

THE AIM OF ABOLITION OF UNTOUCHABILITY WITHOUT TRYING TO ABOLISH THE INEQUALITIES INHERENT IN THE CASTE SYSTEM IS A RATHER LOW AIM. — B R AMBEDKAR

The Indian EXPRESS

FOUNDED BY

RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

The reservation jumla

Quota for upper caste poor is cynical politics, and cynical policy



PRATAP BHANU MEHTA

THE 10% ANSWER

In a deeply unequal society, government move for upper caste quotas blurs important distinctions, opens new faultlines

THE NARENDRA MODI government's move to push for reservation in government jobs and higher educational institutions for upper caste poor, by amending the Constitution, raises serious questions. There is, to begin with, a question of propriety — of a government taking up something as consequential as a constitutional amendment in what are its last few months in office before general elections. More substantively, the government, by this move, seems to be redefining the very purpose of the policy instrument called reservation.

So far, the Constitution, and the Supreme Court's interpretation of its letter and spirit, allow for reservation for groups, classes or castes that are socially and educationally backward, apart from the Scheduled Castes and Scheduled Tribes — not as exceptions to, or deviations from, the Right to Equality, but to give meaning to that right in a gravely unequal society. And so far, the economic criterion has not been seen to be either the sole or primary determinant of backwardness. When an earlier government in the 1990s tried to bring in a quota for the upper caste poor, therefore, the apex court firmly struck it down and also fixed a 50 per cent ceiling for reservation. Now, by seeking to open up the reservation policy to encompass even the upper castes, on an economic basis, the government can be accused of using what was meant to be an instrument of social justice as an anti-poverty measure like a safety net or a subsidy. This shift, this blurring of the governing principles of two different sets of policies that are intended to serve two different sets of goals, can be said to speak of a lack of imagination, at the very least. It will also have costs. It will take a toll.

Especially in times when the economy does not seem buoyant, when jobs are not being created at the requisite pace in the private sector and are shrinking in the government sector, a quota for upper castes will only deepen existing resentments and create new ones — while not serving its stated purpose. That is, it will promise only a symbolic representation to the caste groups it addresses, while injecting more competition and rancour within upper caste groups as well as between upper and backward castes in the fight for limited resources. It will open up the state to another set of demands that are already making themselves heard — from dominant castes like the Jats, Marathas and Patels, in states where they feel left out of both the rubric of economic development and the system of reservation. If the 50 per cent ceiling can be breached, why not for these groups too? If historical discrimination and disprivilege is not to be the only guiding principle for a policy that seeks to provide social justice through job-education quotas, then why not take into account the claims of proportional representation, or the demands of majoritarianism? The government has made a very fraught move. It must now be debated thoroughly in Parliament and scrutinised carefully by the court. Anything less would be a travesty of due process in a deliberative democracy.

THE ANNOUNCEMENT OF 10 per cent reservation for economically backward groups in the upper castes is another example of the travesty that characterises constitutional and political discourse when it comes to reservations. It is cynical politics. It is cynical policy.

There are two realities India faces. This proposal has one element of honesty in it. It admits this government's massive failure on every front. The stark reality is this. The Indian economy is not generating enough attractive jobs; nor is our education system training graduates properly enough to participate in the economy. In the context of that failure, there has been a clamour amongst the educated upper caste groups like Rajputs for a reservation route to be opened up for them. Since we cannot create enough jobs, the token signal that the poor from the upper castes can be symbolically represented in the state is all that we can now offer. This is in a context where public sector jobs are scarce. As Devesh Kapur has pointed out, per capita India now has fewer IAS officers than it did in the Sixties. Gone are the narratives of a buoyant economy lifting all boats. We are now back to distributing crumbs.

India needs effective forms of reservation or affirmative action, especially for Dalits. But our reservation policy, post Mandal, has more generally become a prime example of majoritarian politics, where the exigencies of politics and power rather than the ethical and moral claims drive entitlements. One of the biggest casualties of this move has been that the historical specificity of the experience of Dalits has been completely occluded. Every other group has managed to don the mantle of victimhood in the same way. The purpose of reservation has been stretched beyond combating discrimination and empowering the truly marginalised, (that is the only thing it does not do), to now an anti-poverty measure, a load it cannot bear. The idea that you can address economic deprivation through reservation is preposterous.

This measure is being enacted against this backdrop. But both the timing and content of this announcement smack of desperation. Some politicians like Nitish Kumar have been discussing this idea for a while. But to introduce a major constitutional amendment like

this, a few weeks before elections, by a government that is struggling, is a political afterthought rather than a policy forethought. Like previous reservation measures, it does not allow for a full discussion of better alternatives, some of which might even be used to replace current OBC reservation.

There have been a number of them: Rakesh Basant's proposal of looking at parents' education as the best proxy; or even JNU's old deprivation criteria that allowed for an interesting play of inter-sectionality. What will be the economic cut-off? Let us say a pure economic criterion that pegs the cut-off for eligibility around Rs 8 lakh a year (close to the creamy layer exclusion for OBCs) is used. In some ways, if the idea is to reach the truly deprived, this criterion will be too generous. In short, the basic question — why should particular groups be brought under the ambit of reservation — will remain subject to irrationality.

The proposal has one small silver lining. One unintended thing it will do is remove the stigma of reservation itself. Reservation has historically been associated with caste. And often in our imagination there was a stigma that the upper caste put on those who had come through reservation. By including upper castes under the sign of reservation, it dissociates caste and the stigma of reservation. Upper castes can no longer resent Dalits and others for reservation. Dalit groups have been arguing this for a while; hence their support for this policy. But there are better ways of achieving this goal.

But this silver lining is overshadowed by the Pandora's box this proposal opens up. It breaches the 50 per cent ceiling on reservations laid down by the Supreme Court. It is true that the rationale for the 50 per cent ceiling was not entirely clear; nor should it be sacrosanct. But it was an uneasy social compact that tried to strike the balance between two different ideas: That the legitimacy of institutions be measured entirely by their representativeness and the idea that identity should be irrelevant in determining whom jobs go to. It recognised the historical claims of Dalits and, more controversially, other backward castes, while keeping enough of a general structure open. If the 50 per cent ceiling is

breached, we have straightforwardly moved to the idea that representativeness, based on criteria the state decides is all that matters.

If we have decided to introduce a constitutional amendment to expand the scope of reservations, what will happen to the OBC demand that has been articulated for a long time, that the 50 per cent ceiling should be breached to accommodate OBCs in proportion to their numbers? Why is the government, the argument goes, not releasing full caste data? There is an inherent escalating logic to this. If we are talking representativeness as such, which other groups should be included in its ambit? Should Muslims, the one group whose mobility is now lagging even more than SCs, come in via their sub castes or as a category in their own right? What about gender as a more potent axis of deprivation? VP Singh could not control Mandal, and this government should not assume it can ride this cynical ploy.

