

**The Indian EXPRESS**

FOUNDED BY  
**RAMNATH GOENKA**

BECAUSE THE TRUTH INVOLVES US ALL

## Possibilities of a verdict

Despite its limitations, Pakistan SC ruling against the military gives its civil society more room



AYESHA SIDDIQA

LAST WEEK'S decision by two senior judges of Pakistan's Supreme Court in the case that the court had initiated suo motu in late 2017 is significant because of its sharp criticism of the role of the military and its intelligence agencies in the country's politics. The case pertains to Tehreek Labaik Pakistan's (TLP) protests in November 2017 that paralysed life in Islamabad and Rawalpindi. The director-general of Pakistan Rangers, an army general, was photographed distributing envelopes containing 1,000 rupee notes to the TLP protesters. Delivering their verdict on February 6, Justice Qazi Faez Isa and Justice Mushir Alam — who have a reputation of being far more principled than many other judges in the supreme court — criticised the military's manipulation of Pakistan's domestic politics.

The question, however, remains: Will the reprimand bring about any difference in the behaviour of the politically active — even arrogant — military? Three issues are worth devoting attention to in this respect. First, will this judgment help generate a consensus amongst the higher judiciary regarding its relationship with the armed forces? This is especially because the judiciary itself is divided on the extent it should interfere in the affairs of the military.

Pakistan's judiciary is not at the peak of its credibility. Its reputation has been tarnished by the two populist chief justices, Iftikhar Muhammad Chaudhry and Mian Saqib Nisar. The governments of Nawaz Sharif and Pervez Musharraf appointed judges who were wanting in professional ethics or were known to have conservative right-wing values. Justice Faez Isa and a few others are exceptions who slipped through the system.

The renowned human rights activist (late) Asma Jahangir had raised suspicions about the financing of the lawyer's movement that had pitchforked Chaudhry to prominence. The former chief justice was even known to have selected a judge of the Lahore High Court on the recommendation of the Jamaat-ud-Dawa (JuD) leader, Abdul Rehman Makki. Another conservative judge chosen by him, Justice Shaikat Siddiqui had, however, exposed the ISI's interference in influencing decisions of the highest court. Chief Justice Saqib Nisar, on the other hand,

had turned Pakistan's highest court into a kangaroo court that interfered with governance to the extent that it became difficult to distinguish between judicial orders and legislative action.

Second, the court's latest decision opens up possibilities for the government and the civil bureaucracy to assert themselves vis-a-vis the military. The government may, however, not be inclined to do so since the military is the major force behind Imran Khan and his Pakistan Tehreek-e-Insaf (PTI). There is a possibility of the government, or other forces, using the decision to generate some temporary chaos over extending the term of the current army chief — it's known that he wants an extension. However, an overall strengthening of Khan's hands does not seem to be a long-term possibility.

In the past, the Pakistan judiciary has given significant decisions that have gone against the military — the one in 2003 in Civil Appeal 30 of 1999, for instance. The case was about an army officer depriving a small farmer of three acres of land. Quoting extensively from John Steinbeck's novel *Grapes of Wrath*, the supreme court judges reprimanded the state and military for hurting the rights of the poor farmer. However, the judgment has not set any legal precedent. Imran Khan may not be inspired to open up the military system to greater accountability and to explore how ordinary citizens are threatened or how the deep state creates fear amongst dissenters.

Third, there is little possibility of implementing the decision, unless there is greater accountability of the military's actions. Though the Pakistan Army was involved in politics since the mid-1950s, it has been controlling the socio-political discourse much more extensively since 2013. The army and its intelligence agencies pick up people and torture them, interfere in media operations on an almost daily basis, advise private companies about giving advertisement to media houses, stop universities from employing people and put individuals on the exit-control list.

Recently, the director general of the army's PR unit, Inter Services Public Relations (ISPR), threatened journalist Taha Siddiqui with a provocative tweet. Several

ISPR-hired trolls then attacked Siddiqui and threatened him with dire consequences. Twitter finally removed the general's tweet. In the past, journalist Saleem Shahzad was abducted and tortured to death by the military for flagging the links between segments of the navy and terrorists. Unfortunately, Shahzad's case was not heard by a judge like Faez Isa.

Under these circumstances, the possibility of the military using the February 6 judgment to its advantage is high. For instance, an organisational decision to go quiet on social media — the one issued by the ISPR's Director General in January, for instance — will be showcased as the military's deference to the court's orders. Unless parliament legislates on greater accountability of the armed forces, the coercive actions of the men in uniform will only become less visible — much like that of the JuD. This is especially because Pakistan's new chief justice is not inclined to take suo motu action.

Furthermore, the judgment will be presented as an example of the Pakistani judiciary's independence. A case will therefore be made of not influencing the judiciary in other litigations, like those pertaining to the JuD and Hafiz Saeed. Even if there is a decision regarding Nawaz Sharif, the emphasis will be on the judiciary's alleged independence rather than the merits of that particular court order. The era of populism has had an adverse effect on the behaviour of the bench — judges seem to be playing to the gallery.

Pakistan's civil society must not be tricked by the way an otherwise excellent decision is presented to it; it should also not desist from using the verdict to its advantage. The verdict indeed gives it a foot in the door to contest for greater rights. After all, the concept of the state should not be limited to one institution. A nation is an evolving process that is defined by its citizens. The fact that this judgment upholds the right of legal and peaceful protest must be welcomed and used to people's advantage.

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## THE DEFICIT PROBLEM

Centre increasingly takes recourse to non-market borrowings for public deficits. There is a cost to deficit-induced borrowings

NEARLY 18.5 PERCENT of the Centre's fiscal deficit — the gap between its total spending and revenues from taxes and other non-debt sources — in 2019-20 is expected to be financed from small savings schemes collections, as against 12.6 per cent in 2016-17 and only 2.5 per cent in 2013-14. Further, the National Small Savings Fund (NSSF), which aggregates the receipts from these mainly Post Office-run schemes, invested Rs 70,000 crore in the Food Corporation of India (FCI) during 2016-17 and another Rs 65,000 crore in 2017-18. All this points to the fact that the Centre is increasingly taking recourse to non-market borrowings for meeting not only its own deficits, but also the requirements of parastatals from the FCI and National Highways Authority of India to Air India.

