using the NFF's knowledge to craft an effective policy, the government has peddled the same development model that has generated conflict and impoverishment. The notification now exposes more people to the unassessed impacts of climate change-related coastal damages. Is the capital too far from coastal India to understand this?

Manju Menon and Kanchi Kohli are environmental researchers at Centre for Policy Research, New Delhi

## SINGLE FILE

# Hitting its stride

The Asian Infrastructure Investment Bank has grown stronger, but it should develop a wider portfolio of projects

SOURABH GUPTA



On January 16, the Asian Infrastructure Investment Bank (AIIB) marked its third anniversary. India has been the bank's biggest beneficiary, with a quarter of the AIIB's approved projects geared towards its development. India is also the only country apart from China to enjoy a permanent seat on the Bank's board of directors.

When the AIIB opened for business in 2016, critics assailed it as a barely concealed attempt by China, India and the global south to supplant the existing international financial order. The reality is that the bank has been both a rule-maker and rule-taker, devising innovations in multilateral development finance while upholding existing best practices. Most of its projects are co-financed with the World Bank or the Asian Development Bank, suggesting a healthy mix of complementarity and competition with its peers.

Critics also assailed the AIIB for its non-transparent internal procedures, notably the lack of a resident board, and potentially lax loan appraisal standards, which they claimed would spark a rash of irrecoverable loans. Former U.S. President Barack Obama's administration sought to dissuade Western countries and Asian allies from joining the bank as prospective founding members, pointing to concerns related to governance and environmental and social safeguards. The reality is that the AIIB's lending practices have been socially conscious and prudent, attested by its triple-A credit rating secured from the three major international rating agencies. Disregarding the U.S.'s 'dog in the manger' attitude towards infrastructure finance, 90-odd countries have signed up as founding or prospective members.

As the AIIB marches from strength-to-strength, it should develop a wider portfolio of projects in areas such as smart cities, renewable energy, urban transport, clean coal technology, solid waste management and urban water supply. Along with the New Development Bank, its uniqueness must lie in faster loan appraisal, a lean organisational structure resulting in lower cost of loans, a variety of financing instruments, including local currency financing, and flexibility in responding to its clients' needs. It should leverage its unique 'special funds mechanism' to crowd-in infrastructure financing from external sources, including extra-regional, public and private, as well as nurture infrastructure as a profitable asset class for capital market investors.

A distracted U.S. appears neither willing nor capable of fundamentally reshaping and resourcing the much-vaunted Bretton Woods-era institutions for the challenges of the 21st century. India, China and other multilaterally minded major countries will need to pick up this gauntlet in the areas of trade, development and finance. The successful mainstreaming of the AIIB in three short years must become just the beginning of system-wide reform and overhaul.

The writer is a Senior Fellow at the Institute for China-America Studies in Washington, DC



## FAQ

# TV choices, à la carte

How the new TRAI regulatory framework will pan out

YUTHIKA BHARGAVA

## What does TRAI's new regulation say?

The new regulatory framework by the Telecom Regulatory Authority of India (TRAI), which comes into effect from February 1, will apply to all direct-to-home (DTH) and local cable operators. Under these rules, customers can choose which channels they wish to watch rather than pick from pre-decided packs offered by service providers. Accordingly, consumers will only need to pay for channels they want to view.

## Why was this change needed?

According to TRAI, post-digitalisation of cable TV networks in March 2017, there was an urgent need to improve transparency as many stakeholders were not giving choices to consumers. The new regulatory framework has been introduced after a consultative

process that lasted more than one-and-a-half years.

## Do the new rules benefit consumers?

The new framework makes it mandatory for the service provider to offer every channel on an à la carte basis. Additionally, the MRP of the channels needs to be displayed on the TV screen through the Electronic Program Guide. Along with giving customers à la carte choice, broadcasters and distributors can offer bouquets of channels. However, the price of the bouquet is also to be published transparently. Given that the MRP of the channels will be displayed to users, the distributor will not be able to charge more than what has been declared by a broadcaster. This is likely to bring down the monthly cable/DTH bill.

## How much will consumers need to pay?

The framework puts in

place a network capacity fee with an upper ceiling of ₹130 for 100 channels. Any subscriber who opts for more than 100 channels can choose additional channels in each slab of 25 channels with a maximum price of ₹20 per slab. A high definition channel will be treated as two standard definition (SD) channels for the purpose of determining the network capacity fee.

According to TRAI, less than 15% of consumers are likely to opt for more than 100 channels. The regulator has put out some examples of the probable packs in different markets on its website. For the Tamil-speaking market, one package costs ₹294 a month, including taxes for 100 SD channels. This pack includes 23 paid channels, 52 free-to-air channels and 25 Doordarshan channels. In addition to a ₹130 network capacity fee for 100 channels, the consumer will have to pay MRP for the 23

paid channels (amounting to ₹119) and the GST (₹45). Depending on the number and price of the paid channels, the bill may go up.

## What if subscription charges are paid ahead?

In case a subscriber has paid advance charges for a scheme with a future lock-in period like an annual plan, the distributor will continue to provide services for the committed period without any increase in price or charges and without altering the other terms of subscription. Distributors cannot make any changes that may lead to a disadvantage to the subscriber in such cases, the regulator has said. However, if the subscriber wants to switch over to a new package after February 1, the proportional balance amount of the existing package as on the date of switchover may be adjusted for the new package prices.

## FROM THE HINDU ARCHIVES

FIFTY YEARS AGO JANUARY 17, 1969

# Ban on bigamous marriages

Bigamous marriages by employees of the Central Government men or women, have been prohibited under the latest Service Conduct Rules, except on special grounds. These are: Where such marriage would be permissible under the personal law applicable to the employee concerned or where there were "other grounds" for doing so. Even under the original conduct rules, it was the Government's intention that the ban on bigamous marriages should apply both to men and women employees. But this was not brought out by the actual wording of the rules. The revised All-India Service Conduct Rules gazetted on December 18 last year make this clear beyond doubt. The relevant rule reads: "No member of the service shall enter into or contract, a marriage with any person having a spouse living." The Government, however, may permit such marriage where it was allowed in the personal law or on other valid grounds.

A HUNDRED YEARS AGO JANUARY 17, 1919

# Bombay Labour Unrest.

To-day [January 15, in Bombay] after the firing and as the crowd cleared, the Officer Commanding the troops appreciating the situation ceased firing with approval. Besides Mr. Aston, Rao Bahadur Chunilal H. Setalvad, Mr. Frank Olivira, Messrs Ghulam Husain, Rahimullah, Khairaj and Athavle were also present in the mill district from early morning and had to hasten to the different localities where disturbances were reported. At Hornby Vellard 200 persons were stopped by the Light Horse Patrol. Here Mr. Athavle and a number of policemen were despatched with instructions to disperse the crowd and arrest those who might disobey. Mr. Khairaj was despatched with a number of policemen to the Mackenzie Saw Mills near Sewri Cemetery where a number of rioters were interfering with workmen in the mill.

## CONCEPTUAL Repugnant market

ECONOMICS

This refers to certain markets where transactions between willing buyers and sellers are considered to be unethical. The market for human organs, for instance, is considered by many to be a repugnant market. A section of people believe that organ transplants should be facilitated through voluntary donations rather than through the exchange of money. Many governments have banned the functioning of these markets due to various moral concerns that have been raised. Supporters of repugnant markets, however, believe that allowing the exchange of money helps people in serious need to gain easier access to supplies than they would otherwise.

## MORE ON THE WEB

Watch: Jairam Ramesh speaks on his latest book, Indira Gandhi, and more

<http://bit.ly/JairamRameshLFL>