There will, of course, be other constitutional questions. Will a breaching of the 50 per cent ceiling, or the inclusion of groups that are economically, but not socially backward, pass constitutional muster? If precedent is any guide, it should not. One way or the other, this issue is going to deepen the crisis of the judiciary. If it caves in, it will be seen as pliant, overturning a hard-won constitutional settlement it had itself created. If it does not, the clamour will be to portray the Indian judiciary as an obstacle to greater social justice (which, in the case of reservation jurisprudence, will be unjustified). These matters cannot be discussed in conventional categories, because the Supreme Court itself has become so arbitrary. So the government is taking a bet that all conventional legal precedent can go for toss and it can get its way. That is how cynical politics has become.

It will be fascinating to see if any political party has the guts to speak the truth. Or will this be an all-party *jumla*? We seem headed for a politics that peddles illusions, and a constitutional culture defined by cynical social engineering, not any ethical principle of policy effectiveness.

The writer is vice-chancellor of Ashoka University. Views are personal

VICTORY FORETOLD

India's cricket team has journeyed far in the past year. The new year had to begin on a high note

THE MOST HEARTWARMING thing about India's triumph in Australia is that it seemed a logical and expected culmination of a year in which the team has journeyed far. There were three overseas Test tours in the last 12 months: South Africa, England, and now Australia. The team took baby steps in South Africa by winning a Test and though they lost the series in England mid-year, the overwhelming feeling was that it was an opportunity lost. There was hurt and disappointment — hurt, because it seemed they were the better team and yet let their chances slip. It was in this backdrop that they came to Australia.

There have been better tactical Test captains than Kohli in Indian cricket but seldom has anyone been this dogged in approach and so ambitious in vision. The cricketing fraternity was almost up in arms against some of the decisions he took but Kohli, along with coach Ravi Shastri, soldiered on regardless. Players like Kohli almost thrive on being attacked and criticised — they perform at their best when they feel the world is coming after them.

Looked through another prism, this team was filled with players who did not need to be forcefully dragged along, but were itching to make a mark of their own. Cheteshwar Pujara knew he was good but the results on the ground, especially overseas, weren't that good. The pace attack, too, had to deliver for different reasons: Jasprit Bumrah, to prove that he wasn't just a T20 player; Mohammad Shami, to prove that he has left his off-field troubles behind and remains a contender; Ishant Sharma had to show that the investment of years on him wasn't a waste. That someone like Bhuvneshwar Kumar has hardly played a couple of overseas Tests this year says much. R Ashwin started off well in both the opening Tests in England and Australia but India showed they had back-up once his fitness tapered off. When Wriddhiman Saha was injured, India went through Parthiv Patel and Dinesh Kartik before they settled on Rishabh Pant who it seems is here to stay. When they struggled to find openers, Mayank Agarwal stepped up. It's been that kind of a year — where one fell, another has risen.

FRAMES OF CHANGE

The Golden Globes celebrated diversity. The biggest winner was Netflix

A YEAR AFTER MeToo, razzle and dazzle returned to the Golden Globes on Sunday. Politics was largely absent from both the red carpet and stage, with the worst barb reserved for that old punching bag, former US vice-president Dick Cheney, whom winner Christian Bale compared to Satan. But as Washington remains deadlocked over Donald Trump's desire to give himself a border wall, there may have been a message for the US President, after all. The night that packed many surprises — and none bigger than the shutout of *A Star is Born* (retelling a story Hollywood is quite partial to) — was consistent in its celebration of diversity.

Best Director for Motion Picture? Mexican director Alfonso Cuarón. Best Foreign Language film? Cuarón's semi-autobiographical film *Roma*, about a class of people marginalised even within Mexico. Best actor? Egyptian-American actor Rami Malek. Best film? *Bohemian Rhapsody*, on an Indian Parsi immigrant conquering rock. Best supporting actress? Regina King for *If Beale Street Could Talk*, about an African-American woman fighting for her wrongly charged lover. Best supporting actor? Mahershala Ali for *Green Book*, where he plays a Black pianist in segregation-era South. Best actress in a TV drama? Korean-American Sandra Oh for *Killing Eve*. Oh, who also co-hosted the Globes, celebrated this "moment of change", while going on to thank her parents in Korean.

Setting off the awards season, the Golden Globes did break many hearts. The loudest wails were reserved for *A Star is Born*, which was expected by many to mark another high for both its director Bradley Cooper and debutante Lady Gaga. The Globes picked Cuarón and veteran Glenn Close, instead, who, accepting the nod for her role as *The Wife*, got the loudest cheers for speaking up for women expected to sublimate themselves to their men. But the biggest winner was the elephant in the room, which picked trophies across big screen and TV, and is looking at a home run with *Roma*: Netflix.



GIRISH KUBER

A SILENCE IN MAHARASHTRA

Revocation of Nayantara Sahgal's invite to a literary meet is a sign of intellectual decline

THE IRONY CANNOT be lost in the fact that as Maharashtra was commemorating the birth anniversary of Balshastri Jambhekar (1812-1846), with whom began the rise of reason in the state, the Akhil Bharatiya Marathi Sahitya Sammelan (All India Marathi Literary Meet) succumbed to lumpen elements and revoked its invitation to well-known writer Nayantara Sahgal.

The annual jamboree will be held in Yavatmal from January 11. Maharashtra has seen such literary meets since 1878, long before the advent of trendy "lit fests". Since Independence, while the chief minister is chief guest almost every year, the keynote speaker is usually a writer of eminence from other languages. Umashankar Joshi, Girish Karnad, Mahasweta Devi, U R Ananthamurthy have been either keynote speakers or delivered the valedictory address. This year, Devendra Fadnis is the chief guest and Sahgal was to be a key speaker. The difference came in the form of elements who opposed Sahgal's presence, citing her "English only" literary work. These thugs threatened to disrupt the literary meet. Sadly, instead of standing firm, the organisers withdrew the invitation to Sahgal.

This happened on the day the state was recalling the contribution of Jambhekar, the father of Marathi journalism. A brilliant academic, he was professor of history at Mumbai's Elphinstone College and was interested in mathematics, astrology, physics and meteorology. Jambhekar was among the

first to embrace modern education, even before Lord Macaulay could lay the foundations of the Raj education system.

Since then, Maharashtra has come a long way. But the direction of its journey is questionable. The current surrender of its intellectuals could go down as new low in a continuing decline. Except few shining examples like the late Durga Bhagwat and P L Deshpande, who dared to question a towering personality like Yashwantrao Chavan for his role in the Emergency, Marathi literary meets of late have mostly been song and dance festivals.