One way to view the above is that diversification of funding sources is a good thing: To the extent the Centre and its extended arms raise less resources from the market, there is that much reduced pressure on private sector borrowers. Also, the NSSF monies have to ultimately be invested somewhere in order to pay small savings subscribers. If these are deployed in government securities, why should that be a problem? This argument, however, misses the point. The real issue today is with deficits per se and not how they are financed. Sajjid Chinoy of the American investment bank, J.P. Morgan, has estimated India's total public sector borrowing requirement — which includes that of the Centre as well as state governments and parastatals — at 8.2 per cent of the GDP during 2017-18. Given that the total financial savings in the economy, according to official data for the same fiscal, amounted to 19.9 per cent of the GDP, it means the public sector is cornering well over a two-fifths share of the annual surplus with households and firms today. Does it matter beyond a point, then, whether this cornering is happening via banks and bond markets or the NSSF? So long as public deficits remain at the unsustainable levels they are at now, the private sector will continue getting crowded out and forced to pay interest rates that deter it from making productive investments.

Further, there is a cost to deficit-induced borrowings. For the coming fiscal, the Centre's own interest payments — including on so-called special securities issued to public sector banks for recapitalisation or to the FCI, fertiliser and oil marketing companies in lieu of cash subsidy — are budgeted at Rs 6,65,061 crore, which is 33.6 per cent of its revenue receipts and 23.9 per cent of total expenditures. Clearly, this cannot go on. The Narendra Modi government squandered the political capital it had to fix the deficit problem, whether through aggressive rationalisation/targeting of subsidies or reforming state-owned undertakings and banks by outright privatisation rather than recapitalisation. The next government will probably not have the luxury of dithering.

## A MESSY PEACE

As negotiations for a new political framework in Afghanistan get complicated, Delhi must focus on remaining relevant

THE LATEST REPORTS from Afghanistan that the US has resumed attacks on the Taliban suggest that the dominant view in Delhi — that America is surrendering to the Taliban and Pakistan — may not be entirely accurate. As it negotiates a framework for peace in Afghanistan, the US is trying to put its residual military leverage in the country to maximum possible use. Whether it succeeds or not, America is "fighting and talking" at the same time with the Taliban. The approach of the Taliban and its backers in the Pakistan army is much the same — to mount major attacks on the forces of the Kabul government and compel the Americans into making major political concessions. The US Special Envoy to the Afghan talks, Zalmay Khalilzad, said last week that Washington would like a peace settlement before July this year, when presidential elections are due. But he acknowledged that there is a "lot of work" to be done. Khalilzad also contradicted Taliban claims that the US has given a time-table for withdrawal of American forces from Afghanistan.

There are indications that the US may not pull all of its troops (currently numbering 14,000) from Afghanistan even if there is a satisfactory agreement with the Taliban (and Pakistan). In his state of the union speech last week, President Donald Trump said the US would leave a small military presence for the purpose of countering terrorism in the region. It would also mean retaining a few American bases in Afghanistan. Meanwhile, there is a darkening shadow over the political legitimacy of the government in Kabul. If the American decision to engage directly with the Taliban has weakened the credibility of Kabul, many leading Afghan political figures are actively undermining it. A number of Afghan leaders, including former president Hamid Karzai, traveled to Moscow earlier this month to sit down with the Taliban leaders despite the express opposition from President Ashraf Ghani.

As the talks between the US and the Taliban/Pakistan continue later this month, the cracks within the Kabul government and its constituent parts are bound to widen. As change, of one kind or another, seems inevitable in Afghanistan, all factions in the Afghan polity have begun to jockey for a position. While the end-game for the current chapter in Afghanistan has certainly begun, it is likely to be a messy and complicated one. As the political situation in Kabul becomes volatile, there is no reason for Delhi to either panic or pretend that it can get by with old slogans on Afghanistan. Instead it should consolidate its position on the ground, step up engagement with all political forces in Afghanistan — including the Taliban — and intensify consultations with all external players. Instead of demanding maximalist outcomes, Delhi's focus must be on staying relevant in the dynamic Afghan environment.

## INTERIM SATISFACTION

The new government may not back the allocations in the budget



YOGINDER K ALAG

IN THIS YEAR'S Interim Budget, the government has made a number of major political statements, which is understandable in an election year. Interestingly, the budget has outlined not only short-term schemes but a long-term vision and outlook.

Outlining long-term objectives is seen very positively in policy analysis. However, they need to be vigorously debated in detail, rather than as a statement of intent. Long-term planning usually quantifies resource allocation and investment numbers, which were lacking here. The Budget Statement follows a similar exercise in a seven-year plan. It will also be interesting to see how the next government will propose to modify any of these measures, if it takes them up at all in this manner.

A matter of questionable fiscal prudence, but also understandable in a pre-election budget, is the comparison of revised estimates (RE) from the current year with the budget estimates (BE) of the next year. Budgetary allocations are normally made at a higher number and revised down to a lower number because of considerations of maintaining and reducing fiscal deficit. So BEs should be compared with BEs and REs with REs. Otherwise, we get a false

sense of "expansion".

It was a sense of relief the country felt when this was declared an Interim Budget. But that was short-lived since the allocations were "annual". The new government, whichever party it belongs to, is not obliged to go by these allocations because there will be new MPs and ministers with their own priorities. They will be loath to give away their fiscal powers. For the power to spend is the real power behind the throne.

The new proposed Pradhan Mantri Kisan Samman Nidhi (PM-KISAN) gives direct annual income support to farmers with a land holding of two hectares. This, in fact, brings in Arvind Subramanian's Basic Income Support Scheme for substantial sections of the rural workforce. Congress President Rahul Gandhi had stated this as his objective for the economy and ministers were very critical. However, the budget showed an implicit appreciation of the idea and has proposed it for a large part of the rural labour force. Of course, there is no way of testing if sufficient funds have been provided for it. Small farmers till around two-fifths of the land but are two-thirds of the labour force, since agricultural labourers also till small plots of land.

The budget speech is exhorting the government's stated goal of doubling farmer income. The budgeted figure for MSP or other support should, however, be based on a cost concept that includes rent and interest on farm investments. Niti Aayog economists have correctly stated that rent is an unearned income on possession of a scarce land resource following Ricardo. But if non-agricultural corporates are allowed to get returns on scarce imported or other resources, why should the farmer be denied this?

By calling it an Interim Budget, a legal constitutional hassle has probably been avoided. But the pretence that monies to be spent after the first session of the new government facing a new Parliament has been decided now, is not very convincing. It is doubtful if the new lot will be that generous in giving away their power to their predecessors. So, the fun and games will start again with the rains. As Kalidasa sang, the clouds will bring messages. Until then enjoy the Interim Budget. A full one would have been certain in one way: Certainly worse. Be thankful for small mercies.

The writer is an economist and a former Union minister

## FEBRUARY 11, 1979, FORTY YEARS AGO

### RSS SHAKHAS BANNED

THE UTTAR PRADESH state government has decided to ban RSS shakhas in parks, public places, playgrounds and the grounds of educational institutions. The state labour and excise minister, Ramashankar Kaushik said in Lucknow that necessary orders were being issued to this effect.

### NATIONALISATION MEET

THE UNION INDUSTRY Minister, George Fernandes, said in Baroda that he was still in favour of nationalising the key industries in the country. Fernandes told newsmen that a committee, appointed by the national executive of the Janata Party, had discussed this

matter for about two hours in Delhi yesterday. The next meeting will be held on February 19, he said. The members of the committee, besides Fernandes, are Union Home Minister H M Patel, Ashok Mehta, Surendra Mohan, Ramkrishna Hegde, Viren Shah, Krishnakant and Dr Bhai Mahavir.

### LAW ABOVE ALL

PRESIDENT ZIA-UL-HAQ today enforced strict Islamic punishment for extra-marital sex, drinking liquor, libel and theft. Pending the levy of special Islamic taxes next July, he created a social fund of \$225 million for the country's destitutes. Announcing the measures at a state ceremony marking the birth-

day of the Prophet Mohammed, President Zia told a press conference in Islamabad that the "deterrent punishments" were for the good of mankind.

### IRAN ON EDGE

IMPERIAL GUARD TROOPS fought running gun battles with dissident airmen and armed civilian supporters of Ayatollah Khomeini as a mini-civil war erupted around an air force training centre in south-eastern Teheran. Hospitals in the area reported 62 dead and more than 300 injured. Prime Minister Shanpour Bakhtiar went before the Iranian senate with a "final" warning that "any aggression will be repulsed most severely."



FREEZE FRAME

E P UNNY



THE IDEAS PAGE

WHAT THE OTHERS SAY

“Sound techniques, calm temperaments, unwavering attitudes, innate match awareness and a knack of winning the key moments are special qualities that define great (cricket) teams and which Pakistan seem to lack.”

-DAWN

Hinduism of India

The harsh religion of today is based on illiteracy of texts, is divisive



IN GOOD FAITH  
RAJESH KOCHHAR

DURING THE Rajasthan assembly elections, a Congress candidate, CP Joshi, was singled out for a casteist public speech. Brahmin by birth, Joshi declared that the likes of Narendra Modi, Uma Bharati and Sadhvi Ritambhara, who came from castes traditionally considered “low”, had no right to speak about Hinduism. That prerogative, he suggested, squarely rested on the Brahmins who had the requisite knowledge. Had Joshi been aware of his community’s historical role before and during the British period, and expressed himself in a more nuanced manner, he could have avoided embarrassment to himself and his party.

Brahmins formed an alliance with the British and derived great benefits, which continued into the decades immediately following Independence. But the numbers game, inescapable in a democracy, has increasingly pushed them to the margins.

Traditionally Brahmins, except in rare cases where the learned ones received land grants, depended on alms and honorariums for performing domestic rituals and occasional gifts from rich patrons. With the coming of the Europeans, Brahminical learning and their old manuscript pothis became internationally marketable commodities. Even before the British became a territorial power, Pandits agreed to go to the residence of Europeans to teach them Sanskrit for monetary considerations. Eventually, the very definition of *mlechchha* was changed to suit the times. Instead of being a despised barbarian, a *mlechchha* was now one who could not pronounce Sanskrit correctly. Post the Battle of Plassey, the new rulers hired Brahmins at high salaries, treated them with due respect, and patronised their institutions. Sanskrit was taken out of the preserve of the Brahmins, and Hindu sacred texts made their way to public libraries.

If the Brahmins opened the doors of Sanskrit learning to *mlechchhas*, they could not possibly have kept the erstwhile shudras out. In colonial Bengal, the old aristocracy was destroyed and its place taken by people from whom, traditionally, Brahmins would not even accept drinking water. They were selectively given a ritual upgrade so that Brahmins could accept gold from them. The biggest zamindar of colonial Bengal, Maharaja Nubkissen, was born a sonar-bania but successfully passed off as a kayastha. His adoptive grandson, Raja Radhakant Deb, emerged as the biggest Sanskrit scholar of the 19th century and a leading conservative leader of his time.

With a view to blunting the attack on Hinduism by the missionaries, Ram Mohan Roy (caste surname Bannerjee) met them more than half-way by arguing that the superstitious practices which deform the Hindu religion have nothing to

do with the “spirit of its dictates”; and that the real or pure Hinduism was the one based on the Upanishads. In the late 1810s, while building the case for banning widow burning, he selectively enlisted the support of ancient rishis like Manu and Yajnavalkya, while condemning authorities such as Gotama. Similarly, a generation later, when Ishwar Chandra Vidyasagar (Bannerjee) campaigned for widow remarriage, his opponents far outnumbered supporters. The government did not go by head-count, but by Vidyasagar’s assertion that, “this custom is not in accordance with the Shastras, or with true Hindu law”. The roots of Hinduism were pushed further back to the Vedas themselves by Gujarat-born Swami Dayanand Saraswati, who gave them the status of revealed texts.

British patronage made Brahmins less rigid. In 1832, the appointment of Premchand Tarkabagish as a professor in Sanskrit College Calcutta was opposed by the highfalutin Brahmin professors and students on the ground that he was a Sudrajaji Brahmin (one who administered ritual to the low castes). Horace Hayman Wilson who oversaw the College imperiously told the objectors to leave if they so wished. Of course, nobody left.

In matters of social reform, most Brahmins were conservative, the Benares ones the more so than those from Bengal. The reform movements, however, were invariably led by Brahmins. The explanation may simply lie in the caste psychology. The Brahmins considered themselves the living repositories of tradition which they had a right to preserve, interpret and modify if need be. For the non-Brahmins (such as Radhakant Deb), tradition was a fossil that had come their way and which needed to be preserved as it was.