This decline began in 1987 when the Maharashtra government undertook the task of bringing out B R Ambedkar's collected works. Part of the collection was the hitherto unpublished *Riddles in Hinduism*, which led to a confrontation between Hindutvavadis calling for a ban, and those against such a ban. Not many intellectuals stood by the book, even though it was by none other than Ambedkar.

In 2004, there was a controversy over American author James Laine's controversial book, *Shivaji: A Hindu King in Islamic India*, which allegedly contained uncharitable remarks about Chhatrapati Shivaji. Activists of Sambhaji Brigade, a relatively unknown outfit then, ransacked the Bhandarkar Oriental Research Institute in Pune for helping Laine write the book, which never saw the light of the day in Maharashtra. Intellectuals in Maharashtra didn't break their silence.

In 2009, writer Anand Yadav was forced

to stay away from the literary meet after the Varkari (worshippers of Lord Vitthal) sect threatened to launch protests against the author, angered at Yadav's novel on Sant Tukaram. The author was left to defend himself and preferred to withdraw from the sammelan. More shocking than Varkaris and their demand was the complete silence over it in Marathi literary circles.

A similar situation was observed again recently, after Naseeruddin Shah's criticism of the current state of affairs with regard to the freedom of speech. Aside from one or two exceptions, the Kumars and Khans of Bollywood were either busy at their new-year bashes or were dancing and serving food at an industrial tycoon's family function. Not many writers or artists in Maharashtra had anything to say on Shah's outburst.

Given this backdrop, no action is expected to reassure the eminent writer. The excuse that Sahgal has not written in a regional language is a facade. The real reason could be her active role in award wapas and other issues. But that's beside the point. Maharashtra was once known for its intellectual magnanimity. Revoking the invite to an eminent author proves that it is on way to its deintellectualisation.

The writer is editor, Loksatta. He was one of the speakers at Akhil Bharatiya Marathi Sahitya Sammelan but withdrew from the event in protest

JANUARY 8, 1979, FORTY YEARS AGO



CHARAN SINGH'S PARTY CHARAN SINGH'S TUGHLAQ Road house turned out to be the unlikely meeting place for the cold-warring faction leaders of the Congress and Janata parties. What brought them together was a tea party to celebrate the birth of Charan Singh's grandson in the US. Prime Minister Desai came, so did Indira Gandhi. Jagjivan Ram paid what may have been his first visit to Charan Singh's house. Others who came to partake of coffee, samosas and barfi were Congress President Swaran Singh, Y B Chavan, Atal Bihari Vajpayee and Biju Patnalk. Mrs Gandhi shared a sofa with the kisan leader. Eye witnesses, who did not miss a nuance, said she

sat on her end of the sofa beaming and smiling while the Chaudhury occupied his corner, cold and informal. They hardly made any conversation. The manner of Jagjivan Ram towards Charan Singh too was quite cold. Morarji and Mrs Gandhi did not exchange any words, the onlooker said.

IRAN PROTESTS DEMONSTRATORS DEMANDING THE overthrow of Shah Mohammad Reza Pahlavi returned to the streets of Teheran and other cities, while many shopkeepers apparently heeded calls for a general strike. Two persons were killed and three injured during a clash between demonstrators and security officers

in the town of Beneh. The new wave of violence appeared to be a direct challenge to the two-day-old civilian government of Prime Minister Shahpour Bakhtiar.

CONGRESS UPHEAVAL THE POLITICAL CONFERENCE of Congress workers in Maharashtra unanimously "elected" D T Rupawate, who recently resigned as joint secretary of the AICC, president of the Maharashtra Pradesh Congress Committee "removing" N M Tidke from the party post. Chief minister Sharad Pawar said "spineless" Tidke and his associates were bent upon surrendering to the authoritarianism of the Congress (I), headed by Indira Gandhi.

15 THE IDEAS PAGE

WHAT THE OTHERS SAY

“Legislating and enforcing a new mind-set for Internet companies will be challenging — but it must be done.”
— THE WASHINGTON POST

‘Even if there isn’t friendship between govt and media, there shouldn’t be animosity’



RAJNATH SINGH

LOOKING AT CERTAIN leaders sitting before me, I find myself in a piquant situation. If I speak about the late Ramnath Goenka and his role during and after the Emergency, I am going to feel a bit hesitant, given that some of our friends from the Congress are sitting here. You could say that one should speak openly. But you know there is some courtesy one has to extend. Democracy functions through such courtesies. But all of them are friends and they won't mind whatever I am going to say here, at least at this time.

I would like to say that I feel very happy to be here. Normally, I do not consent to appear at events. But the moment I was told about this programme, I agreed. There was only one reason for that: The great respect I have for Ramnath Goenkaji.

It was the time of Emergency. I was in Naini jail. Before that, I had been in solitary confinement. There were teachers from Allahabad University and leaders from various political parties in the Naini Central Jail, and barely a day went by when Goenka was not discussed in the jail. I never met him personally. But whatever I had heard about him in those days had created an impression on me, and that is why I readily agreed to be here.

I congratulate all media persons who have been awarded for their work today. In the world of journalism, Ramnath Goenka was known for his excellence. It is good that the management, and respected Viveck Goenkaji, named the award after Ramnath Goenka and called it “Excellence in Journalism”. The identity of a person or an institution is based on how he deals with crises and overcomes them. Only after determining this can we arrive at the true identity or character of the person.

If I say that that during the Emergency, Ramnath Goenka lit a lamp in the middle of a tempest, it would not be an exaggeration. And the lamp he lit stayed alive despite the tempest. I believe, not only the world of journalism but also the democratic system of this country, will remain eternally grateful for the work that Goenkaji did during and after the Emergency. The line that *The Indian Express* drew under the leadership of Ramnath Goenka during all that happened during the Emergency, and on issues of corruption in the period after, will remain indelible. I am not saying this because I am at an *Indian Express* function; I am saying this from the depths of my heart.

Several political leaders were in jail at that time. We did not know what the future will hold for us. But as the public mood began changing, several leaders began hoping for a shot at power after the Emergency. But Ramnath Goenka had no such dreams — even though he would have a major role to play in the regime change, he was not concerned with power. He just continued his struggle.

For opposing Emergency, the credibility of *The Indian Express* reached such heights that the government came to feel the need for *The Indian Express*, but, even today I can say, *The Indian Express* does not need the government. Such is the credibility that has been earned by this group.