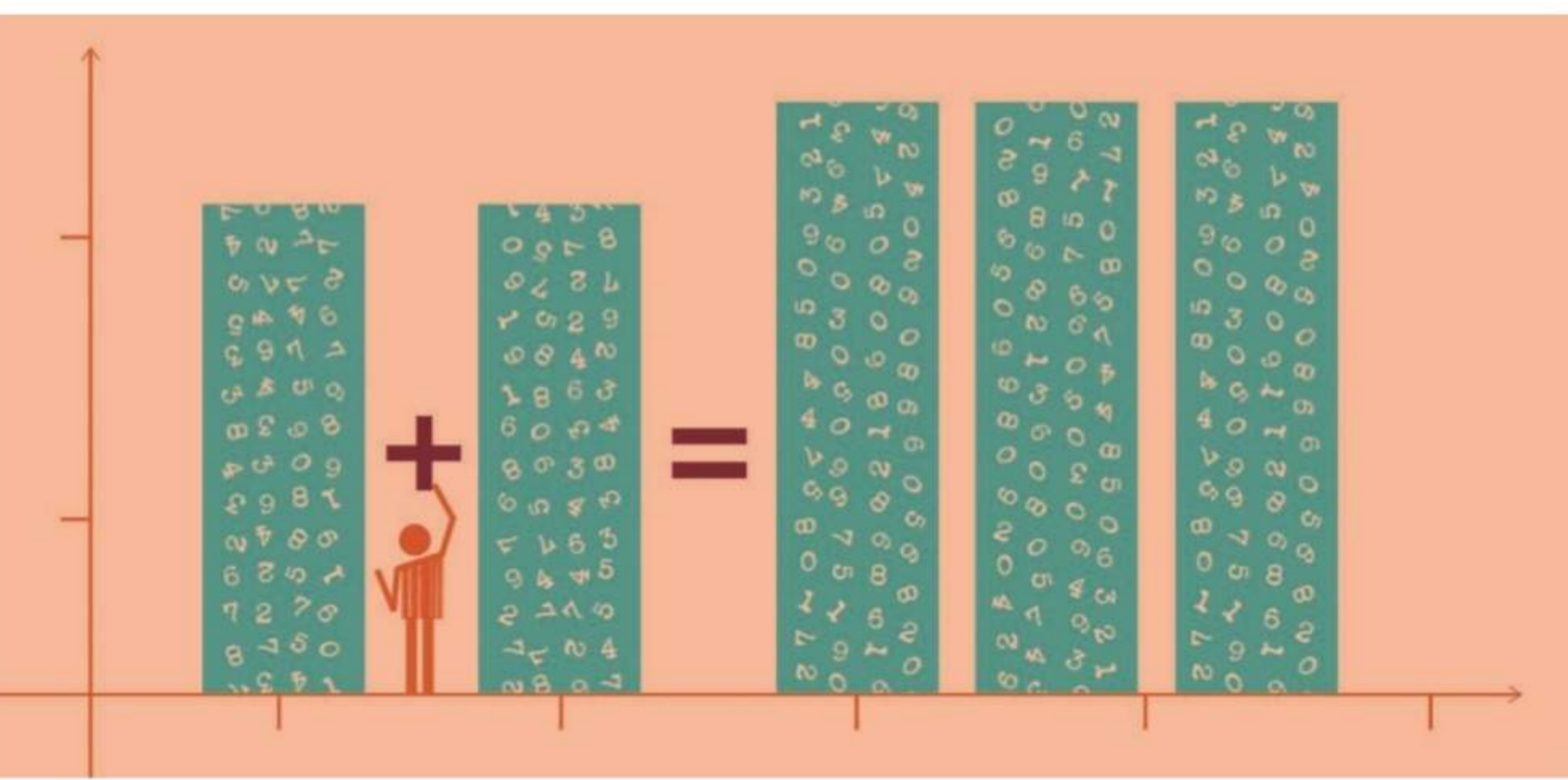
The 19th century, solutions to contemporary problems had to be justified by selectively quoting ancient scriptures. Hinduism in actual practice was brought to the centre stage by Mahatma Gandhi when he set out to make the nationalist movement mass-based.

Gandhi first spoke of Ram Rajya on May 8, 1915, in the context of the Ramayana. In 1920, he contrasts the British Rakshas Raj with Ram Rajya, describes himself as a Sanatani and a Vaishnav, and quotes Tulsidas and the Gita. However, by 1929, he is ready to make his Ram Rajya secular: “By Ramarajya I do not mean Hindu Raj, I mean by Ramarajya Divine Raj, the Kingdom of God. For me Rama and Rahim are one and the same deity.” It is remarkable that Gandhi takes a term from a popular Hindu epic and tries to develop it to serve a secular purpose.

Jawaharlal Nehru was rather fond of being addressed as Pandit. And yet, he formulated and propagated irreligious secularism. This was laid to rest by Atal Bihari Vajpayee’s soft Hinduism. Concerted moves are now afoot to bring in its place a harsh Hinduism. This new formulation does not distinguish between sense and nonsense and does not know how to reconcile Puranic and archival Hinduisms.

From Rammohun and Radhakant Deb to Gita Press, the activists at least read the texts and sought to employ them to serve their purpose. The harsh Hinduism of today is based on illiteracy, and is unhistorical, divisive and hateful.

Kochhar is author of The Vedic People: Their History and Geography



C R Sasikumar

There’s a hole in the data

The state has failed to create capacities for a timely, reliable, decentralised data regime



KIRAN BHATTY AND DIPASINHA

been changes in the definitions used by NFHS across different rounds that make comparisons over time difficult. Periodicity of data collection also varies across sources, furthering difficulty in validation. Data validation plays an important part in improving the quality of data collected and ensuring authenticity, without which departments are basically shooting in the dark.

Three, the data collected in these surveys, is not geared towards policy or planning. The education rounds of NSS are part of the survey on social consumption, which in turn is for the purpose of making an assessment of the benefits derived by various sections of society from public expenditure incurred by the government. It provides no information on how the education system is functioning. As a result, several important indicators that would be of interest for planning or to the people, do not even figure in them. For instance, the different categories of teachers or their salaries is not a data point in any dataset on education.

In the absence of regular large-scale survey data, what is available is the registry data collected by departments and ministries for monitoring of programmes. Unfortunately, these too suffer from gaps in information and are rarely used for programmatic purposes. At most, they are part of an accounting exercise. For instance, school surveys by the MHRD collect information on broad indicators of infrastructure and teacher availability (only two categories, whereas multiple exist) and student enrolment (but not attendance) and distribution of incentives. These take stock of the provisioning in schools, showcasing administrative efforts, but not functioning of the education system or real changes within it.

Another major problem with departmental data sets is the conflict of interest that results from data being collected by people who are entrusted with ensuring outcomes. Thus, school data for District Information System for Education (DISE) is collected by school teachers, health workers fill in the information for Health Management Information System (HMIS), anganwadi workers provide nutrition data and so on. This creates perverse incentives for them to hide the reality on the ground. This came out starkly in a comparison (by NCSaxena) of monitoring data of ICDS, which showed severe malnutrition for the country at 0.4 per cent, whereas NFHS data for a comparable period showed it to be around 16 per cent. Field studies show that angan-

In effect, the state has failed to create capacities that can be devoted to developing and maintaining a timely, reliable and decentralised data regime. This inadequacy pervades the system from top to bottom. DISE, for instance, has barely a handful of people manning the entire operation of developing and maintaining the official database for education.

wadi workers are often penalised by their superiors for reporting severe malnutrition. Similarly, teachers fear losing their job if enrolment or attendance falls below a certain level.

Data collection also suffers because it is not used in any meaningful manner. The anganwadi worker who fills numerous registers each month never receives any feedback on the data collected. Cluster and Block Resource Persons in the education system routinely collect enormous amounts of information in multiple formats. But no action is taken on it. This lack of feedback acts as a huge disincentive to the data collectors reducing the quality of what they collect. The shift to mobile reporting has not changed the situation on the ground as introduction of technology did not improve the feedback mechanism that continues to be a missing link.

In effect, the state has failed to create capacities that can be devoted to developing and maintaining a timely, reliable and decentralised data regime. This inadequacy pervades the system from top to bottom. DISE, for instance, has barely a handful of people manning the entire operation of developing and maintaining the official database for education.

The paucity and unreliability of government data has given rise to a plethora of non-government data sources in the social sectors, similar to Centre for Monitoring Indian Economy for industry and employment data. In education, the Annual Status of Education Report and the India Human Development Survey are commonly used. While these sources have been useful in highlighting neglected issues, it raises the question of data neutrality. Which source will, or should, the government use in making its policies and plans? Should not a large country of India’s complexity and growth strengthen its own data regime to ensure independence and neutrality? It will also go a long way in ensuring that its policies and plans are on track.

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VIEW FROM THE NEIGHBOURHOOD



A weekly look at the public conversations shaping ideas beyond borders — in the Subcontinent. Curated by Aakash Joshi

KASHMIR AGAIN

THE IMAGES OF Prime Minister Narendra Modi in Kashmir and Ladakh at the beginning of the week were used by Dawn in its February 5 editorial to tear into the Indian state’s “atrocities” in Kashmir: “The land was on a lockdown to ensure smooth passage for the Indian prime minister, who was visiting to monitor development projects. Businesses were closed and internet services on the phone suspended. True to tradition, several well-known Kashmiri leaders were put under house arrest and hundreds of others also taken into custody in the run-up to the trip. Srinagar presented the look of a city besieged by soldiers taking control of the roads.”

The editorial also took a dig at PM Modi’s behaviour in front of the cameras: “Mr Modi was ultimately spotted waving emptily at imaginary crowds as he took a safe cruise through the famous Dal Lake.”

The editorial then moves on to criticising the BJP’s “hawkish” positions on Kashmir: “And if the frustration of the administration is reflected in the large number of civilian casualties in recent times, the fear is that with a general election looming in India, the ruling party will be seeking to play up its Hindutva philosophy all the more vocifer-

ously to get votes.” The editorial hopes that the many “saner” voices in the Subcontinent triumph.

DHAKA ALONE

THE FEBRUARY 8 editorial in the *Daily Star* echoes a lament that has been persistent both from the establishment in Dhaka as well as the media: “It’s been nearly two years since more than seven lakh Rohingya people have entered Bangladesh having fled violent crackdown in Myanmar. There’s no viable solution in sight. As Myanmar continues to procrastinate when it comes to the repatriation, signs on the ground suggest a dismal prospect: the Rohingya crisis is deepening. Hundreds of thousands of refugees are currently sheltered in several vast camps, spanning several Upazillas in Cox’s Bazar. Their lack of access to education, income-generating activities and recreation is affecting them psychologically. On the other hand, having so many refugees in a relatively small area has created societal tensions and hurt the local environment. Bangladesh, therefore, is reluctant to pursue programmes that may act as pull factors.”

The thrust of the chagrin in Bangladesh

appears to be around the perception that it is alone in bearing the brunt of the crisis precipitating from Myanmar. “The world’s reluctance to take stringent measures against those responsible for the genocidal crackdown allows Myanmar’s military to act with impunity. Its new crackdown targeting other ethnic groups has already prompted new exodus of Buddhist community to Bangladesh. UN must engage with Myanmar’s closest allies to persuade it to shun violence and take back its citizens,” it concludes.

AFGHAN QUESTIONS

THE PERCEPTION THAT the United States under Donald Trump is ready to withdraw from Afghanistan, following the meeting of US representatives and those from the Taliban in Doha, is causing a lot of comment in the strategic circles in Pakistan. Syed Akhtar Ali Shah writes in *The Express Tribune* on February 7 that “Until the issue of foreign forces was agreed upon, the progress on other issues would be impossible, he quipped. From his statement it appears that their major focus is to ensure withdrawal of foreign forces within the specific timeline. Achievement on that

score will be a strategic victory. Once such a goal is achieved the future course of things will shape the way as they want things to be. The other important clause in the draft is that Baloch militants would not be allowed to use Afghan soil to target Pakistan, a consoling point for Pakistan. The plans about the interim future set-up and its composition is ambiguous; it is also not clear whether the Taliban would register as a political party and participate in elections or not.”