I still remember when the Rajiv Gandhi government brought the Anti-defamation Bill. That scene is still fresh before my eyes. At that time, an attempt was made to curtail press freedom. Ramnath Goenka did not sit silently and rebelled against the move. I remember he led a delegation that walked to the Parliament. *The Indian Express* has a special character, and almost 100 per cent contribution towards this is of Ramnath Goenka. You all are aware of what *The Indian Express* did during the freedom struggle. It was established on the call of Gandhiji who wanted public atrocities to be highlighted. And on Gandhiji's call, *The Indian Express* had participated in this battle for justice with great vigour. It went on to play an important role in highlighting British atrocities.

People talk about freedom of expression today, but I do not understand where they were then. Did they talk about freedom of expression then? I believe no one needs to answer this question. We should try to look for an answer ourselves. *The Indian Express* was established in 1932. It was an act of great courage. If I say that courage was in the DNA of Ramnath Goenka, then it would not be an exaggeration. *The Indian Express's* tagline is

If I say that that during the Emergency, Ramnath Goenka lit a lamp in the middle of a tempest, it would not be an exaggeration. And the lamp he lit stayed alive despite the tempest.

“Journalism of Courage”. It is a reality that was lived by its founder. And this reality is an inspiration to all journalists today.

Even before Independence, newspapers used to be a medium of influencing socio-political consciousness. During the struggle to shape public opinion, several leaders came out with newspapers. Be it Mahatma Gandhi's *Harijan* and *Young India*, Raja Ram Mohan Roy's *Sambad Kaumudi*, Bal Gangadhar Tilak's *Kesari*, Bipin Chandra Pal's *Paridarshak*, Maulana Azad's *Al-Hilal*, Ganesh Shankar Vidyarthi's *Pratap* or Madan Mohan Malaviya's *Leader*. The British atrocity was at its peak then. I truly believe in what Akbar Allahabadi has said: “*Kheencho na kamanon ko na talwar nikalo/Jab tope muqaabil ho to akhbar nikalo*” (Neither pull the string of your bow, nor unsheathe your sword/when facing the canon, bring out a newspaper). The way the war of Independence was fought, I think what he said was true. A newspaper not only gives strength to the country but also strengthens democracy.

Sometimes, we see attempts to sensa-



Suvajit Dey

tionalise a news item. I believe attempts at sensationalising news or spicing it up are an insult to journalism. And I can say that the late Ramnath Goenka never let journalism be insulted as long as he was alive. There must have been many incidents in the lives of the leaders sitting here. In our lives, too, there have been incidents. A few days ago, a news item unrelated to me appeared on a website. It said that a scamster who had swindled Rs 3,700 crore was close to me. I was shown handing over a memorandum to him. We are representatives and hundreds of people come to meet us. Who has given this memorandum? What is there in it? This can be known only after it comes in hand. Nowadays, everyone has a mobile phone. Who took this photograph? I can't say whether I know this man or not. But it would have been better if he had verified it with me. He should have asked whether something like this happened or not. But such things happen sometimes. I believe we should all try to avoid such things. Most people take criticism sportingly, as I have tried to do.

Journalism should be judged on the yardstick of fairness, fearlessness and national interest. If it passes this test, then that journalism would be known for its excellence. We also need to be cautious that journalism that is against the nation or provides cover for any kind of disruption, divisiveness or corruption, can be an agenda of a person or an institution, but it cannot be journalism.

I see that at a young age, to get ahead of the competition, sometimes such news is published. We must stay away from such journalism. I also want to suggest to my journalist friends that if any person, organisation or institution attacks you, you must answer it through journalism alone. It can be done through the newspaper. The late Ramnath Goenka proved this.

Everyone says journalism is the watchdog of democracy. I say it is also the barometer of democracy. The stronger the newspaper and journalism gets, the healthier will be the democracy and the brighter it will shine. The more fearless and alert the watchdog is, the more brightly democracy will shine.

Journalism has been called the fourth pillar of democracy: Vidhaika, Karyapalika, Nyaypalika, and, Khabarpalika, the fourth pillar.

You would agree that journalism does not have a simple relationship with the people. It is not a relationship of flexibility. It is a relationship of credibility, built over several years of hard work. So we have to remain vigilant that the faith people repose in journalism is not shaken in any situation. If Ramnath Goenka continues to live in our hearts, it is a result of that credibility and faith, earned through hard work. We know there are people who desire to stand by the truth but are unable to do so. For such people Ramnath Goenka is an inspiration.

I know he had to pay a heavy price for fighting the Emergency. The situation had become so bad that he once told Nanaji Deshmukh, one of his closest friends, that “I came here with a lota and a pair of dhoti, I will go back but I will not compromise with my principles”. I too know for a fact there wasn't enough money, even to buy newsprint. People used to say that the situation had become so bad that women in the family had decided to sell their jewellery to run the press.

At one point, he decided to shut the paper instead of bending. If he had given in then I think — as we saw in the presentation just now — it would be called a paper but not a credible newspaper. Even while fighting the British, he never bothered about the survival of his newspaper. *The Indian Express* was among the first newspapers that was shut for

Sometimes, we see attempts to sensationalise a news item. I believe attempts at sensationalising news or spicing it up are an insult to journalism. And I can say that the late Ramnath Goenka never let journalism be insulted as long as he was alive.

supporting Gandhiji's Quit India Movement, after the British issued a gag order.

I would like to quote what Ramnath Goenka once wrote in an editorial: The human civilisation is struggling for its independence. But what does it mean until it includes the freedom of our country? So, this will be a paper but not a newspaper. So, I have decided this is going to be our last edition.

During Emergency, *The Indian Express* also published a blank editorial. There could be no stronger message against the Emergency.

Today, social media is rising as a big challenge to conventional media. There are challenges in the form of fake news, sponsored news, paid news and coloured news. It remains to be seen how the world of journalism deals with these. But I believe the importance of conventional media, as against social media, will continue as long as it is able to maintain the credibility of the news reports.

Fake news is not something unprecedented. It happens on social media sometimes. I was reading a report on December 30 in *The Hindu*, where I learnt that *Der Spiegel's*

reporter, Claas Relotius, had been faking news for years. He had been reporting on events that never happened. What was the result? When the management came to know about this, all the awards that he had received over the years were revoked and he was sacked. We have to guard against such situations.

I have seen the power of media. Sometimes, reports of newspapers — reports which are in public interest and important for the country — are taken cognisance of by the Supreme Court. The Court also issues orders based on these reports. I also believe that to err is human. So if we commit a mistake, we must accept it without hesitation. Accepting one's mistake is an act of courage. A person with a small heart cannot accept his mistake. It is done by large-hearted people.

I also believe that the media should also play the role of a bridge between the government and the people. I can say that *The Indian Express*, and certain other newspapers, are fulfilling this responsibility very well. That the government and media must remain adversaries is not a good mentality. There can be mistakes. But I believe that between these two pillars, even if there is no friendship, there should be no feeling of animosity. I know several newspapers take care of this.

Media organisations are committed to national interest and they understand their responsibility. But, sometimes, even elements which are engaged in a movement to finish the constitutional and democratic structure of this country, get the support of the media. I am saying this because sometimes certain people write — here I am fulfilling the responsibility as India's home minister — “Naxals are Gandhians with a gun”. When such things are published — forgive me, some people may get offended — but when I read such lines, I am shocked. Gandhi and gun together? How did that happen?

And sometimes, there is talk of human rights in support of those who indulge in violence and kill people. What about the human rights of our soldiers who are fulfilling the responsibility of protecting the nation? Don't they have human rights? But I know several people are careful about this. And we must take care of this.

I also believe that the media should show the mirror to power. But the mirror must not be coloured. As soon as the mirror becomes coloured, its credibility comes under a doubt. So we have to be careful about this as well.

We may have differing views and ideologies. I know there are media houses which have a certain ideology and thought. But do not try to mix it up with news. Newspapers should publish news as news. There are other spaces to express views in a newspaper.

I feel fortunate that I am here today. And the credibility that Ramnath Goenka built for this paper will sustain in future as well. But I would also like to say that we should emulate the values he practised and protected throughout his life. I congratulate all who were awarded this evening. Those who did not get an award, I am sure, they will put in enough efforts in the future and will be awarded.

This is a translated and edited version of the speech by Union Home Minister Rajnath Singh at the Ramnath Goenka Excellence in Journalism Awards, held on January 5, in New Delhi

The centre moves east

Rise of Bangladesh augurs well for the future of the eastern Subcontinent



BY C RAJA MOHAN

IN FOCUSING ON the scale of Sheikh Hasina's victory in the general election a few days ago and the allegations of rigging by her opponents in Bangladesh, it is easy to miss the significant structural change unfolding in Bangladesh and its long-term implications.

As she begins her third continuous term as prime minister, Sheikh Hasina is destined to go down as one of the Subcontinent's most consequential leaders. Combined with an earlier term as PM during 1996-2001, Sheikh Hasina could eventually become one of the longest serving political leaders in South Asia and beyond.

While many other regional leaders have had the fortune to stay in office for long, few have had the privilege to advance their nations like Hasina has. Even fewer have the opportunity to help restructure their regions. Over the last decade, there has been a dramatic improvement of the country's economic prospects. The stability and continuity provided by Hasina has been critical for this transformation.

Under her leadership, Bangladesh has emerged as one of the world's fastest-growing economies. Its per capita income has doubled over the last decade. It is all set to leave the category of “least developed countries”. Hasina's ambition is to accelerate the annual economic growth rate from the current 7 per cent to nearly 10 per cent by the time Bangladesh celebrates its 50th birthday in 2021.

What does this economic transformation of Bangladesh mean for the Subcontinent as

a whole? For one, it has begun to change the economic hierarchy in the region, by displacing Pakistan in the second spot. The per capita income of Bangladesh, \$1800, is now larger than that of Pakistan's at about \$1600. The aggregate GDP (\$275 bn) is poised to overtake Pakistan's at \$310 bn in the coming years.

More than mere numbers, it is also a question of direction, momentum and national purpose. In contrast to the widespread international scepticism about Pakistan's economic future, there is pervasive economic optimism about Dhaka's economic prospects. If Prime Minister Imran Khan is travelling round the world to stitch together yet another bailout of Pakistan's economy, Sheikh Hasina talks of reducing reliance on aid focusing on trade and investment.

The transformation of Bangladesh is altering some perceptions in Pakistan. The traditional Pakistani condescension towards Bangladesh is yielding to a measure of admiration. Some in Pakistan are urging Islamabad to adopt the “Bangladesh model” — where the focus is on economic development rather than political adventurism and promoting religious moderation instead of extremism. No one, of course, is holding their breath for such a change in Pakistan. For, its military and civilian leadership finds it hard to break from the policies it has embraced for so long.

Second, as Bangladesh rises, it alters the balance within South Asia by tilting the region's economic centre of gravity towards the east. The economic advancement of Bangladesh helps lift up the whole of the east-

ern Subcontinent, including India's Northeast as well as Bhutan and Nepal.

Geography has positioned both Pakistan and Bangladesh as natural “bridge states” within South Asia and between the Subcontinent and the abutting regions. Rawalpindi has chosen destabilisation of its neighbours through cross-border terrorism and insurgencies, while Dhaka has chosen the path of regional cooperation.

It was Dhaka's initiative that helped found the SAARC in the mid-1980s. Today, the SAARC remains dysfunctional thanks to Pakistan's reluctance to engage in economic cooperation with India. Rather than criticise Pakistan, we must recognise the sovereign choice that Islamabad has made.

An unintended consequence of Pakistan's choice has been the fillip to sub-regional cooperation in the eastern Subcontinent involving Bangladesh, Bhutan, India and Nepal. Equally important has been the re-vitalisation of the BIMSTEC forum that is pursuing trans-regional cooperation between five South Asian countries (Bangladesh, Bhutan, India, Nepal and Sri Lanka) and two Southeast Asian countries (Myanmar and Thailand).

Bangladesh is also critical for the success of Beijing's plans to integrate its Yunnan province with Myanmar, Bangladesh and eastern India. Unlike the China-Pakistan Economic Corridor, where India has concerns over sovereignty, there are fewer problems with the development of the so-called BCIM corridor. There is no doubt that tensions over the Rohingya have cast a shadow over the fu-

ture of regionalism in the east. But the rapid growth of both Bangladesh and Burma and the weight of the three large economies — China, India and the ASEAN — flanking them will continue to strengthen the imperatives of regionalism.

Third, thanks also the initiative of Bangladesh, its maritime territorial issues with India and Burma have been peacefully resolved through arbitration. That opens up significant room for maritime economic and security cooperation within the Bay of Bengal. That in turn will deepen the integration between eastern Subcontinent and Southeast Asia.

For far too long South Asian geography has been viewed through the prism of India-Pakistan relations. Unsurprisingly, then, the narrative about South Asia has been largely negative. Consider, for example, descriptions like a “nuclear flashpoint”, the “most dangerous place” in the world and the “least integrated region”.

To be sure, Pakistan remains important but mostly for negative reasons. It is a challenge that must be managed. But the rise of Bangladesh and the expanding regional cooperation centred around it allows us to imagine a positive future for the Eastern subcontinent and its integration with the dynamic East Asian region.