While peace in conflict-torn Afghanistan is something all would welcome, there are questions on the contours of a peace which gives control back to the Taliban: “The question is: peace at what cost? Will the Taliban and other violent non-state actors lay down their arms; abide by the constitution and law of the land? Will the ultimate use of force be with the Afghan National Security Force? Will it be at the cost of human rights? The fundamental question remains what will be the shape of society with the emergence of Taliban as dominant force in the future set-up of Afghanistan? If such questions are not answered clearly and left to ambiguity, the results may be what we witnessed in Swat and Waziristan in the past.”

LETTER TO THE EDITOR

A FATHER’S WILL

THIS REFERS TO the article, ‘Mahatma’s many deaths’ (IE, February 8). The author has cleverly utilised a despicable act of some fringe elements to malign the majority community, albeit indirectly. Nowhere in the world will a secular country have a minority commission or offer preferential treatment to minorities as given in Articles 25 to 30. A class of so-called progressives has used this tactic of creating a bogie of fear in the minds of Indian Muslims, keeping them alienated from the mainstream.

HN Bhagwat, via email

FOR GAU’S SAKE

THIS REFERS TO the editorial, ‘Same old bull’ (IE, February 7). Why can’t we let cows be cows? Haven’t we seen enough bloodshed and insidious political propaganda in their name? Thousands of cows die every year after consuming polythene. What’s wrong if budgetary allocations are made for cow shelters?

Ketan Kishan, Gurugram

LAW’S LABOUR LOST

THIS REFERS TO the article, ‘A labour of law’ (IE, February 8). Today, our political

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](mailto: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

democracy is on the verge of collapse because we do not have capable leaders. The present prime minister has done his best to weaken all the constitutional institutions.

MN Bhartiya, Goa



**TELLING NUMBERS**

**6.5 cr live in India slums, over 1 cr each in Maharashtra, Andhra**

**HIGHEST SLUM POPULATIONS**

Maharashtra	118 lakh
Andhra Pradesh	102 lakh
West Bengal	64 lakh
Uttar Pradesh	62 lakh
Tamil Nadu	58 lakh
Madhya Pradesh	57 lakh
Karnataka	33 lakh
Rajasthan	21 lakh
Chhattisgarh	19 lakh
Delhi	18 lakh

MAHARASHTRA HAD a population of 1.18 crore living in slums in 2011, followed by Andhra Pradesh at nearly 1.02 crore. At 2.20 crore, these two states accounted for more than one-third of India's 6.55 crore slum population (2011 Census). The nationwide total and the breakup for states were presented in Rajya Sabha last week by the Minister of State (independent charge) for Housing and Urban Affairs, Hardeep Singh Puri, in response to a question raised by DMK member Tiruchi Siva.

Maharashtra's 1.18 crore slum population was living in 25 lakh households, and Andhra Pradesh's 1.02 crore in a little over 24 lakh households. All 125 statutory towns in Andhra Pradesh, and 189 of 256 in Maharashtra, were slum-reported towns. The highest number of slum-reported towns, however, was not in either of these states but in Tamil Nadu, at 507 out of 721 statutory towns, followed by Madhya Pradesh (303 out of 364) and Uttar Pradesh (293 out of 648). Tamil Nadu had a slum population of 58 lakh, Madhya Pradesh had nearly 57 lakh and Uttar Pradesh had 62 lakh. In terms of slum population, however, next to Maharashtra and Andhra Pradesh was West Bengal at 64 lakh (it had 122 slum-reported towns out of 129 statutory towns).



Slum in Dharavi, Mumbai. Archive

**MOST SLUM-REPORTED TOWNS**

Tamil Nadu	507
Madhya Pradesh	303
Uttar Pradesh	293
Karnataka	206
Maharashtra	189
Andhra Pradesh	125
West Bengal	122
Rajasthan	107
Gujarat	103
Chhattisgarh	94

During the last four years, the ministry sanctioned 72,80,851 houses in slums, grounded 38,67,191 houses, and completed 14,75,879, while 3,14,765 houses were unoccupied.

Source for all data: Housing & Urban Affairs Ministry, Rajya Sabha

**DECISION 2019**  
THE QUESTIONS THAT MATTER

Can Cong Assembly poll showing translate to LS? **PART 2** RAJASTHAN

**Congress looks at verdict, BJP at narrow margin**

History has usually favoured Rajasthan ruling party in Lok Sabha polls, but it has not been without exception

**HAMZA KHAN**

JAIPUR, FEBRUARY 10

THE RAJASTHAN Assembly elections late last year gave the Congress a very narrow victory — 99 seats out of 200, followed by a 100th after winning a seat where polling had been postponed. Now with Lok Sabha polls approaching, Chief Minister Ashok Gehlot and Deputy CM Sachin Pilot have hit the ground running to implement the Congress manifesto, while the BJP is working on strategies to check a resurgent Congress.

**In a state where Lok Sabha elections follow close after Assembly polls, how have voting trends usually been?**

Generally, the ruling party has retained the advantage. The last exception was two decades ago, when the Congress won 18 of 25 seats in the 1998 Lok Sabha elections, followed by a sweeping 153 of 200 seats in the Assembly elections the same year, but failed to translate these in the 1999 Lok Sabha elections, winning just 9 of the 25 seats.

In the last pair of polls, the Congress plummeted to 21 Assembly seats in 2013, its lowest since Independence, followed by the BJP sweeping all 25 Lok Sabha seats in 2014.

**What has the Congress been focusing on after coming to power?**

On farmers and youth. Within two days of taking oath, Chief Minister Gehlot announced a farm loan waiver up to Rs 2 lakh, compared to the outgoing Vasundhara Raje government's waiver up to Rs 50,000. This will cost the government an estimated Rs 18,000 crore. On February 7, Pilot launched the waiver.

In January, in the presence of Congress president Rahul Gandhi at a farmers' rally in Jaipur, Gehlot announced measures including reconstitution of the Farmers' Commission, pension for small and marginal farmers, and a deadline for installing one lakh electricity connections. On January 31, Gehlot increased the dole to educated unemployed, besides targeting an increase in beneficiaries from 70,000 to 1 lakh. Gehlot has also made promises to other sections — 33% reservation to women in the Assembly, and a decision soon on 10% cent reservation for the economically weaker sections.