The writer is director, Institute of South Asian Studies, National University of Singapore and a contributing editor on international affairs for The Indian Express

LETTER TO THE EDITOR

END ALIENATION

THIS REFERS TO the article, ‘In 2019, a new outreach’ (IE, January 7). Radicalisation of the youth, because of their alienation, is at the root of all problems in the Kashmir Valley. We need to remember that other than the government's development efforts, the role of Indians outside the state also plays a role. For example, people do not want to rent out their houses to Muslims, especially if they belong to the Valley.

Anjali Sharma, Delhi

SENTIMENTS MATTER

THIS REFERS TO the editorial, ‘Of its own making’ (IE, January 7). The editorial neglects the religious sentiments of Hindus. Cow protection is enshrined in Article 48 of Indian Constitution. Not every matter should be seen through the lens of economic utility. There should be no animal slaughter at all. Environmentalists have time and again advocated the importance of vegetarianism. The government can use the money collected through the cess to develop technologies related to livestock.

Nishant Parashar, Chandigarh

BAN FREEBIES

THIS REFERS TO the article, ‘Free for all voters’ (IE, January 5). Economists have argued that loan waivers are not a viable proposition. Bad governance affects the capacity of the state to fund social infrastructure. The political class should have a concrete strategy to create employment or improve the ease of doing business. The Election

LETTER OF THE WEEK AWARD

To encourage quality reader intervention, *The Indian Express* offers the Letter of the Week award. The letter adjudged the best for the week is published every Saturday. Letters may be e-mailed to editpage@expressindia.com or sent to *The Indian Express*, B-1/B, Sector 10, Noida-UP 201301. Letter writers should mention their postal address and phone number.

THE WINNER RECEIVES SELECT EXPRESS PUBLICATIONS

Commission should ban political parties from promising freebies.

Dimple Wadhawan, Kanpur

TARGET THE POOR

THIS REFERS TO the article, ‘An answer to rural distress’ (IE, January 7). It speaks poorly of the MSP policy that it never benefits the small holders. Similarly, the loan waiver policy has made the farmer a debtor. The farmer should be allowed direct access to the market, without mediators.

Satish, Allahabad

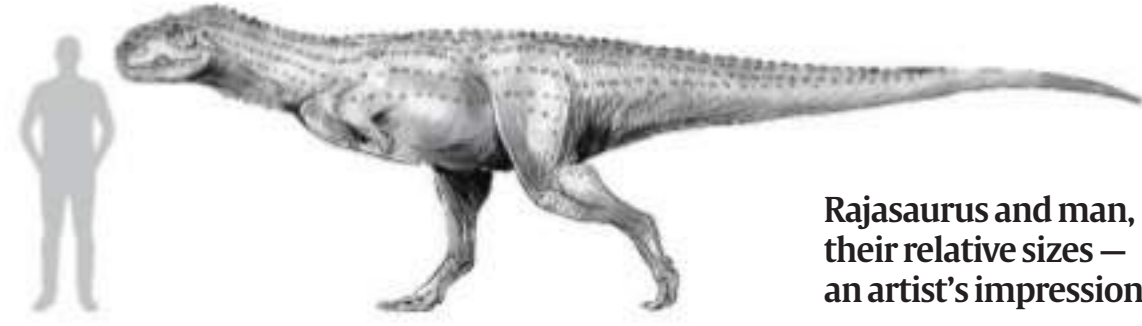


@ieExplained
#ExpressExplained

If there are questions of current or contemporary relevance that you would like explained, please write to explained@expressindia.com

FACT CHECK, GROUND REALITY

DINOSAURS AND INDIA: A VERY OLD STORY, FIRST TOLD IN 1828



Rajasaurus and man, their relative sizes — an artist's impression

SOWMIYA ASHOK
NEW DELHI, JANUARY 7

THE DINO NOTEBOOK

OF MANY KINDS

It is difficult to say how many kinds were present in India unless there is conclusive data to show how one species differed from another. A modest estimate suggests a diversity of about 30 forms.

THE BIGGEST

Barapasaurus tagorei, an early sauropod, stood 4 m tall, measured 24 m in length. Bone specimens were unearthed between 1958 and 1961. Remains of another large Indian dinosaur, *Isisaurus (Titanosaurus) colberti* have been found near Wardha; could emerge bigger than *Barapasaurus tagorei* once the full skeleton can be put together.

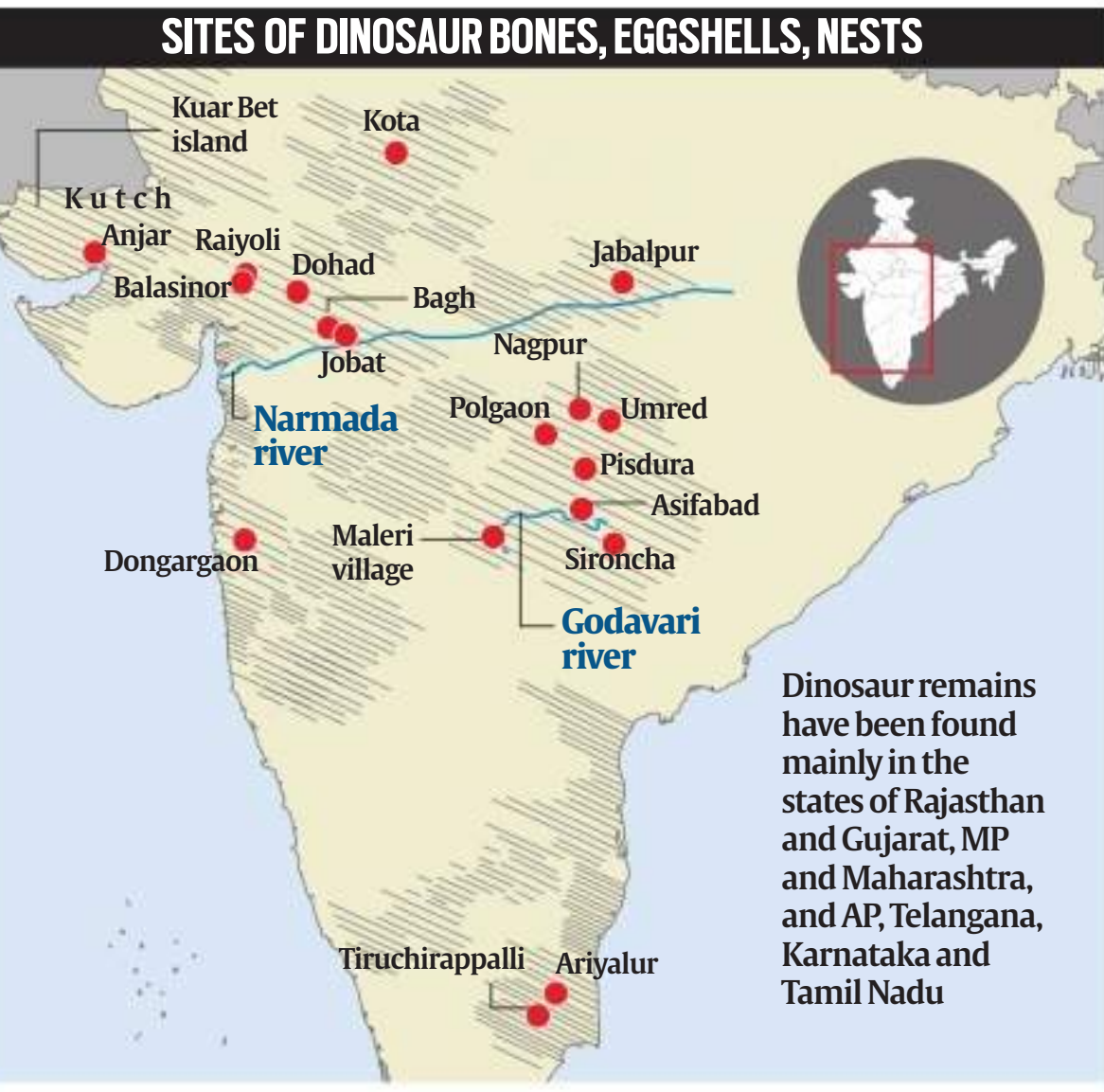
THE FIERCEST

The *Tyrannosaurus rex*, most storied of all dinosaurs and considered the most fearsome eating machine to have evolved on Earth, was not found in India. The fiercest of all Indian dinosaurs was probably the *Rajasaurus narmadensis*, followed by another specimen of the *Abelisauridae* family, the *Indosuchus raptorius*.

FIRST DISCOVERED

The first dinosaur bones in India were discovered by Maj Gen William Henry Sleeman, then a Captain in the East India Company, in 1828 at a foot of the Bara Simla Hill in Jabalpur Cantonment. Among Indian palaeontologists, Profs R Narayana Rao and P Sampath Iyengar made discoveries in 1927, and D Chakravarty in 1933 and 1935. In the modern period of exploration (since 1960) the foremost name has been that of Sohan Lal Jain, after whom the *Jainosaurus*, a large herbivorous titanosaurian dinosaur is named.

Source: *Dinosaurs Of India*, by Ashok Sahni



SIMPLY PUT QUESTION & ANSWER

The 'poor forward' quota story

What is the Centre's proposal about the economically backward among the 'general category' upper castes? What is the background and context of the decision, and what is the way forward?

SEEMA CHISHTI
NEW DELHI, JANUARY 7

AHEAD OF elections to Lok Sabha, the Union Cabinet has cleared a Bill to be brought in Parliament, seeking to provide 10% reservation in government higher education institutions and government jobs to the economically backward among the 'general category'. This refers to non-Dalits, non-Other Backward Classes and non-tribals — essentially, the upper castes or so-called 'forwards'. Several Opposition parties said that the "hasty" move was another election "gimmick" or "jumlal" from the BJP, and showed the party's increasing "desperation".

Who qualifies for the proposed quota?

The quota is targeted at economically weaker sections among the upper castes. General category individuals, all members of whose family together earn less than Rs 8 lakh per annum, and who have less than five acres of agricultural land, will qualify. Individuals whose families own or possess more agricultural land, or a residential flat of area 1,000 sq ft or larger, or a residential plot of area 100 yards or more in notified municipalities and 200 yards or more in areas other than notified municipalities, will not qualify.

For reference, the individual income-tax exemption limit in India is Rs 2.5 lakh, and there is no agreement on where the bread line is in the country currently. There were intense discussions during the tenure of the UPA government on where the poverty line should lie, but after the disbanding of the Planning Commission, the debate has largely petered out. In April 2009, the Arjun Sengupta Committee estimated that at the end of 2004-05, about 836 million people, or 77% of India's population, were surviving on less than Rs 20 per day. In November that year, a Committee headed by Suresh Tendulkar used a different methodology to estimate India's combined rural-urban poverty headcount ratio in 2004-05 at 37.2%, and the rural poverty line at Rs 447 and the urban poverty line at Rs 579.

One of the key demands of strike action planned by Left-backed unions over Tuesday and Wednesday is guaranteed minimum wages of Rs 18,000 per month, which works out to Rs 2,16,000 per annum.



(Left) V P Singh, SR Bommai and Lalu Prasad with Sharad Yadav before he embarked on his 'Mandal Rath Yatra' from B P Mandal's village in Bihar in 1992; an upper caste rally in Bhopal before the Madhya Pradesh Assembly election last year. Archive/Milind Ghatwai

Classes and Anglo Indians. The Constitutional promise is explicitly for social exclusion and discrimination.

While providing quotas for Other Backward Classes (OBCs) in jobs in the nineties (and in higher educational institutions in 2006), the target group was "socially and educationally backward classes". The OBCs included the 'middle castes', who used their hands to engage in a variety of specific occupations, often with connotations of being 'lowly' occupations.

Quotas for the poor among the upper castes has been seen essentially as a poverty alleviation move dressed up as reservation, which has an air of a state guarantee. In fact, the spirit of reservation is to address a specific social wrong, peculiar to the subcontinent. The question of how the 'creamy layer' in the socially backward sections should be considered, has been a contentious one.

KALELKAR & MANDAL

THE FIRST Backward Classes Commission was appointed under Article 340(1) in 1953 under the Chairmanship of Kaka Saheb Kalelkar to determine criteria to identify people as socially and educationally Backward Classes, and to recommend steps to ameliorate their condition. In its report, the Commission interpreted the term "socially and educationally backward classes as relating primarily to social hierarchy based on caste".

THE SECOND Backward Classes Commission was appointed in 1978 under B P Mandal to review the state of the Backward Classes. The Commission submitted its report in 1980, but it was put in cold storage until the V P Singh government pulled it out in 1990. This report recommended 27.5% reservations in government jobs for OBCs, stirring a hornet's nest in North Indian politics, with ramifications that continue to be felt today.

the states.

Also, the percentage of seats that can be reserved has long been an issue in the courts. In *M R Balaji And Others vs State Of Mysore* (1962), the Supreme Court enunciated the principle that "speaking generally and in a broad way, a special provision should be less than 50%", a ceiling that it reiterated in its *Mandal judgment (Indra Sawhney Etc vs Union Of India And Others)* (1992) and on several other occasions. The proposed 10% poor forward quota will take the reservation ceiling higher than 50%. Reservation in Tamil Nadu, which is 69% of the total, is protected from judicial review by the Ninth Schedule;

however, the Supreme Court, in *J R Coelho v State of Tamil Nadu* (2007), has ruled that laws that violate the basic structure of the Constitution would be open to judicial review, including any law added to the Ninth Schedule after April 24, 1973.