**How has the BJP been dealing with the Assembly poll defeat?**

Although smarting, the BJP has been pointing out that its vote share is only 0.5 percentage points lower than that of the Congress. As the Congress government moved quickly on its poll promises, the BJP has been trying to put up a challenge. About the farm loan waiver, the BJP has been claiming that the Rs 18,000 crore falls short of the actual debt of farmers, which it claims to be Rs 99,995 crore for about 59 lakh farmers. The BJP called a statewide protest on January 28 and courted arrest on February 8.

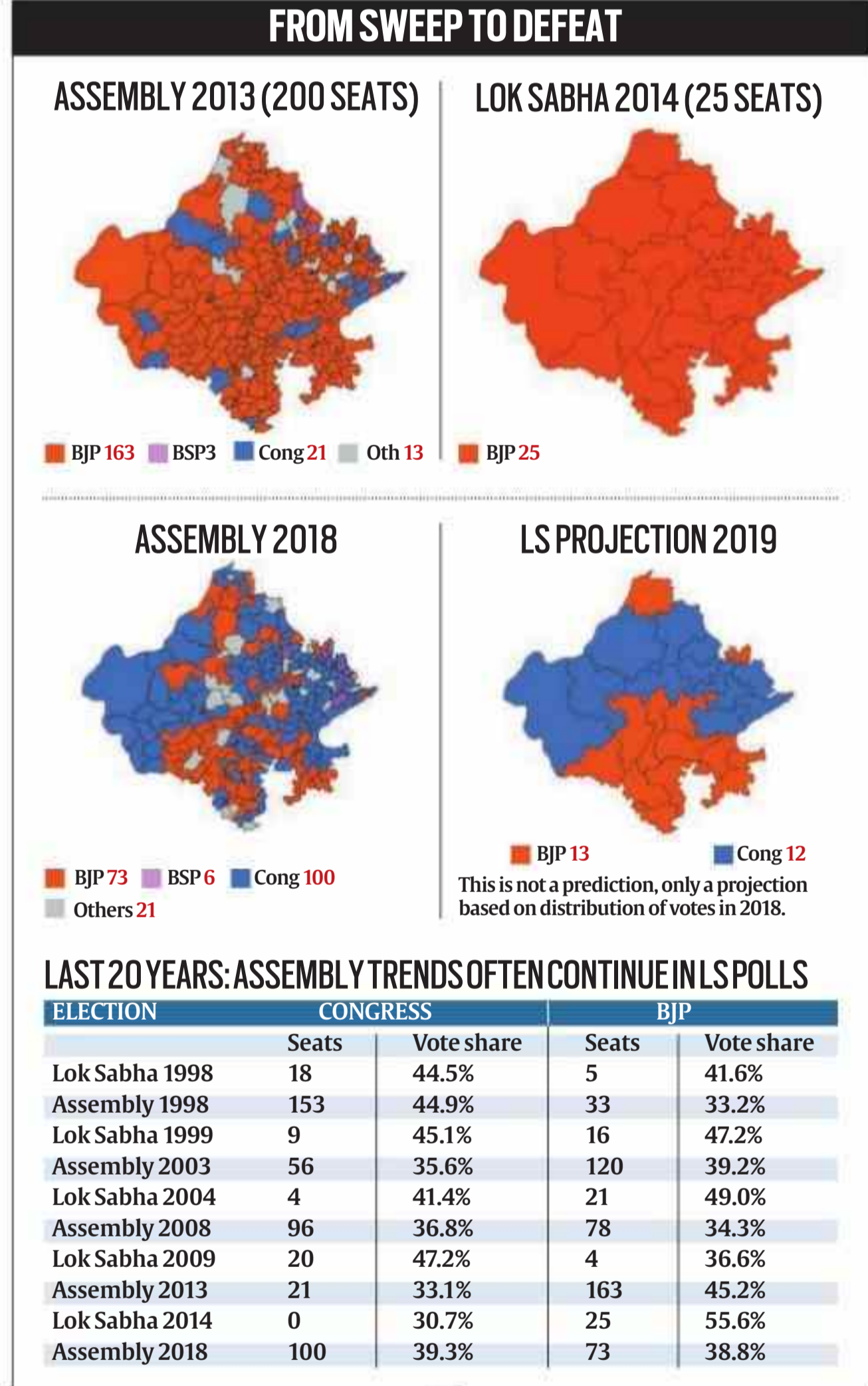
For the Lok Sabha elections, the party last month appointed conveners, co-conveners and in-charge for all 25 seats. This month, senior party leaders including Union ministers Prakash Javadekar and Arjun Ram Meghwal visited their assigned Lok Sabha seats. The party's youth wing too has lined up several outreach programmes.

**What were the big trends and issues in the Assembly polls, and how are they expected to play out in 2019?**

Things had started going downhill for BJP in late 2017, beginning with a Left-backed farmer protest in Shekhawati region, besides growing unrest over restrictions around cattle transport. Demonetisation and GST turned away many businesspeople, while



Outgoing Rajasthan Chief Minister Vasundhara Raje greets newly sworn-in Ashok Gehlot in December, while Deputy CM Sachin Pilot looks on. Renuka Puri/Archive



has been attacking the Congress over the issue of farmers. However, with the new government having moved quickly on distributing loan waiver certificates, the Congress is expected to focus on those issues again. The Congress has also been trying to appropriate issues relating to cows from the BJP; its Assembly election manifesto had promised to this effect.

**Are there issues troubling the two parties from within?**

Both are divided into factions. At a rally in September, Rahul Gandhi recalled having come across a photo of Pilot driving a motorcycle and Gehlot riding pillion; he was stressing unity. This was, however, followed by quarrels during ticket distribution, which was later cited as a reason why the Congress did not do as well as it had been expected to. Recently, asked about Gurjar reservation at a press conference, Gehlot and Pilot kept passing the mike to each other.

There are power centres within the BJP too. After the defeat, it remains to be seen how strongly Raje can push her choice of candidates. After she was newly appointed party vice president, a statement from her office read that she "will dutifully perform the role of the party Vice President but will not leave Rajasthan. I have said before, my palanquin came to Rajasthan and only the bier will leave from here."