There is a strong likelihood that the proposed 10% quota will be challenged in court.

But aren't there poor among the upper castes too?

Articles 330-342 under Part 16 of the Constitution outline special provisions for certain classes. The Constitution identifies only four such classes — SCs, STs, Backward

Is this idea of reservation for 'poor forwards' new?

No, it has been explored earlier.

■ In 2008, the government of Chief Minister V S Achuthanandan in Kerala decided to reserve 10% seats in graduation and PG courses in government colleges and 7.5% seats in universities for the economically backward among the forwards. An appeal is pending in the Supreme Court.

■ In 2011, Mayawati, then Chief Minister of Uttar Pradesh, wrote to the central government asking for reservation for upper-caste poor.

■ In 2008 and 2015, the Rajasthan Assembly passed Bills to provide a 14% quota to the economically backward classes (EBCs) among the forward castes.

What would it take for the quota to become reality?

It will need an amendment of Articles 15 (prohibition of discrimination on grounds of religion, race, caste, sex or place of birth) and 16 (equality of opportunity in matters of public employment) of the Constitution. The amendment will have to be ratified in both Lok Sabha and Rajya Sabha, by at least two thirds of members present and voting, and by the legislatures of not less than half

After SC verdict, how amendments seek to change the law on Aadhaar

KRISHN KAUSHIK
NEW DELHI, JANUARY 7

LOK SABHA Friday passed The Aadhaar and Other Laws (Amendment) Bill, 2018 to amend the laws relating to the use of Aadhaar and the powers of the Unique Identification Authority of India. The Bill seeks to amend at least 27 sections of the three existing laws: The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016, The Indian Telegraph Act, 1885, and The Prevention of Money Laundering Act, 2002.

The changes follow the Supreme Court's verdict of September 26, which upheld Aadhaar but limited its use for only certain subsidies and schemes funded by the Consolidated Fund of India, and disallowed private companies from asking for Aadhaar for authentication. The amendments seek to circumvent some of the restrictions imposed by the court.

The Statement of Objects and Reasons in the Bill said that "with over 122 crore Aadhaar numbers having been issued and with the widespread use of Aadhaar as a proof of identity for various purposes by the

Government of India, State Governments and other entities, it is essential to have a regulatory framework for the operation of Aadhaar". Also, UIDAI needed to be empowered to take "enforcement actions... against errant entities".

The most important changes are to allow children the chance to exit the Aadhaar ecosystem once they turn 18 years old; expand the scope of Aadhaar being used by entities that was restricted by the Supreme Court; create a UIDAI fund; and provide legal backing for Aadhaar to be used voluntarily as proof of identity to open bank accounts and for mobile phone SIM cards.

Aadhaar for authentication

While the Supreme Court had said that Aadhaar can only be sought for welfare schemes and subsidies mentioned in Section 7 of the Aadhaar Act, the amendments say the central government can, in consultation with the UIDAI, allow Aadhaar-based authentications, if the entity is compliant with certain standards of privacy and security, if it is permitted by law, or for any purpose that the central government feels is in the interest of the state.

The Aadhaar Act previously allowed for the state and any body corporate, Aadhaar-based authentications. Entities allowed to use Aadhaar have to be compliant with privacy and security standards that will be specified by UIDAI.

The changes to The Indian Telegraph Act and The Prevention of Money Laundering Act allow banks and telecom companies to use Aadhaar, if offered voluntarily by a person as a Know Your Customer (KYC) document, although neither of the entities can make it mandatory, or the only KYC document.

A person will have the choice to use any other valid document for KYC. Also, the central government can through a notification allow a non-banking company too, if it feels it is necessary and expedient to do so, to perform such authentications.

Aadhaar for children

The majority verdict of the Supreme Court said "it has to be kept in mind that when the children are incapable of giving consent, foisting compulsion of having Aadhaar card upon them would be totally disproportionate and would fail to meet the proportionality test". Also, "on attaining the

age of majority, such children who are enrolled under Aadhaar with the consent of their parents, shall be given the right to exit from Aadhaar, if they so choose".

The amendments provision that at the time of enrolment the parents or guardians of the children will have to provide consent, and the agency must apprise them of how the information will be used, whom it will be shared with, and other rights. They also allow for the children to apply for cancellation of their Aadhaar number within six months of achieving adulthood, something that the original Act did not permit.

Complaints and penalties

The original Act did not allow courts to accept complaints filed by individuals, only permitting the UIDAI or officers authorised by it to make complaints in case of violations. The amendments change this, as ordered by the Supreme Court. Individuals will be able to register complaints in certain cases, which can include impersonation, or if their Aadhaar information is disclosed without their consent.

The amendments give UIDAI the power to issue directions to entities in the Aadhaar

ecosystem. The penalties to be decided by an adjudicating officer appointed by UIDAI for violations of the laws have been increased to a maximum of Rs 1 crore in certain cases "for each contravention and in case of a continuing failure, with additional penalty which may extend to ten lakh rupees for every day during which the failure continues after the first contravention" by any entity in the Aadhaar ecosystem. The Telecom Disputes Settlement and Appellate Tribunal has been made the Appellate Tribunal for such cases.

Offline verification, voluntary use

Biometric authentication using Aadhaar works when a person's biometric information — fingerprints or IRIS scan — results in a positive match with the information stored in the Central Identities Data Recovery. Now, the verification can be done "offline", using a digitally signed copy of the Aadhaar card which has the person's photograph, selected information and a QR code, but does not have the biometric information and need not include the Aadhaar number.

Though only a law made by Parliament

can mandate the use of Aadhaar, people can use it as an ID proof voluntarily, without having to authenticate. The Aadhaar Act only allowed it to be used "subject to authentication", which has now been changed to use it by authentication or even offline verification.

Other amendments

■ Currently, the UIDAI deposits whatever revenue it collects in the Consolidated Fund of India. The amendments create a UIDAI Fund, which will now receive its revenues from fees, grants and charges. The revenue will be used for UIDAI's expenses.

■ In compliance with the Supreme Court's order, only High Courts (not district courts) can ask for disclosure of Aadhaar-related information. Only an officer of the rank of Secretary (not joint Secretary, as earlier provisioned) can issue directions for such information in the "interest of national security".

■ Use of virtual IDs to "conceal the actual Aadhaar number of an individual".

■ Omitting Section 57 of the Aadhaar Act relating to use of Aadhaar by private entities, which was struck down by the Supreme Court.