**Does either party have a clear advantage?**

Both sides will have something to hope for. For the Congress, history works in its favour: Lok Sabha polls in the state have mostly favoured the ruling party, as noted earlier. Morale is high among the party cadre after the Assembly poll victory. Also, after the massive verdict in favour of Narendra Modi and the BJP in 2014, no such wave is visible yet.

The BJP, on the other hand, will be hoping that the pent-up anger among voters was vented in the Assembly polls. Although the Congress tried to leverage this anger, it remains to be seen how well it will work a second time around, given that the BJP was marginally behind the Congress.

**NEXT #12 Can Congress's Assembly poll showing translate to LS? PART 3: CHHATTISGARH**

**TIP FOR READING LIST**

**HOW HUMANS GOT STAR-STRUCK**

FROM ANCIENT astrology and mathematics to modern astronomy, the study of the stars has always fascinated humans. Ken Hollings, a writer, broadcaster, and cultural theorist based in London, looks at the relationship between humans and the cosmos, reinventing the history of astronomy as a new form of astrological calendar. The findings of astronomers have never remained confined within observatory walls; *The Space Oracle: A Guide to Your Stars* looks at what happens when astronomy escapes into the wider human world, and finds purposes beyond the scientific. It goes back to places and times when astronomers were treated as artists or priests, and brings into alignment astronauts and spies, engineers and soldiers, goddesses and satellites. "His book's 12 chapters echo the 12



houses of the zodiac. It is not a defence of astrology, though, rather, a wonderfully impressionistic exploration of how we have tried to make sense of the stars, from ancient cultures such as the Maya and the medieval idea that astronomy was an art, to the 'lost cosmonauts' — the Soviet astronauts who preceded Yuri Gagarin but never returned, their capsules lost in space." *The Guardian* describes the book in its review. It adds: "Hollings's beautifully written account takes the reader on some delightfully unexpected cosmic journeys. A riff on how, through polished glass, stars look like snowflakes, leads to Robert Hooke's comparison of snowflakes and urine crystals, and ends with an Apollo astronaut describing how in space 'a urine dump at sunset' was 'the most beautiful sight in orbit.'"

**SHYAMLAL YADAV**  
NEW DELHI, FEBRUARY 10

IN THE showdown between the West Bengal government and the CBI, the Union Home Ministry has asked the state Chief Secretary to take action against five IPS officers who had shared the stage with Chief Minister Mamata Banerjee during her sit-in protest in Kolkata (*The Indian Express*, February 8). The ministry is also said to be withdrawing police medals conferred by the Centre to these officers. A look at the rules officers are to follow, and the action to be taken for any violation:

**The IPS officers**

In its letter to Chief Secretary Malay Kumar De, the Home Ministry has named DGP Virendra Kumar who was earlier in charge of Mamata Banerjee's security; Vineet Goyal who heads security, Anuj Sharma, additional DGP (law and order); Gyanwant Singh, Commissioner of Bidhannagar; and Supratim Sarkar, Additional Commissioner,

Kolkata. It has asked the Chief Secretary to initiate action against them. Apart from considering withdrawal of medals, the Centre is also said to be considering removing their names from the empanelled list and barring them for a certain period from serving in the central government.

**Not many precedents**

It is very rare for a police medal to be withdrawn. Among prominent examples, the most recent was that of R K Sharma in the case involving the 1999 murder of journalist Shivani Bhatnagar. After he was convicted by a trial court (he was later acquitted by the High Court), Sharma was dismissed in April 2009 and then stripped of his President's Police Medal. In 2017, Dharmendra Choudhary of MP cadre (promoted from state police service), was stripped of his medal after the National Human Rights Commission implicated him for a fake encounter.

**What officers cannot do**

The All India Services (Conduct) Rules,



Mamata Banerjee with Kolkata Commissioner Rajeev Kumar and other officers last week. Partha Paul

1968, stress the importance of political neutrality. Rule 3 states that "every member of the Service shall maintain political neutrality". Rule-5(1) says that "no member of the Service shall be a member of, or be otherwise associated with, any political party or any organisation which takes part in politics, nor shall he take part in, or subscribe in aid of, or assist in any other manner, any

political movement or political activity." Also, an order of the Cabinet Secretariat dated February 17, 1973, states that "it is felt that in the light of the existing provisions of the Conduct Rules and the instructions already issued on the subject, taking any active part by a Government servant in a meeting or demonstration organised by a political party might cause an impression which may well be construed as assisting to a political movement... In order, therefore, to avoid any doubts about their political neutrality, it would be in the interest of the Government servants themselves not to participate in such meetings or demonstrations."

**Withdrawal of police medals**

On May 29, 2017, the Home Ministry issued a circular describing the conditions for withdrawal of a President's Police Medal conferred to an officer. It states the medal is "liable to be forfeited/withdrawn/annulled" when "the awardee is convicted by any court of law", or "the awardee is dismissed from the service" or "on the ground

of disloyalty, cowardice in action or such conduct as in the opinion of the President, brings the force into disrepute".

**Who takes the decision**

Rule-7 of the All India Services (Discipline and Appeal) Rules, 1969, specifies that the "Authority to institute proceedings and to impose penalty" will be the state government if the officer is "serving in connection with the affairs of a State, or is deputed for service under any company, association or body of individuals, whether incorporated or not, which is wholly or substantially owned or controlled by the Government of a State, or in a local authority set up by an Act of the Legislature of that State".

For any action to be taken on an officer of the All India Services — IAS, IPS and Indian Forest Services (IFoS) — the state and the Centre both need to agree. For any penalties to be imposed by the state government, it is necessary to obtain the consent of the Union Public Service Commission and the central government. Rule 9(3) states that in

every case the record of the inquiry shall be forwarded by the disciplinary authority to the "Commission (UPSC) for its advice and such advice shall be taken into consideration before making any order imposing any penalty on the member of the Service".

**The present case**

Before any action against the officers seen in Mamata Banerjee's sit-in, it will need to be concluded that they were actually taking part in it. In an Idea Exchange interaction at *The Indian Express*, Trinamool Congress MP Derek O'Brien said about the police officers: "They were not sitting on dharna... They were there for an hour and then they moved on."

Of the various circumstances for withdrawal of medals discussed earlier, conviction and dismissal do not come into play in the present case. Even if a case were made out on grounds of "disloyalty, cowardice in action or such conduct", there would still have to be agreement between the Centre and the state.